# THE UNIVERSITY OF TOLEDO COLLEGE OF LAW TRANSCRIP FALL 2010

# The Seven Important Roles Judges Play in Our Society

A Tribute to Our Alumni in the Judiciary

**Justice Lanzinger welcomes 2010 graduates** 





s I prepare for a new stage of my career, I sincerely thank all of you who sent me positive messages about my deanship. It was a genuine pleasure to rejoin the law school community as dean in 2006. I have especially enjoyed the alumni outreach events we've been able to conduct across the country and the opportunity to learn of your successes. By succeeding in law practice, on the bench, in business and in public service, you create inspiring examples that will motivate our students to succeed. Your financial support is important, too. It sustains us, even as state and University budget support is cut back.

.....

This transition has caused me to reflect on what we do at the law school and why it is a special place. The core of our identity is teaching students. We teach them:

**How to Learn** – A career in law is a lifelong learning experience, and we teach students how to keep learning, to keep questioning and to never lose their sense of curiosity and wonder;

**How to Teach** – Lawyers teach their clients, the public, legislatures, judges and sometimes even opposing counsel. Members of our nationally renowned faculty are not only published experts, but also are excellent teachers and role models for good teaching. Good teaching is a high priority for us, just as it was when you were a student;

How to Be Effective – We supplement standard legal courses with skills courses on subjects such as negotiation, mediation, electronic research, legal writing, trial advocacy and drafting, and provide practical experience in law clinics and externships;

How to Succeed – There is much more to success than just legal skill and knowledge. Our Professional Development and Mentoring programs teach life skills that will help students in the job search and beyond. Today's successful lawyer needs "people skills" and a commitment to service. Our many programs are designed to build these skills and sensitivities;

How to Care – In our law clinics and Volunteer Legal Services Program, students learn about the problems people face and the ways in which our society comes up short in caring for all of its citizens. These lessons will serve our graduates well in their future roles as legislators, judges and concerned citizens. When students provide legal services to the underprivileged, they learn what a difference a lawyer can make in a person's life; a lesson that will resonate throughout their careers; and

How to Believe in Themselves – For each of you, there came a moment when you finally believed you could be a lawyer. It might have come when you answered a tough question in class. It might have happened when you survived a Fornoff round, win or lose. It might have come when a professor encouraged you or when you got your first set of passing grades. It might have happened in a legal clinic with the first client you helped. We are helping create these same moments for today's students, just as we helped create them for you.

With regard to the future, I will be leaving later this year to become Dean of the St. Thomas University School of Law in Miami Lakes, Florida. I'm pleased to report that the University has named Associate Dean and Harold A. Anderson Professor of Law Daniel J. Steinbock as Interim Dean. Dan is an outstanding teacher and scholar and a gifted administrator. The law school will be in good hands.

It has been a genuine pleasure for me to serve as your Dean and I look forward to staying in touch. I thank you for both the support you have provided the law school over the past four years and for the support you will provide in the future. Your contributions of time and money will be important components of the school's future success.

Sincerely,

Royle E Fry

Douglas E. Ray Professor of Law Dean 2006-2010

### FALL 2010

The Toledo Transcript is published once a year by the College of Law Office of Alumni Affairs.

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### Steinbock Named Interim Dean



Dean Steinbock received his undergraduate and law degrees from Yale University. Before entering law teaching, he worked as a law clerk to U.S. District Judge Constance Baker Motley of the Southern District of New York, as a public defender with the Legal Aid Society in state and federal courts in New York City, and as associate and executive director of Prisoners' Legal Services of New York. Dean Steinbock also served as education coordinator in Cambodian refugee camps in Thailand for the International Rescue Committee. He is co-author of *Unaccompanied Children: Care and Protection in Wars, Natural Disasters and Refugee Movements* (Oxford U. Press), whose recommendations were adopted by several United Nations agencies. Dean Steinbock has also written law review articles and book chapters about refugee children, refugee law, search and seizure, identity documentation and data mining. He is currently a member of the Ohio Commission on the Rules of Practice and Procedure.

Outgoing Dean Douglas Ray praised the appointment saying "Dan Steinbock is a gifted teacher, scholar and administrator who puts the interests of law students first. He has been an integral part of our progress over the past three years, and I am certain that the law school will thrive under his leadership."



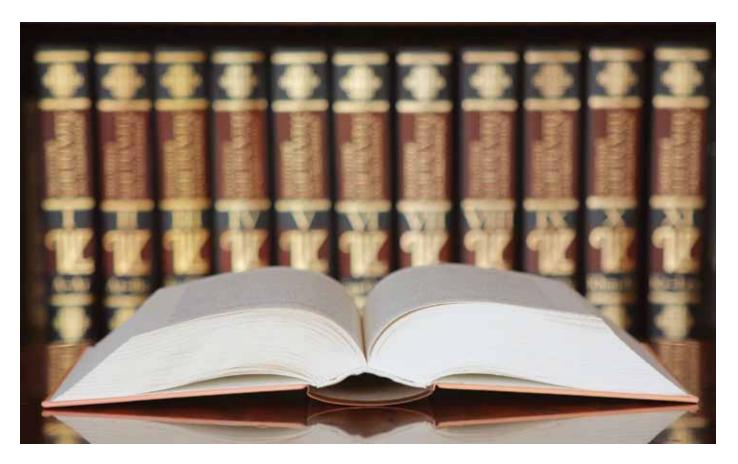


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Daniel J. Steinbock has been named Interim Dean for the 2010-11 academic year. A member of the law faculty since 1985, he is the Harold A. Anderson Professor of Law and Values and served as Associate Dean for Academic Affairs for the past three years. Dean Steinbock has taught Criminal Procedure, Evidence, Administrative Law, Immigration Law, and Trial Practice and was voted Outstanding Professor by six spring graduating classes. Prior to joining the College of Law, he taught at the State University of New York at Buffalo and Seattle University.



# Support for Law Student Professional Development

By Assistant Dean Heather S. Karns



Jim Barone '84

One of the most enjoyable aspects of my work is the opportunity to connect with so many of you and hear your perspectives on "life after law school". Thank you for your candor and sincere interest in making the students better prepared and the law school a better place. This past year you have confirmed my belief that, despite the growing importance of electronic and social media in our personal and business lives, old-fashioned people skills still matter most. How people treat each other, how they communicate with each other and the things they do to help each other remain the keys to professional success. Whether one is in law, business, teaching or another area, people are at the heart of it all. Meeting and talking with people improves our lives, both personally and professionally. Face-to-face interactions allow us to appreciate non-verbal cues, tone and the enjoyment that comes from connecting with someone. Because we want to send hard-working, effective, professional and gracious graduates to join you as alumni, we have expanded professional development programming to ensure that students understand the importance of people skills and learn how to interact effectively with others. In this, we've received support and advice from many of you who share the belief that mastering advances in technology does not mean leaving the skills of person-toperson interaction behind.

### The Jim and Melissa Barone Professional Development Series

Among those who believe "people skills" are crucial to professional success and happiness are Jim Barone '84 and his wife, Melissa. Jim attended law school with no intention of working as a traditional attorney. Following graduation, he pursued a successful career in the business world and now works as an international executive. In 2009, after learning of the many professionalism and careeroriented programs offered to students by the Office of Professional Development, Jim and Melissa decided to support these efforts with a multi-year gift. This gift allows the College of Law to highlight important issues relating to professionalism and professional development in law practice, government and business.

Over the course of its first year, the Jim and Melissa Barone Professional Development Series supported several programs including "From the Courtroom to the Boardroom." This innovative program presented an alumni panel which included Justice Judith Lanzinger '77 of the Ohio Supreme Court, Sharon Speyer '85 of Huntington National Bank, Steven Smith '80 of Connelly Jackson and Collier, Cathy Garcia-Feehan '89 of the U.S. District Court and Jim Barone '84, then of ARAG. It was moderated by Dean Douglas Ray. The group discussed the nuances of interacting with various levels of professionals in a variety of settings and passed on such tips as:

- Treat all interactions with court staff as if you are speaking directly to the judge;
- Expect and deliver a foundation of common courtesy;
- Address people appropriately formality is wise;

- Adjust to the professional class to which you will belong;
- Your reputation as a highly principled attorney will ultimately benefit your client;
- Preparation should be perfect: briefs perfect; arguments organized;
- Think before you speak don't be so eager to please right away, make sure you understand what is being asked of you;
- You can't overdo professionalism;
- Don't be an obstacle create options and solutions for people;
- How one interacts with wait staff, receptionists and other service personnel is observed by interviewers and clients and can be important to hiring decisions;
- If traveling outside the country, find a trusted colleague in that country who can share the informal rules and etiquette of the culture; and
- Start meetings on time and end meetings five minutes early — people will always appreciate you for that.
- More than 60 Toledo Law students attended and were fascinated by the candid nature of the remarks. Information shared by alumni leaders in the legal and business community such as these can't be matched, and students reported it was a dynamic program.
- The Jim and Melissa Barone Professional Development Series also supported a presentation by Ari Kaplan, author of The Opportunity Maker and a nationally recognized speaker in the area of business development who speaks to legal professionals and law students across the country. A Business Etiquette Dinner and Tips for Success program rounded out the series and allowed students to have an elegant cocktail hour and meal while receiving coaching on the most appropriate way to handle the "stickiest" of situations. Special thanks to Professor Gretchen Carroll '05 who led the instruction (and was kind enough not to point out every mistake I made) and Charles K. Boxell '73 who provided historical perspective during the event. We thank all the alumni who share their tips and ideas and are truly grateful for the support of Jim and Melissa Barone and their belief in law student professional development.



Cathy Garcia-Feehan '89



Justice Judith Lanzinger '77



Steven Smith '80



Sharon Speyer '85

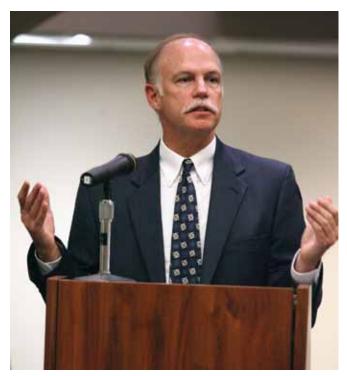
### Law school programs advance pro bono ethic, spirit of volunteerism among students

Students apply legal knowledge, skills to help those in need

By Jim Winkler '86



Dean Ray presents the Jefferson Award to Natalie Powers



James E. Yavorcik '79

G iving back to the community is a vital part of life as an attorney and a professional obligation. More importantly, it can be one of the most rewarding parts of a lawyer's life. Just ask Emily Plocki, Natalie Powers or dozens of other very busy law students who spent hours working with lawyers and legal organizations to help the community and obtain real-life legal experience.

Dean Douglas Ray launched the Pro Bono Commendation Program in January 2007. It builds upon and encourages student interest in helping the community, supplements the legal services provided by College of Law clinics and provides a way to recognize those who perform significant public service. In Ray's view, "This program gives students the opportunity to work with wonderful role model attorneys in legal aid and the Toledo Bar Association's Pro Bono Program, the opportunity to learn legal skills and build confidence, and, most importantly, to learn the difference a lawyer can make in a person's life."

By all accounts, the program has been a smashing success, helping the law school become more involved in the community and boosting its reputation for community service. Over the last three years, law students provided nearly 10,000 hours of law-related services to the poor and disadvantaged of Toledo and northwest Ohio through the program.

Students provide help in pro se juvenile, bankruptcy, expungement and family court clinics administered by the Toledo Bar Association's pro se legal-services program; facilitate "know your rights" seminars at community centers; advocate for the best interests of abused and neglected children through the Lucas County Juvenile Court's courtappointed special advocates program; staff the Domestic Violence Resource Center housed at the Family Court; and help pro bono attorneys in a wide range of private cases. Students also work at agencies such as Legal Aid of Western Ohio, Advocates for Basic Legal Equality, Toledo Bar Association, City of Toledo Law Department, and the Lucas County prosecutor and public defender offices.

Students who commit 30 hours a semester to volunteer law-related public service projects receive commendation certificates at an annual Public Service Awards Reception held each spring. They are also listed in the honors graduation bulletin. James E. Yavorcik '79, president of the Toledo Bar Association, spoke at the Awards Reception and explained that public service helps fulfill attorneys' idealism and professional responsibility to give back to their communities. "What drives us as lawyers are not nice cars or nice salaries, but the feeling that we can make a difference in the lives of others," he said.

Plocki, Powers and seven other law students were recognized for their public service at this year's Award Reception.

Others honored were:

• Thomas Marino, a second-year student and recipient of the Cooper & Walinski Fellowship. He worked at the Legal Aid Society of Cleveland;

- Cassia Pangas, Mia Gonzalez, Allma-Tedeam Spencer and Miranda Vollmer, recipients of UT Law/Public Interest Law Association fellowships;
- Andrew Howard, recipient of the Joel A. and Shirley A. Levine Fellowship in Alternative Dispute Resolution; and
- Brooke Stokke, recipient of the Levison Alternative Dispute Resolution Award.

A native of Mount Vernon, Ohio, and Kenyon College graduate, Plocki received the Patrick M. Burns Memorial Outstanding Clinical Student Award. She served as a legal intern with the Volunteer Income Tax Assistance Program, the College of Law Legal Clinic, Washtenaw County (Mich.) Probate Court, and Legal Aid of Western Ohio/Advocates for Basic Legal Equality. She helped clients in tax preparations, child adoptions, contentious divorces, and estate filings and assisted State Sen. Teresa Fedor (D., Toledo) in researching and drafting Senate Bill 126 to address the problem of cyberbullying among Ohio's school children. She will begin the one-year LL.M graduate program in taxation at Georgetown University this fall.

She said her pro bono work was one of the most rewarding parts of her studies. It provided context to her studies and helped her understand how the law can aid people struggling for justice and see a problem in a broader community context. It also provided her with a great deal of personal satisfaction in helping those who could not afford legal services.

"It helps you to take the course material and implement it in real life," she said. "It helps you go from ground zero and to become lawyer."

Natalie Powers, a graduate of Baldwin Wallace College and a native of Seven Hills, Ohio, near Cleveland, received the University's coveted Jefferson Award, a program that UT began last year to recognize volunteerism at the University.

During her three years at Toledo Law, Powers worked in the TBA's pro bono legal-services program, the Toledo Legal Aid public defender's office and the College of Law Domestic Violence Legal Clinic. She also worked with the Reentry Coalition of Northwest Ohio, a group that helps ex-offenders reintegrate into the community by finding housing, getting a job, reuniting with their families and clearing up past legal issues.

Working with the organizations was a huge confidence booster for her that also helped her better define her career path.

"It helped me realize that I can do things on my own," she said. "It helped my confidence in meeting with clients, my confidence with different areas of the law and with speaking with other attorneys when I needed help."

She also enjoyed the role of problem solver, which attracted her to the profession in the first place. "Clients come to you with a problem and you have to come up with a resolution that they're happy with," she said.

Pro bono — short for pro bono publico, meaning "for the public good" is of growing importance in legal education for several reasons, according to Clinical Professor Robert Salem, who directs the law school's Legal Clinic. He applauds the law school's new emphasis on public service and on the need to educate students about "the service aspects of the profession." The Clinic has trained students and helped low-income clients in cases involving discrimination, housing disputes, domestic violence, divorce and child custody, civil rights, and consumer rights for some 40 years.

Recent studies underscore the need for law clinics and law school pro bono programs. Surveys by the American Bar Association and other

### "What drives us as lawyers are not nice cars or nice salaries, but the feeling that we can make a difference in the lives of others"

organizations conclude that 80 percent of the legal needs of low-income families are not being served.

"What I've seen is that many students come to legal clinic thinking they are going to learn practical skills," Salem noted. "And certainly they do. But the most important thing they learn, I think, is something far more intangible and that is an appreciation for the service aspects of our profession, an appreciation for the needs of the community they serve and an increased motivation to go out and practice law. I think they get more excited about going out there and practicing law because they have had the experience of helping people, of getting that personal satisfaction."

In addition to expanding their legal skills, Salem said students grow in "empathy, understanding and temperament that they are going to need to be effective lawyers."

"We really try to teach students to stand in the shoes of their client," Salem explained. "We teach them to be client-centered as opposed to lawyer-centered. We tell them that lawyer-centered lawyers are not effective attorneys because they are not seeing through the eyes of their clients."

The appeal of pro bono work to young lawyers goes beyond just altruism, acknowledges Pat Intagliata, Esq.,'79, director of the Toledo Bar Association's pro bono legal-services program. The program, which began in 1981, operates pro se family, juvenile and bankruptcy law clinics as well as an expungement clinic and draws from a pool of more than 680 Toledo area attorneys who provide their services free of charge.

The pro bono experience, she said, is an important part of legal education because it allows students to see the real, raw legal needs of the community and gives them a chance to develop a variety of practical lawyering skills - interviewing clients, gaining their trust, conducting research, drafting motions, preserving attorney-client confidentiality, problem-solving and negotiating — as well as learning compassion and empathy.

"It is important for law students to see what the law looks like in the courtroom," said Intagliata, who became director in 1985, and who oversees the work of law students at the TBA. "It also shows them that there are a lot of less fortunate people who need help."

She thinks clinic and pro bono experiences are invaluable because they let students see close up what the law can do, even for someone unable to afford an attorney. She said that she would like to see every student have such an experience. Once students develop a strong respect and taste for public service, the less likely it is that they will dismiss their pro bono responsibilities once in practice. Often, the experience is satisfying enough to cause students to shift their career paths toward legal aid and public service.

# Alumni couple establishes educational scholarship fund

Donation reflects College of Law alums' lifetime connection By Jim Winkler '86



Roger and Paula (Freeman) Murray

arning a law degree and an MBA in three years is enough to keep any student busy, but throw in a part-time job, and you aren't catching much sleep.

But College of Law graduate Roger Murray '89, one of Georgia's most prominent bond attorneys, wouldn't have had it any other way.

"It was difficult, but I was very focused and driven back then," Murray recalled. "My days often started at 8:30 and ended around midnight."

These days, the co-founder of the Atlanta law firm, Murray Barnes Finster LLP, and his wife, Paula, also an '89 College of Law graduate, are remembering their roots and recognizing the value of a Toledo legal education in their own careers by establishing a scholarship fund for academically gifted students in the College of Law.

"The Murrays are true friends of the law school. Their continued support means a lot to all of us," said College of Law Dean Douglas Ray. "This scholarship fund will make a difference in the lives of students and at the law school. It will help students by making a legal education financially accessible and will help the law school by enabling it to attract bright students who will be the future leaders of the profession."

Roger said the couple's gift was motivated in part by gratitude. He said that he has great appreciation for Toledo Law and credits some personal and professional achievements to his professors and classmates. Now that he is in a position to help the law school, he wants to.

"I had a good experience at law school," recalled Roger, who graduated with a near 4.0 grade point average. "The professors were nice, and it was a very collegial atmosphere. You sometimes would hear stories of students ripping cases out of library books to prevent other people from studying them. That was not the case at Toledo."

"I always wanted to be a lawyer," said Paula. "UT was a perfect fit for me. It had a diverse student body and accessible professors."

The Murrays met while they were undergraduate students at Kent State University. A native of Sylvania, Ohio, Roger earned bachelor degrees in accounting and business management while Paula, a Kent, Ohio, native, earned a degree in marketing.

They both applied to Toledo Law and were accepted. During their three years at Toledo, they continued to date, with both of them often arriving on campus daily in Roger's beat-up Chevy Chevette with a rusted-out floorboard. "I was really poor back then," he laughingly recalled.

Roger earned two degrees, was a member of the Law Review and the prestigious Order of the Coif, and worked part-time for The Bolotin Law offices and as a graduate assistant for a professor in the College of Business Administration.

Paula earned money for law school by working as a waitress and as a law clerk with a local firm.

They got married three weeks after graduating and moved to Atlanta, where Roger joined the prominent King & Spalding law firm, where he had clerked between his second and third year of law school. He became a partner in 1997 and stayed with the firm until 2004, at which time he opened his own firm.

Paula clerked between her second and third year of law school with the Southern Prisoners' Defense Committee, today named the Southern Center for Human Rights, an organization that concentrates on lawsuits to force prison reform and on blocking executions in nine southern states. Her first job out of law school was with the law firm of Shapiro & Swertfeger, where she did bankruptcy work. Today she works part-time for the firm. The Honorable C. Ray Mullins '82, U.S. Bankruptcy Judge for the Northern District of Georgia, had words of praise for Paula's professionalism. Although she represented mortgage creditors in a high-volume practice, the type of practice in which it would be easy to get worn-out and overlook the personal impact on debtors losing their homes, he said, "Paula never seemed to be jaded and always showed respect and dignity toward the debtors in the courtroom and hallways of the court." He praised her as an "outstanding attorney."

With Atlanta's tremendous growth during the last two decades, Roger's public finance law practice has flourished. He has represented universities, municipalities, counties and port, water and sewer authorities throughout the state.

Roger has also been very active in Atlanta civic affairs, serving on the board of directors of The Henry W. Grady Foundation, which raises funds for Grady Memorial Hospital, and as chair of the board of directors of Special Olympics of Georgia. He was in the Leadership Georgia class of 2002. He serves on the law school's Dean's Advisory Council and was a member of the Board of Governors of the State Bar of Georgia.

The Murrays, who live in Atlanta's Buckhead section, have two children — Alexandra, 18, who will be an Emory University freshman this fall, and Kathryn, 15, a sophomore at private Westminster School.





### From the bench to the classroom: **Carr returns to Toledo Law**



ho says you can't go home again? James G. Carr, who joined the College of Law faculty in 1970, is rejoining the faculty as a Distinguished Jurist in Residence beginning fall semester 2010 after more than 30 years of service on the federal bench in the Northern District of Ohio. Carr left the college in 1979 to begin his judicial career. From 1979 until 1994, he served as U.S. Magistrate Judge in Toledo. Since then, he has served as a District Judge, having been appointed to that position by President Clinton. For more than five years, until June 1, 2010, when Carr assumed the semi-retired status of Senior Judge, he was the district's Chief Judge. In addition, from 2002-2008, Carr served on the Foreign Intelligence Surveillance Court in Washington, D.C.

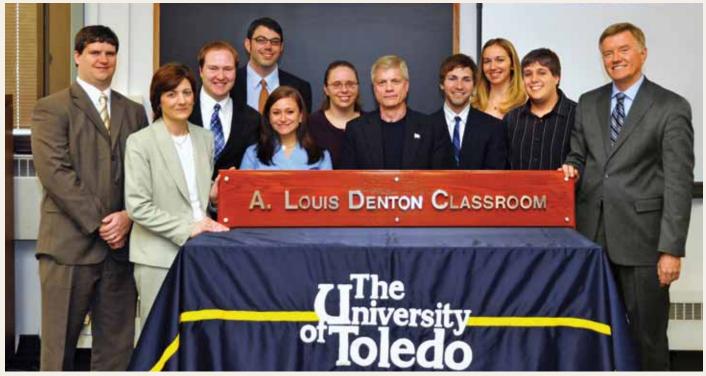
When Carr returns to the classroom he will teach two courses in Criminal Procedure and in Investigations and Adjudication during the fall semester; he will teach Criminal Law and a Trial Practice course in the spring.

Carr never left scholarly pursuits while on the bench, maintaining semi-annual supplements to his treatise, *The Law* of Electronic Surveillance, writing and

lecturing on law in a variety of settings, teaching a flex course at the college in May 2009, and helping to organize The University of Toledo Law Review's successful spring 2010 symposium on where and how to try terrorists.

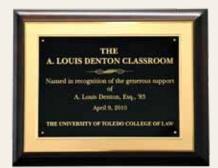
"We are delighted that Judge Carr has agreed to return to teaching," said Daniel J. Steinbock, interim dean. "Students in his courses will gain the benefit of his vast experience. They won't have to imagine how a judge will react to their arguments; they will know."

For his part, Carr expressed eager anticipation as he prepares to rejoin the faculty. "In addition to furthering the students' understanding of 'how to think like a lawyer," he said, "I hope to encourage them to begin to understand how to 'act like a lawyer.' I know I have more to offer than I did when I first arrived at the college 40 years ago this summer, but I am also keenly aware of how difficult it may be to transition effectively from the courtroom to the classroom and inspire students to find the law, especially criminal law and procedure, not just as challenging as I do as a Judge, but also as much fun to try to understand, decipher and apply."



Lou Denton '83 and scholarship recipients

# Law School Dedicates A. Louis Denton Classroom

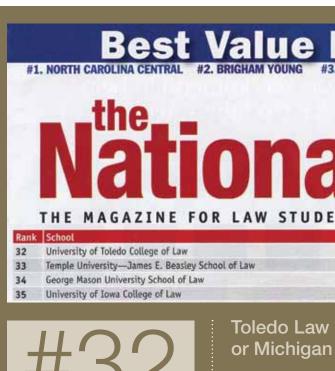


pril 9, 2010, was a day of celebration at the Law Center. On that date, the College of Law dedicated its largest classroom, Law Center Room 1013, in recognition of the generous financial support of A. Louis Denton, Esq. '83. The classroom has been named the A. Louis Denton Classroom and marked with a plaque and a nameplate. The ceremony was attended by faculty, staff, members of the Dean's National Advisory Council and students who had benefitted from the scholarships supported by Denton. In naming the room, Dean Douglas Ray stated, "Lou Denton's generous support has enabled us to create the Denton Leadership and Service Scholarships, scholarships which make the law school stronger by helping us attract outstanding students whom we expect to become leaders of the profession." After being introduced to an enthusiastic round of applause, Denton discussed the value of a legal education in a wide variety of careers and concluded with, "Scholarships benefit worthy students and help the College of Law to attract a talented group of future lawyers. This is a win-win situation for both the students and the law school." The event concluded with a luncheon in Denton's honor, at which he and other members of the advisory council shared words of wisdom and career advice with students.

Denton is president and CEO of Borer Denton & Associates, a Philadelphia area investment management firm.

"I had almost decided that coming to law school was going to be an unfulfilled dream when I received notification that I had been awarded the Denton Scholarship. That award was the deciding factor for me."

- Denton Scholarship Recipient



## UT Law Alumnus Wins National Writing Award for Copyright Paper

A broadcast and cinematic arts major with a minor in journalism, Robert Platt '09 found intellectual property courses to be particularly enjoyable during his time as a student at the College of Law. As part of his studies, Platt authored a paper on copyright law titled "A Comparative Survey of Moral Rights," which recently won a national writing award from the American Society of Composters, Authors, and Publishers.

THE NATION

Platt's paper was chosen as the best in the nation in the 2009 Nathan Burkan Memorial Competition. The primary purpose of the competition is to increase awareness and interest in intellectual property law. Judges are experienced copyright practitioners.

For his efforts, Platt won \$3,000, and his paper will be published in the Journal of the Copyright Society of the U.S.A. Second place went to a student from The William S. Richardson School of Law at the University of Hawaii and third place went to a student from Georgetown University Law Center.

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# Toledo Law Rated as Best Value in Ohio or Michigan

In Sept. 2009, The National Jurist, the leading magazine for law students, ranked the College of Law among its "Best Value Law Schools." Using a formula that factored in bar pass rates, job placement rates and cost, the magazine ranked Toledo number 32 in the nation, the highest ranking of any law school in Ohio or Michigan.

> Platt is the second College of Law student to win this prestigious award. Tamera Peters '05 placed first in the 2005 competition. Both students benefitted from the rich intellectual property curriculum at the college, as well as from the guidance of Professor Llewellyn Gibbons.

> Platt is currently serving as a presidential management fellow with the U.S. Department of Housing and Urban Development.



# **Moot Court Teams Enjoy Success**



Dale Bricker, Adam Kopchian and Christopher Langholtz

Several Toledo Law Moot Court teams distinguished themselves in national and international moot court competitions during the past academic year. The Intellectual Property Team recently advanced to the semi-finals and took third place in the BFSU-WANHUIDA Cup, hosted by the Beijing Foreign Service University. Dale Bricker, Adam Kopchian and Christopher Langholtz competed against teams from the United States, Australia and China. In another international

competition, David Durst received an honorable mention as an individual at the VIS Arbitration Competition in Vienna, Austria. Students from 252 universities in 62 countries participated in the competition.

Teams also excelled in national competitions. Nicholas Adams, Amy Tremonti and Jessica Vartanian advanced to the top 16 in the Robert Wagner National Labor and Employment competition in New York City. Their brief was ranked second in the competition, which included 46 teams from around the nation. Megan Saterlee, Tamera Thomas and Brian Latta advanced to the top eight in the Tulane Law School Mardi Gras Moot Court Competition, and their brief ranked third among 40 teams. Johnathan Stone was cited as best oralist in two rounds at the National Environmental Moot Court Competition at Pace University, and Jessica Welty, a member of the Trial Advocacy Team, was cited as best oralist at the Case Classic Mock Trial Competition.



Gabrielle Davis

### Law School Bids **Farewell to Professor** Gabrielle Davis

At a December 19 reception, the College of Law community gathered to bid farewell to Clinical Professor Gaby Davis '90, director of the College of Law Domestic Violence Clinic. After a stint in private practice, she joined the law faculty in 1996 and served in the Civil Law Clinic before establishing the Domestic Violence Clinic. She was also the principal investigator on a federally supported study of domestic homicides in northwest Ohio.

Service Award, Dean Douglas Ray said, "Gaby Davis made a difference for our students and our community. She served as mentor, role model and teacher and found her life's work here." While at the law school, Davis received many awards for her public service, including the 2008 Edith Rathbun Award for her dedicated work on behalf of domestic violence victims and the 2008 Access to Justice Award. In 2009, she was chosen for the Jefferson Award as one of the top three people in the region has taken a position with the Battered where she continues her good work.

### **Conference Debates Future of Great Lakes**

By Professor Ken Kilbert, conference chair

#### s Congress jeopardizing the Great Lakes or saving them?

Two keynote speakers gave starkly contrasting answers to that question at The University of Toledo College of Law's ninth annual Great Lakes Water Conference on Nov. 13, 2009.

U.S. Rep. Bart Stupak of Michigan criticized Congress for approving the Great Lakes—St. Lawrence River Basin Water Resources Compact in 2008. The Compact, which was ratified by all eight Great Lakes states, is designed to limit diversions of Great Lakes waters beyond the Great Lakes basin and promote wiser management of water within the basin.

Stupak, however, said that the Compact actually weakened protections of Great Lakes waters. Pointing to provisions such as the Compact's "bottled water loophole" and the absence of language affirming public ownership of Great Lakes waters, Stupak contended that the

Cameron Davis, Senior Advisor to the Administrator of the U.S. Environmental Protection Agency, lauded Congress' approval of funding for the Great Lakes Restoration Initiative in fall 2009. The multi-agency initiative directs \$475 million over the next year toward restoring the Great Lakes. Emphases include habitat restoration, cleanup of toxic areas of concern, mitigation of non-point source pollution, invasive species control and education.

"This is the opportunity of several generations," said Davis. "We have to save the Great Lakes like our lives depend upon it, because they do."

### **College of Law Welcomes Two New Faculty Members**

he College of Law community is pleased to welcome Assistant Professors Kara Bruce and Garrick Pursley to the faculty this fall. Kara J. Bruce will teach commercial



Kara J. Bruce

Garrick B. Pursley

law courses, including Secured Transactions and Commercial Paper. She is a graduate of the University of North Carolina at Chapel Hill (BA) and Tulane Law School (JD), where she was managing editor and assistant symposium editor of the *Tulane Law Review*.

Prior to joining the faculty, Bruce worked as an attorney in the Bankruptcy and Restructuring Group of Locke Lord Bissell & Liddell LLP in Chicago, Ill., where she represented clients in complex business reorganizations and commercial litigation matters. She also maintained a substantial pro bono practice, handling matters in the fields of consumer bankruptcy, immigration and appellate law.

Bruce has been active in a number of professional and civic organizations, including the American Bankruptcy Institute, the Turnaround Management Association, the Chicago Community Trust

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Compact treats water as a commodity and opens the door for Great Lakes waters to be taken outside the region and the nation.

The conference brought together governmental, legal and policy experts to address issues vital to the Great Lakes region, including efforts to stimulate our economy by restoring water resources, threats to the protections afforded by the federal Clean Water Act, and the new Great Lakes interstate compact. More than 150 people attended the conference, which was sponsored by the College of Law and its Legal Institute of the Great Lakes.

Other speakers included the directors of the Ohio Environmental Protection Agency and Ohio Department of Natural Resources, private sector and public interest lawyers, representatives of environmental organizations and law professors from the United States and Canada.





and the Heartland Alliance's National Immigrant Justice Center. She has published in the fields of bankruptcy and creditors' rights.

Garrick B. Pursley will teach Civil Procedure and Constitutional Law. His research covers a broad range of issues in constitutional and legal theory, federal courts, civil procedure, administrative law and renewable energy law and policy. His recent work includes "Preemption in Congress" Ohio State Law Journal (forthcoming 2010), "Local Energy," Emory Law Journal (forthcoming 2011, with Professor Hannah Wiseman), an invited symposium contribution, "Avoiding Deference Questions," Tulsa Law Review (2009), and "The Structure of Preemption Decisions," Nebraska Law Review (2007).

Before joining the Toledo faculty, Pursley was an assistant professor in the Emerging Scholars Program at the University of Texas School of Law, where he taught courses on introductory and advanced constitutional law and seminars on administrative law and federalism.

Pursley graduated from the University of Texas at Austin (BA, Philosophy, 2001) and from the University of Texas School of Law (JD, 2004), where he served as articles editor on the Texas Law Review. After law school, he clerked for the Honorable Royce C. Lamberth of United States District Court for the District of Columbia (2004–2005) and the Honorable Timothy B. Dyk of the United States Court of Appeals for the Federal Circuit (2005–2006), and practiced at Susman Godfrey, LLP in Dallas, Texas (2006–2008).

# John W. Stoepler Golf Classic



The John W. Stoepler Scholarship fund was established in 1990 following John's retirement as dean of the College of Law. John passed away in 1998. The following year, the College of Law alumni association renamed the outing in John's memory. Approximately 25 scholarships have been awarded since the fund's inception, with a majority of the funding coming from this annual golf outing. Members of John Stoepler's family who attended this year's dinner included John's son-in-law, Paul Dymarkowski; John's grandchildren, Danny and Mandy Dymarkowski; and John's daughter's in-laws, Paul and Fran Dymarkowski. Also attending were Lynn Dymarkowski, Hannah Beck and Conny Leber. Joe Zerby, a member of The University of Toledo's Board of Trustees and president and general manager of The Blade also attended and The Blade sponsored a hole-in-one contest for a \$10,000 Pebble Beach Golf Vacation. Winners at this year's outing included:

### 1st Place Diane French

Brandon French Eric Mohler Brad Wannamacher 2nd Place Connie Zouhary '81 Business Jim Neumeyer '03 Law, '97, '92 Business Jared Fawley, Current Law Student

Longest Drive Men – Mike Mang '83 Engineering, '81 UCTC Women – Diane French



Brent Bondy '08, Andrew Bankert, Conny Leber, Paul Dymarkowski, Danny Dymarkowski



Mark Boss '97, Colleen Maloney, Brooke Phelps '02, Bruce Lazar '95



Professor Robin Kennedy, Joe Dawson '81, Mike Vassar '67 , Tim Foutz



Eric Mohler, Diane French, Brandon French, Brad Wannamacher



Robert Young '71, Kenny I. White '61, Guy Barone '72, Judge James Bates '72, Judge Ronald Bowman '59



Michael Dockins '05, Michael Riesen '08, William "Chip" Dusseau '07

# Law Review Symposia Explore Cutting Edge Issues



Panelists discuss Military Commissions Act



Solar panels located on UT's Main Campus

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# The Military Commissions Act of 2009: Back to the Future or the Fix for a Flawed System?

The College of Law took center stage this past February, as the Toledo Law Review hosted an all-day event on terror trials and their appropriate venue. The Law Review was one of the first in the country to host such an event in the wake of the decision to try several accused terrorists in New York Article III courts.

Working closely with Chief Judge James Carr of the Northern District of Ohio, the Law Review brought together nationally recognized scholars, practitioners and judges in one of the most successful — and well attended — symposia to date. Attendees were treated to discussions ranging from judicial insight from judges who had each presided over a terror trial, to the pros and cons of military versus civilian courts from prosecutors and defense attorneys alike, to the virtue of the newly enacted Military Commissions Act of 2009.

Among the featured speakers were: Chief Judge James Car (ND OH); Chief Judge Gerald E. Rosen (ED MI); Judge Marcia Cooke (SD FL); CAPT David C. Iglesias, USN JAG; CAPT Glenn M. Sulmasy, U.S.C.G.; John Rizzo, Fmr. General Counsel, CIA; Ass't U.S. Atty Justin Herdman, Joshua Dratel, and Vicki Werneke and Darin Thompson of the Federal Public Defender's Office. Professor John Q. Barrett of St. John's University School of Law gave the keynote lunchtime address on the history of the Nuremberg Trials and their applicability to the current terror trial dialogue.

### Climate Change and the Future of Energy

In March, the Law Review hosted a second symposium, titled Climate Change and the Future of Energy. Recognizing both the importance of the legal framework surrounding renewable energy and the leadership role that northwest Ohio has assumed, the Law Review brought together scholars and practitioners for this timely event. Participants discussed both the current framework and offered insight into the future legal needs of renewable energy development. Panel topics ranged from the ability of the federal government to effectuate large-scale environmental change to SmartGrid technology and its effect on existing notions of privacy to the incentives and obstacles for renewable energy at both the state and federal level.

Among the featured speakers were: Professor Mark Squillace, University of Colorado Law School; Michael Zimmer, co-chair of the Renewable and Distributed Energy Resources Committee of the Section of Environment, Energy and Resources; Trevor D. Stiles, associate of Foley and Lardner LLP; Kevin Doran, senior research fellow of the Center for Energy and Environmental Security, University of Colorado Law School; Aaron Burstein, TRUST and ACCURATE Research Fellow, University of California School of Law; Paul Centolella of the Public Utilities Commission of Ohio; Mark R. Shanahan, energy adviser to Ohio Governor Ted Strickland and executive director of the Ohio Air Quality Development Authority; James M. Van Nostrand, executive director of the Pace Energy and Climate Center; Will Reisinger, Esq., staff attorney of the Ohio Environmental Council; Keith Wilkowski '82, Marshall & Melhorn LLC, and chair of the Advanced Energy and Green Initiatives Practice Group; Marianne Tyrrell, consultant with Hamel Environmental Consulting; Lee Paddock, associate dean for environmental studies and professorial lecturer in law. The George Washington University Law School; M. Howard Petricoff, partner with Vorys, Sater, Seymour and Pease LLP and member of the Energy and Environmental Group; Dean Joseph P. Tomain, dean emeritus and the Wilbert and Helen Ziegler Professor of Law, University of Cincinnati College of Law; and Granger Souder '85, vice president and general counsel of Xunlight Corporation.

Participants' papers will appear in Volume 41, Issue 4 of The University of Toledo Law Review.

# Authors, Attorneys and **Scholars Visit Law School** for Speaker Series

By Anita Crane



The 2009-2010 Toledo Law Speaker Series covered a wide range of topics, from politics to legal philosophy to the practice of law. A recurring subject was the job market, with several presenters offering timely advice to new lawyers seeking employment. The Speaker Series provides students the opportunity to hear from national experts about cutting edge legal and social issues, as well as topics relevant to their development as lawyers.



P.J. O'Rourke

P.J. O'Rourke said that the free market, not the government, offers the best solutions to our country's social challenges. "The problem isn't politics," the bestselling humorist told a standing-room-only audience at the College of Law this September, "the problem is politicians."

Politics, he said, is the idea that society's ills can be fixed by government. This puts politicians in the position of having to be grand visionaries in all areas, a task at which anyone would fail. According to O'Rourke, the goal of all politicians, left and right, is to scare the public into giving them power. Political interference based on fear is what causes problems like the current financial crisis. Allowing the free market to regulate our economic system is a safer and more reliable approach, said O'Rourke.

The speech, titled "The Invisible Hand of the Market vs. the Government's Visible Fist". was delivered on Sept. 29, 2009 at the Law Center Auditorium as part of the Stranahan National Issues Forum.

In attendance were College of Law students, faculty and staff, as well as many members of the legal community and general public. The auditorium was filled to capacity, with some audience members standing in the back. O'Rourke's comments generated guite a bit of laughter and a few cheers from the group.

O'Rourke has written 15 books including, *Driving Like Crazy*, which was published in June 2009. He is the H.L. Mencken Research Fellow at the Cato Institute in Washington, D.C., and is a regular correspondent for The Atlantic Monthly, The American Spectator and The Weekly Standard. O'Rourke was born in Toledo and is a graduate of Miami University in Oxford, Ohio.

The Stranahan National Issues Forum is a joint program of The University of Toledo College of Law and its chapter of The Federalist Society. It is made possible by an endowment from the Stranahan Foundation.

### **Distinguished Alumnus Encourages Public Service Careers**

"It's been a great ride," said Assistant U.S. Attorney Randall Samborn '82 of the nontraditional career path he's taken since graduating from Toledo Law. That path has led him to become the public information officer for U.S. Attorney Patrick J. Fitzgerald of the Northern District of Illinois. He spoke at the law school on Feb. 15.

Samborn described the journey that took him from Toledo Blade reporter to law student to legal journalist to his current position. While his original intent was to use a legal education to advance his career in journalism, he ended up taking the Illinois Bar Exam and working for the National Law Journal before joining the U.S. Attorney's Office. He said he didn't expect to be where he is now, but is glad things turned out the way they did. Samborn encouraged students to consider the vast array of opportunities available in the public sector and to think about rewards that go beyond remuneration.

"Never say never," he told the audience.

Samborn went on to talk about the day-to-day duties of a high-profile press officer, such as handling media inquiries and ensuring compliance with public information laws. He also mentioned some interesting cases he's handled, including the Valerie Plame case and the Rod Blagojevich scandal.

The speech was part of the Distinguished Alumni Speaker Series at the law school.

### **Bestselling Author and Toledo** Native P.J. O'Rourke



### Former Detroit Mayor and ABA President Speaks At Toledo Law



Dennis W. Archer advised law students who are looking for post-graduation jobs to think about why they wanted to attend law school in the first place. The former Detroit mayor, president of the American Bar Association and member of the Michigan Supreme Court spoke

at The University of Toledo

Dennis W. Archer

College of Law on Sept. 30, 2009 about "The Emerging Practice of Law: 2009 into the Future."

His timely speech covered the changing job market for law school graduates. Large firms are hiring fewer new associates, offering lower starting salaries, and visiting fewer campuses to recruit employees. Archer told students to consider the many options that a law degree affords and pursue areas of practice that offer personal fulfillment, rather than focusing on large incomes that are no longer guaranteed. He strongly advocated public service careers as a worthy field.

"You would be working at something that's not always the highest paying," he said, "but you are contributing to society." Archer added that students should always strive to be their best, because everything they do at law school will come back and impact them as lawyers. "The classmate of today may be the potential employer tomorrow," he said.

Archer is chair of Dickinson Wright, a Detroit-based law firm with more than 250 attorneys. He served two, fouryear terms as mayor of the city of Detroit (1994-2001) and earned national and international respect for his success in changing Detroit's image and direction.

Archer was the first person of color elected president of the American Bar Association (2003-2004), as well as of the State Bar of Michigan. In 1985, Governor James Blanchard appointed him an associate justice of the Michigan Supreme Court. He was elected to an eightyear term the following year.

"Dennis Archer is one of the most prominent attorneys in America. His wide range of experience — in politics, on the bench, as a leader of the bar, and in small and large firm practice — gives him an unparalleled perspective on the future of the legal profession. This was a great opportunity for law students and lawyers to see what lies ahead," said Daniel J. Steinbock, then the College of Law's associate dean for academic affairs.

The Toledo Law Distinguished Speakers Series is dedicated to providing the College of Law and the general public with timely discussion of legal and policy issues.

### 2009 Cannon Lecture: **ACLU** President **Susan Herman**

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Susan N. Herman, president of the American Civil Liberties Union and Brooklyn Law School Professor, spoke at The University of Toledo College of Law on Oct. 29, 2009 as part of the Cannon Lecture Series. Herman's speech, "Civil Liberties in the Age of Obama," focused first on a history of the ACLU, followed by an overview of the organization's current efforts. "Over the past eight years,

Susan N. Herman

we've tried to serve as a counter-balance to the abandonment of rights during the War on Terror," Herman said. The ACLU regularly challenged the Bush administration on issues such as Guantanamo Bay detentions, the definition of torture and government transparency. According to Herman, President Obama has made encouraging promises, including giving due process to detainees and turning over records related to torture policies, but has not fully followed through. "It is the ACLU's job to hold the president to his word," she said.

"The 'just trust us' form of government is not the American way," she added.

Herman is the Centennial Professor of Law at Brooklyn Law School, where she teaches courses in Constitutional Law and Criminal Procedure, Law and Literature and Terrorism and Civil Liberties. Her recent publications include two books, Terrorism, Government, and Law: National Authority and Local Autonomy in the War on Terror (editor and co-author with Paul Finkelman) and The Right to a Speedy and Public Trial.

Herman was elected president of the American Civil Liberties Union in October 2008, after having served on the ACLU National Board of Directors for 20 years, as a member of its executive committee for 16 years and as general counsel for 10 years.

Associate Dean Daniel J. Steinbock (now Interim Dean), who worked with Herman at Prisoner's Legal Services of New York, described her as "a highly intelligent and committed advocate, who was one of the fastest and most fluent brief-writers I have ever encountered. Susan Herman has dedicated her career to defense of civil liberties," he said.

The Cannon Lectures were established in 1980 in memory of former Toledo attorney Joseph A. Cannon through a generous gift from his family and friends. The lecture series is intended to provide an opportunity for the College of Law, the University and the greater Toledo community to host individuals of national prominence who, in discussing questions of law and society, will emphasize the humanistic dimensions as well as limitations of our legal system.

### Stranahan Lecturer Discusses Philosophy of Natural Law

"Natural Law, God, and Human Dignity" was the title of a Feb. 18 presentation by Robert P. George, McCormick Professor of Jurisprudence and founder and director of the James Madison Program in American Ideals and Institutions at Princeton University.

According to George, the basis for human systems of law can be derived from natural principles. Our experiences can be divided into those with instrumental value, or value that has a practical purpose, and those with intrinsic value, or value in and of itself. Decisions about human rights and morality are drawn from the intrinsic value of human dignity, said George. While belief in God is not necessary for acceptance of Natural Law Theory, said

George, who was profiled in the Dec. 16, 2009 New York Times Magazine article, "The Conservative-Christian Big Thinker," is widely considered the nation's most influential Christian intellectual. The speech was presented as part of the Stranahan National Issues Forum, a joint

Robert P. George

"Day After" Speaker Describes **Supreme Court Experience** 

Toledo Law students were treated to a behind-the-scenes look at arguing a case before the U.S. Supreme Court. Richard D. Friedman, who is the Ralph W. Aigler Professor of Law at The University of Michigan Law School, spoke at Toledo Law on Feb. 11 about his argument earlier that month in Briscoe v. Virginia, a case in which he represented the petitioner.

The speech was presented as part of the annual "Day After" Series at the law school, which brings in top advocates who have recently argued before the Supreme Court on cutting-edge issues. Briscoe is the latest case to clarify the effect of Crawford v. Washington, a 2004 decision that announced a new, stricter standard under the Confrontation Clause of the Sixth Amendment for the use of out-of-court statements against an accused in a criminal trial.

Friedman shared with the audience some of the background of the case and the history of the Confrontation Clause. He also described the different Supreme Court cases that led to Briscoe, as well as his own role in the case. His speech gave students an insider's perspective on the process of changing constitutional law.

In an interesting aside, Friedman spoke highly of the then newest Supreme Court Justice, Sonia Sotomayor. He said she asked probing questions designed to find out his position and then determine her own. He called her guestioning concise and direct.

Friedman is an expert on evidence and Supreme Court history. He is the author of a textbook, The Elements of Evidence, and co-author of Waltz, Park & Friedman's Evidence: Cases and Materials. He also maintains the Confrontation Blog to comment on related issues and developments.

George, many who share his philosophy are believers.

"Those Natural Law Theorists who are theists think that moral law exists because God created it," he said. "This theory offers the only satisfying explanation of human intellect and free will," George added.

program of The University of Toledo College of Law and its chapter of the Federalist Society for Law and Public Policy Studies. It is made possible by an endowment from the Stranahan Foundation.

Richard D. Friedman

### Law Alumnus Presents "Day After" Talk **On His Recent Supreme Court Argument**

On April 1, Joel D. McGormley '99, assistant attorney general and division chief of the Appellate Division for the Michigan Department of the Attorney General, shared with students the experience of his first U.S. Supreme Court argument. Just days before, he had argued Renico v. Lett (09-338), a double jeopardy case under the Fifth Amendment. His talk was part of the "Day After" Series, a series of programs bringing in top advocates who have recently argued before the Supreme Court.

McGormley provided students with the background of the case and described his experience before the court, providing a very human picture of the emotions and feelings that strike a first-time advocate. He also described the intense preparation that precedes such an argument, including long hours working with transcripts, briefs and research and going through numerous practice arguments designed to prepare him for every possible question. He strongly recommended that students take advantage of moot court opportunities while in law school, not only to improve their oral argument skills, but also to develop their analytical skills.

He concluded by telling students that his time at Toledo Law prepared him well for his career and that they have all the tools they will need to do anything they want. "With preparation, anyone in this room can do great things," he said.





### Author Gives Toledo Law Students Advice on Career Networking

#### How can you stand out?

This is the question facing job-seekers in the current market, according to Ari Kaplan, author of The Opportunity Maker: Strategies for Inspiring Your Legal Career Through Creative Networking and Business Development. The bestselling author spoke at the College of Law on Jan. 19.

The secret is to be interesting, Kaplan told the audience. "Interesting people are memorable," he said, "and opportunities will follow from that." He advised people in networking situations to think of something to say that will spark further conversation. Discussing smartphones and other technology is a good option, as is asking for advice. Another approach is to introduce people to other people and praise their accomplishments. "Promoting the good work of others will reflect well on you," Kaplan said.

Kaplan went on to suggest a number of networking strategies involving online social media, including contributing to legal blogs, using Google Alerts to search for information about potential job contacts and creating a LinkedIn group for people with common interests.

Kaplan is a lawyer who earned his J.D. from George Washington University Law School. His company, Ari Kaplan Advisors, provides lawrelated industry research services, personal coaching and training for law students and legal professionals on publishing, communications, career enhancement, business development and networking. He has published more than 200 articles and speaks to law schools, law firms and other organizations nationwide.

Kaplan's talk was presented as part of the Jim and Melissa Barone Professional Development Program Series.

# **Annual Law Alumni Gala:**

he 2009 Law Alumni Recognition and Reunion Gala took place Saturday, Sept. 12, 2009 at Inverness Country Club with 175 guests in attendance. Dean Douglas Ray recognized retiring professor Jim Klein for 38 years of service to the law school and legal community. Magistrate Nancy Miller '88 chaired the award selection committee, selecting the following as 2009 award winners:

#### **Henry Herschel '67**

received the Public Service Commitment Award

#### Mo Abdrabboh '99

received the award for Outstanding New Exemplar

Steve Dane '81 and Bruce Bailey '70 received the Distinguished Alumnus of the Year Award

#### **Professor Ben Davis**

was selected for the Outstanding Faculty Award

Also recognized were class reunion years ending in 4 and 9 and the 40th anniversary of The University of Toledo Law Review.

Others in attendance included: Justice Judith Lanzinger '77, Toledo Bar Association President Jim Yavorcik '79, Frank and Barbara Cubbon '53, Mike and Pat Todak '82, Dick and Shelley Walinski '69, Nick LaTerza '77 - Los Angeles, Dan Aharoni '76 - New York City, The Hon. Kenneth Govendo '69 -Saipan Pacific Islands, Bill deMeza Jr. '80 - Tampa, and Ken Martin '90 - London.

### **PLEASE JOIN US:** 2010 Law Alumni Recognition and Reunion Gala, Sept.11

The following alumni will be recognized at the College of Law Recognition and Reunion Gala on Saturday, Sept. 11 at the Inverness Club, located at 4601 Dorr St., Toledo, OH.

Patricia S. Intagliata '79 Law, '74 Education Commitment Award

Kenneth I. White Sr. '61 Law, '58 Arts and Sciences Distinguished Alumnus Award

**Christopher P. Bussert '83 Law Distinguished Alumnus Award** 

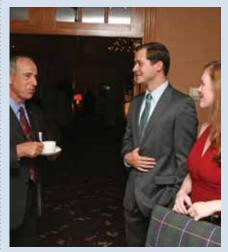
#### Gerald L. Trepkowski '02 Law New Exemplar Award

In addition, Professor Robin Kennedy has been selected to receive the Outstanding Faculty Member Award for his teaching and years of service to the University.

At the conclusion of spring semester, Professors Bruce Campbell, Douglas Chapman and Robert Hopperton retired from the College of Law. Their many years of dedicated teaching and service to the University will be recognized.

Mark your calendars now to join your former classmates, friends and teachers by making plans to attend the Recognition and Reunion Gala on Sept. 11 at the Inverness Club. Cocktails will be from 6-7 p.m. with dinner and program to follow.







: 2009 Law Alumni Gala

# The Seven Important Roles Judges Play in Our Society

A Tribute to Our Alumni in the Judiciary

By Douglas E. Ray, professor of law, dean 2006-2010

thank all of our alumni and alumnae in the judiciary for the work you do and for your commitment to public service. Although I have never been a real judge, I was a part-time labor arbitrator for 20 years before going into law school administration. Deciding cases involving discharges, plant closings, promotions, etc. helped me understand that what you do can be a lonely profession, with the burden of being responsible for decisions that affect lives.

Most books about judging discuss the role of oracles on the U.S. Supreme Court, the role of legal scholars on the appellate courts and the umpiring role of trial judges operating with a jury. Many judges have even more extensive roles. Although most members of the public do not recognize all the distinctions between trial and appellate judges, state and federal judges, magistrate judges, and different court levels or subject matter jurisdictions, all of our judges play many important roles. Your public service is something to admire. My favorite image of judging comes from a Sesame Street Bert and Ernie book I read to my children 20-some years ago. The book featured a character called the "Royal Wiseperson." People in the kingdom would bring their problems and their disputes to the Royal Wiseperson who would then solve them perfectly. As judges, you play seven important roles in our society.

COVER STORY

#### You are the link between our government, our laws and our people.

We have no royalty; rather, we have a history of not trusting government. You are our watchers and fixers when government gets out of line. You bring it into alignment with our laws.

We need a trusted person to review the actions of government because our government is made up of human beings who can be tired, overworked, undertrained and inattentive. Sometimes they get it wrong. We are not always a trusting people, but we trust you to get it right. Your presence in the process as judges legitimizes the exercise of power by government.

# You are the face of our justice system to the citizens who appear before you.

When you handle hundreds or thousands of cases, as you do, it is easy to forget how important you are to the citizens who appear before you. It is an experience they will never forget. You may be their only exposure to a judge in their lives. When you show us respect, we go home and tell our families:

"The judge made sure I could tell my story."

"The judge called me sir or ma'am." (This is incredibly important to people who are not treated that way in daily life.)

"The judge made sure I understood what was going on."

How you treat people when you explain the process, when you ensure the hearing impaired can understand, when you show patience and when you show people respect give us all faith in the justice system.

The way, too, you treat the process in the courtroom or hearing room affects our respect for the system. When you insist on respect by parties and advocates and insist on proper decorum, you send a strong message about the importance of our laws and our legal system.

Finally, the way you show respect for the law will affect our respect for the legal system. It maintains our faith in our democracy when you respect the limits on your powers and apply the choices of our elected representatives even when you might not have made those choices yourself.

#### To many, you are the face of fairness in our society.

We all agree that a fair hearing is part of due process and that government action has to both be fair and appear fair. Defining the term "fairness," however, is not easy. When I was a new law professor, I used the term in a disagreement with the late and much missed John Stoepler, then-dean of The University of Toledo College of Law. His response —"Fair, isn't that the territory between the chalked-in lines on a ball field?" — stuck with me as a lesson that arguments in this area must be more than conclusions. Nonetheless, we all have a sense of what fairness means.

A citizen thinks it's fair when you let me tell my story, and when I can tell from your attentiveness, your actions and your questions at a hearing that you understand my argument or that of my lawyer. If I lose, I will think it's fairer if I can see from your opinion that you considered my arguments and had reasons for rejecting them. To me, fair means I got my chance to hold the government accountable and received respect as a citizen.

#### You perform a most important role — that of decision maker.

Disputes need to be ended before the healing process can begin, and we need you to do this well. This is lonely work. It affects people's lives. We need you to go to a quiet place, struggle with it, review it and second-guess yourself.

Although a trial-type adversarial setting may still be the best way to find truth, determining truth is not easy when some people's nervousness makes them appear shifty, when some people's culture or upbringing trains them not to look you in the eye even when telling the truth, and when our faulty memories let some of us honestly believe what we say even when it is not true.

Yogi Berra is quoted as saying, "You can observe a lot just by watching." We have to trust you to do this watching by applying your own unique blend of intuition and analysis to get it right, second-guessing your logic when your instincts aren't comfortable and second-guessing your instincts when logic and analysis lead the other way.

We also need your care in legal analysis, in applying facts to law and regulations. We need the talents of a legal scholar working under sometimes intense time pressure.

Finally, we need you to communicate your decision in a clear and well-reasoned way. Unlike juries, when a judge decides, a judge has to give reasons. Again, we are not a trusting people, and we need reasons to assure us we are not victims of bias, whim or political pressure.

To be this professional decision maker requires unusual attributes. We need you to have the discipline and determination to stay with a problem until you get it right. We need you to have the restraint to recognize the limitations on your power. Most importantly, we need you to know yourself well. A due process fair hearing requires an unbiased decision maker — you need to know yourself well enough to filter out your personal reactions, your dislikes, your exhaustion, your impatience and your irritation over an obnoxious advocate so that you can approach issues with an open mind. Learned Hand put it best when he said we need you to be "passionately dispassionate" and to develop a bias against bias.

#### You serve our society as a teacher.

You have the opportunity to teach in many settings. In the hearing room, you explain the process to the unrepresented and to others who do not know how it works. In your written decision, you teach us by giving us a blueprint to guide our future actions. In the outside world, you write articles, you teach at law schools and you speak at conferences. You know your areas of law better than anyone. You have learned better than anyone what constitutes good advocacy by evaluating the hundreds or thousands of advocates who have appeared before you. Because of the credibility you have and the awe we have for judges, lessons learned from a judge are remembered. Most importantly, you host schoolchildren in your courtrooms and you visit junior high schools and high schools to share your expertise. You are the face of our justice system to them, and you represent us well.

#### You are life-long learners.

Learned Hand wrote that the excellence of a judge comes not simply from his or her knowledge of law, but also from the wisdom and understanding drawn from history, philosophy and everything you study. We need you to be broadly educated and not just from books. You will be interpreting different cultures, different human actions and evaluating people acting under stress. Every experience in your life enhances your capacity to judge and we need you to continue to be learners.

### Finally, you are community role models.

We appreciate the roles you play, on and off the bench. The responsibilities and powers you have give you a high profile in our society, and we appreciate the dignity with which you live your lives.

These seven roles make your jobs incredibly important to our society and, I hope, worth the sacrifices you make. Judge Learned Hand wrote this about the satisfactions of judging:

"[A] judge's life, like every other, has in it much of drudgery, senseless bickerings, stupid obstinacies, captious pettifogging, all disguising and obstructing the only sane purpose which can justify the whole endeavor . . . But there is something else that makes it — anyway to those curious creatures who persist in it — a delectable calling. For when the case is all in, and the turmoil stops, and after he is left alone, things begin to take form. From his pen or in his head, slowly or swiftly as his capacities admit, out of the murk the pattern emerges, his pattern, the expression of what he has seen and what he has therefore made, the impress of his self upon the not-self, upon the hitherto formless material of which he was once but a part and over which he has now become the master. That is a pleasure which nobody who has felt it will be likely to underrate."

I hope that you, too, have come to know the satisfactions of making order out of chaos and solving the important problems we bring before you. You truly are our "Royal Wisepersons," and I thank you for performing this role so well.

#### Footnote:

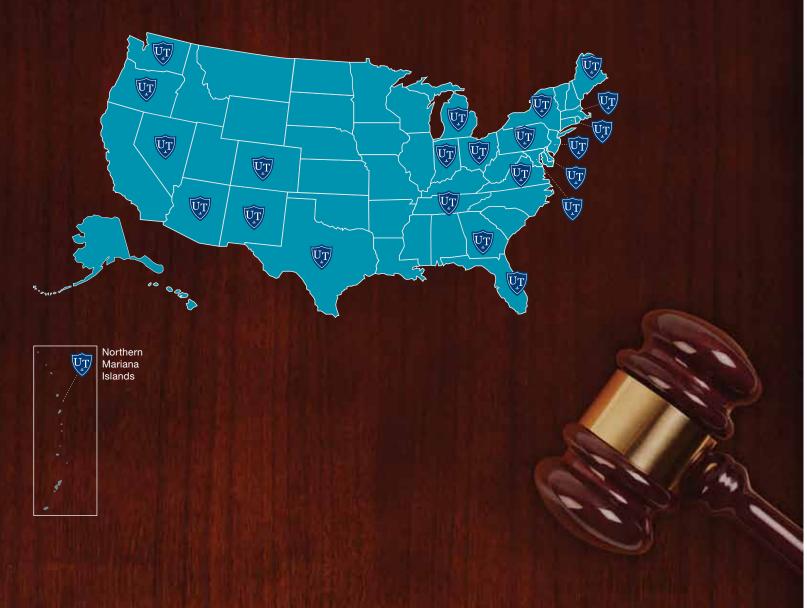
The Spirit of Liberty, Papers and Addresses of Learned Hand, collected by Irving Dillard (Alfred A. Knopf 1952), p. 43 (excerpt from a commencement address by Judge Hand presented at Bryn Mawr College on June 2, 1927 and reprinted with permission from the Bryn Mawr Alumni Bulletin, October 1927, in which it first appeared.)

# 3



# **Toledo Law Salutes Its** Alumni in the Judiciary

We thank the following individuals for their careers of public service and commitment to justice. This list was compiled based on available alumni records. We apologize to any judges whose names should have been included and look forward to recognizing your service in a future publication. If we failed to list you or you know of a classmate who should have been listed, please e-mail ann.elick@utoledo.edu. We are very proud of our alumni and wish to properly recognize all who serve on the bench.



# Arizona

Michelle H. Burns '85 U.S. Magistrate Judge, District of Arizona

Robert A. Colosi '75 Judge Pro Tem Commissioner. Maricopa County Superior Court

Pro Tem Judge, Yavapai County Superior Court

Riddel '57 Superior Court

Darrel C. Negri '80 Administrative Law Judge, Arizona Superior Court



### Colorado

Kim H. Goldberger '72 Judge (Ret.), Jefferson



Connecticut

Superior Court Judge, Hartford Community Court





Joseph J. Farnan Jr. '70 U.S. District Judge, District of Delaware

C. Ray Mullins '82 U.S. Bankruptcy Judge, Northern District of Georgia

Columbia Allan H. Goodman '74 Judge, U.S. General Services Administration

Veterans Claims

Florida

John J. Hoy '75

Beach County

District of Florida

District of Florida

Scott Tews '90

Georgia

Security Administration

William R. Webb '73

Judge, 6th Judicial Circuit,

Gregory J. Kelly '88

of Appeals

Gary M. Farmer Sr. '73

Board of

**District of** 

Ralph M. Hess '77 Alan G. Lance Sr. '73

Marilvn McClintock Judge (Ret.), Maricopa County



County Court



Raymond R. Norko '70





#### **COVER STORY**



Kathleen Tighe Coriden '71 Judge, Bartholomew County Superior Court

Roger B. Cosbey '75 U.S. Magistrate Judge, Northern District of Indiana

Matthew G. Hanson '94 Judge, Morgan County Circuit Court

Kevin P. Wallace '79 Judge, DeKalb County Superior Court



### Maine

William H. Childs '82 Judge, Cumberland County Probate Court



### **Massachusetts**

**R. Marc Kantrowitz '78** Associate Justice. Massachusetts Appeals Court

C. Jeffrey Kinder '81 Associate Justice. Suffolk Superior Court

# Michigan

Nancy L. Anderson '86 Administrative Law Judge, Family Independence Agency

Janet M. Boes '83 Judge, 10th Circuit Court, Saginaw County

William Bond '79 Administrative Law Judge, State Office of Administrative Hearings and Rules

Mark S. Braunlich '81 Chief Judge, 1st District Court, Monroe County

Thomas K. Byerly '78 Judge, Easton County Probate Court

Michael H. Cherry '74 Judge, 15th Circuit Court, Branch County

Ward L. Clarkson '83 Judge, 66th District Court, Shiawassee



John A. Gadola '91 Judge, 7th Circuit Court. Genesee County

Allen L. Garbrecht '76 Chief Judge, 37th Circuit Court, Calhoun County

Carol A. Husum '80 Judge, 8th District Court, Kalamazoo

Gregg P. Iddings '93 Judge, Probate Court, Lenawee County

Virginia M. Morgan '75 U.S. Magistrate Judge, Eastern District of Michigan

Pamela A. Moskwa '81 Probate Judge, 1st District Court. Monroe

Ramona Roberts '80 Judge (Ret.), 68th District Court. Flint

Mark T. Slavens '80 Judge, 3rd Circuit Court, Wayne County

Thomas E. Straatsma '68 Administrative Law Judge, Michigan Tax Tribunal

Jack Vitale '72 Judge, 1st District Court, Monroe

Vincent Castelli Westra '82 Judge, 8th District Court, Kalamazoo



Kenneth E. Calloway '70 Judge. Sea Isle Citv Municipal Court

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Contract Appeals

Judge, U.S. Court of Appeals for

Chief Judge, 4th District Court

Judge, 15th Judicial Circuit, Palm

Kenneth S. Hurewitz '73 U.S. Magistrate Judge, Middle

U.S. Magistrate Judge, Middle

Administrative Law Judge, Social

Pasco and Pinellas Counties

Louis Garippo Jr. '76 Judge, West Long Branch Municipal Court







Nevada



**Roderick T.** Kennedy '80 Judge, New Mexico Appeals Court

Harry R. Gensler '80 Justice of the Peace Pro Tempore, Pahrump Justice Court

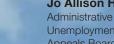
Barbara S. McCarthy '85 Administrative Judge, Sparks Municipal Court



Thomas A. Breslin '73 Supervising Judge, Albany

Joseph Edward Damrath '80 Circuit Court Judge, Hornell City Court

Steven W. Davis '69



County Court

Administrative Law Judge, National Labor Relations Board

**David Freundlich '71** Supervising Judge, Suffolk County Family Court

Michael F. Griffith '76 Judge, Wyoming County Family/ Surrogate Court

Jo Allison Henn '84 Administrative Law Judge, Unemployment Insurance Appeals Board

Bruce R. Mazzarella '73 Administrative Law Judge, Social Security Administration (Buffalo)

Phillip J. Patti '68 Judge, New York State Court of Claims

**Timothy J. Walker '88** Judge, New York State Court of Claims

### Northern Mariana Islands

Kenneth L. Govendo '69 Judge, Superior Court



**Charles Abood '69** Judge (Ret.), 6th District Court of Appeals

Wendell P. Allen '60 Judge, Maumee Municipal Court

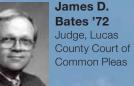
Scott Altenburger '85 Chief Magistrate, Miami County Court of Common Pleas

**Richard L. Altman '82** Magistrate, Fulton County Court of Common Pleas

Kathleen A. Aubry '77 Judge, Wyandot County Court of Common Pleas

Jerry E. Ault '78 Judge, Mansfield Municipal Court

James E. Barber '73 Judge, Fulton County Court of Common Pleas



**Tiffany Reighter** Beckman '98 Judge, Paulding County Court

**Donald S. Bennett '88** Magistrate, Seneca County Probate/Juvenile Court

Amy J. Berling '87 Judge, Toledo Municipal Court

Mark A. Betleski '86 Judge, Lorain County Court of Common Pleas

Mary M. Bower '85 Magistrate, Erie County Court of Common Pleas

J. Ronald Bowman '59 Judge (Ret.), Lucas County Court of Common Pleas

Kevin P. Buckley '81 Chief Magistrate, Lucas County Court of Common Pleas

Michael J. Bumb '78 Judge, Fulton County Probate/ Juvenile Court

Thomas E. Bunch '80 Judge, Chillicothe Municipal Court

Michael L. Burkett '74 Judge, Fremont Municipal Court

> Gary L. Byers '81

Susan M. Cairl '87 Magistrate, Lucas County Juvenile Court

Craig W. Campbell '89 Magistrate, Wood County Juvenile Court

**Donald R. Capper '80** Judge, Lawrence County Municipal Court

**Robert G. Christiansen '72** Judge, Toledo Municipal Court

Jennifer Coatney '02 Magistrate, Warren County Juvenile Court

John S. Collier '79 Judge, Napoleon

Municipal Court William M. Connelly '99

Judge, Toledo Municipal Court Garv G. Cook '92 Judge, Lucas County Court of Common Pleas

Stacy L. Cook '93 Judge, Lucas County Court of Common Pleas

**Denise Navarre Cubbon '81** Administrative Judge, Lucas County Juvenile Court

**Bradley Culbert '83** Judge, Sandusky County Court of Common Pleas

**Denise Ann Dartt '78** Judge, Lucas County Court of Common Pleas

**Theresa Dellick '83** Judge, Mahoning County Court of Common Pleas

John C. DiCesare '86 Magistrate, Ross County Court of Common Pleas

Charles J. Doneghy '65 Judge, Lucas County Court of Common Pleas

David A. Dorobek '85 Magistrate, Sandusky County Court of Common Pleas

Andrew G. Douglas '60 Associate Justice, Ohio Supreme Court

William W. Erb '57 Judge (Ret.), Sylvania Municipal Court

Nicole Y. Fech '01 Magistrate, Toledo Municipal Housing Court

**Trevor N. Fernandes '94** Magistrate, Lucas County Probate Court

Edward J. Fink '76 Chief Magistrate, Parma Municipal Court

Judith A. Fornof '73 Magistrate, Lucas County Juvenile Court

Alan W. Foster '76 Judge, Adams County Court

Robert V. Franklin Jr. '50 Judge (Ret.), 6th District Court of Appeals

**Ruth Ann Franks '75** Judge, Lucas County Court of Common Pleas

Gary E. Gabriel '55 Judge (Ret.), Toledo Municipal Court

June Rose Galvin '64 Judge (Ret.), Lucas County Court of Common Pleas

Daniel R. Gerschutz '75 Judge, Putnam County Court of Common Pleas

Kathleen L. Giesler '83 Judge, Ottawa County Probate/Juvenile Court

Brett A. Gilbert '92 Judge, Champaign County Court of Common Pleas

George M. Glasser '53 Judge (Ret.),

Lucas County Court of Common Pleas

Brian C. Goodell '84 Magistrate, Lucas County Juvenile Court

Francis X. Gorman '79 Judge, Toledo Municipal Court

Michael R. Goulding '95 Judge, Toledo Municipal Court

Kevin L. Greer '80 Judge, Highland County Court of Common Pleas

Jeffrey A. Griesheimer '80 Administrative Law Judge, Social Security Administration (Columbus)

Robert N. Grillo '82 Judge, Vinton County Probate/ Juvenile Court

Harland H. Hale Jr. '79 Judge, Franklin County Municipal Court

Howard E. Hall '70 Judge, Morrow County Court of Common Pleas

Ann D. Hamilton '77 Magistrate, Lucas County Domestic Relations Court

Peter M. Handwork '66 Judge, 6th District Court of Appeals



#### **COVER STORY**

Frederick C. Hany II '84 Judge, Scioto County Court of Common Pleas

> Carol J. Hargreaves '78 Chief Magistrate, Lucas County Domestic Relations Court

Shelly R. Harsha '86 Magistrate, Pickaway County Court of Common Pleas

Mary Ann Harvey '92 Magistrate, Williams County Court of Common Pleas

Craig D. Hedric '86 Judge, Butler County Court of Common Pleas

Jonathan P. Hein '81 Judge, Darke County Court of Common Pleas

Pamela A. Heringhaus '81 Magistrate, Wood County Court of Common Pleas

Dolores J. Hildebrandt '72 Judge, Hamilton County Municipal Court



Lee H. Hildebrandt Jr. '72 Judge, 1st District Court of Appeals

Bradley L. Hillyer '80 Judge, Tuscarawas County Court

Robert B. Hines II '76 Magistrate, Wayne County Domestic Relations Court

Belinda J. Hinton '79 Magistrate, Summit County Juvenile Court

Jacqueline M. Huntley '89 Magistrate, Stark County Family Court

William G. Hutcheson '82 Magistrate, Lucas County Juvenile Court

Thomas W. Janas '76 Immigration Judge, U.S. Department of Justice

> Linda J. Jennings '88 Judge, Lucas County Court of Common Pleas

James D. Jensen '69 Judge, Lucas County Court of Common Pleas

Paul E. Jomantas '80 Magistrate, Lucas County Probate Court

Steven R. Karto '77 Judge, Harrison County Court of Common Pleas

Jeffery B. Keller '88 Judge, Oregon Municipal Court

John W. Kessler '68 Judge, Montgomery County Court of Common Pleas

Michael D. Kirby '84 Magistrate, Lucas County Domestic Relations Court

**Richard W. Knepper '73** Judge, 6th District Court of Appeals

Timothy C. Kuhlman '91 Judge, Toledo Municipal Court

Henry N. Kuntz '73 Judge, Montgomery County Court of Common Pleas

Edward L. Kurek '93 Magistrate, Crawford County Probate/Juvenile Court

**Odella Lampkin-Crafter '89** Magistrate, Franklin County Juvenile Court



**Judith Ann** Lanzinger '77 Associate Justice, Supreme Court of Ohio

Robert G. Lavery '76 Judge, Alliance Municipal Court

Michael J. Lawson '86 Magistrate, Sandusky County Probate/Juvenile Court

Raymond E. Leisy '81 Judge, Wayne County Court of Common Pleas

David E. Lewandowski '77 Judge, Lucas County Domestic Relations Court

Robert J. Lindeman '72 Judge, Miami County Court of Common Pleas

Warren J. Lotz '72 Judge (Ret.), Vinton County Court of Common Pleas

Michael D. Lowe '83 Judge, Morgan County Court

#### COVER STORY

Kristen N. Mackintosh '96 Magistrate, Lorain County Court of Common Pleas

Robert T. Maison '72 Magistrate, Hardin County Court of Common Pleas

James L. Manning '74 Judge, Montgomery County Court

Pamela Manning '99 Magistrate, Lucas County Juvenile Court

Ann B. Maschari '78 Judge, Erie County Court of Common Pleas

Alan R. Mayberry '78 Judge, Wood County Court of Common Pleas

C. Allen McConnell '72 Judge, Toledo Municipal Housing and Environmental Court

Ronald V. McCourt '76 Magistrate, Lucas County **Domestic Relations Court** 

Thomas J. McDermott '93 Magistrate, Bowling Green Municipal Court

Beverly K. McGookey '80 Judge, Erie County Court of Common Pleas

Colin J. McQuade '80 Judge, Fulton County Court of Common Pleas

Richard B. McQuade '65 U.S. District Judge (Ret.), Northern District of Ohio

Richard A. Meyer '74 Judge, Champaign County Court of Common Pleas

Alan Michalak '88 Magistrate, Toledo Municipal Court

Nancy A. Miller '88 Magistrate, Lucas County Probate Court

**Donna Mitchell '82** Chief Magistrate, Lucas County Juvenile Court

Paul H. Mitrovich '65 Judge (Ret.). Lake County Court of Common Pleas

Denise L. Moody '90 Judge, Clark County Municipal Court

Vickie G. Moreland '77 Magistrate, Butler County **Domestic Relations Court** 

Maria Q. Morgan '76 Magistrate, Lucas County Probate Court

Keith P. Muehlfeld '76 Judge, Henry County Court of Common Pleas

Alan D. Mutchler '76 Magistrate, Lucas County Domestic Relations Court

Chad C. Niese '97 Judge, Putnam County Court of Common Pleas

Kent L. North '88 Judge, Bryan Municipal Court

Erich J. O'Brien '78 Judge, Sandusky Municipal Court

Thomas J. Osowik '81 Judge, 6th District Court of Appeals

S. Dwight Osterud '74 Judge, Perrysburg Municipal Court

G. Steven Palmer Jr. '91 Magistrate, Erie County Court

Donald Z. Petroff '67 Judge, Oregon Municipal Court

Susan Phillips '89 Magistrate, Seneca County Court of Common Pleas

**Robert C. Pollex '73** Judge, Wood County Court of Common Pleas

Vernon L. Preston '80 Judge, 3rd District Court of Appeals

Jack R. Puffenberger '78 Judge, Lucas County Probate Court

James A. Ray '75 Judge (Ret.), Lucas County Juvenile Court

Francis C. Restivo '49 Judge (Ret.), Lucas County Court of Common Pleas

Laura A. Restivo '94 Magistrate, Lucas County Juvenile Court

Carl W. Rickrich II '79 Magistrate, Licking County Common Pleas Domestic **Relations Court** 

Reno R. Riley Jr. '52 Judge (Ret.), Lucas County Court of Common Pleas

Kenneth A. Rohrs '72 Judge, Henry County Court of Common Pleas

Reginald J. Routson '80 Judge, Hancock County Court of Common Pleas

Brenda Rutledge '87 Magistrate, Lucas County Juvenile Court

Stephen W. Ruyle '77 Judge (Ret.), Defiance County Probate/Juvenile Court

C. Lynn Schaefer '74 Judge, Toledo Municipal Court

James F. Schaller II '03 Magistrate, Perrysburg Municipal Court

Mark S. Schmollinger '82 Judge, Lucas County Court of Common Pleas

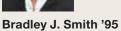
Sara A. Schoettmer '81 Magistrate, Hamilton County Juvenile Court

Alan D. Shankman '78 Magistrate, Cuyahoga County Probate Court

James R. Sherck '73 Judge, 6th District Court of Appeals

Sara Sherick '89 Magistrate, Sandusky County Juvenile Court





Judge, Sandusky County Court of Common Pleas

David E. Smith '89 Magistrate, Toledo Municipal Court

Linda A. Sorah '95 Magistrate, Lucas County Juvenile Court

Brett M. Spencer '89 Judge, Adams County Court

Judson P. Spore '62 Judge (Ret.), Perrysburg Municipal Court

Christopher A. Stallkamp '96 Magistrate, Erie County Court of Common Pleas

Robert W. Stewart '74 Judge, Athens County Court of Common Pleas

Jeffrey A. Strausbaugh '85 Judge, Defiance County Probate/ Juvenile Court

David P. Sunderman '76 Judge, Delaware Municipal Court

Tygh M. Tone '87 Judge, Erie County Court of Common Pleas

Mary Claire Torbeck '87 Magistrate, Hamilton County Juvenile Court

Mary Grace Trimboli '77 Judge (Ret.), Toledo Municipal Court

Geoff M. Waggoner '79 Magistrate, Lucas County Juvenile Court

Margaret K. Weaver Judge (Ret.), Sandusky County Court of Common Pleas

Bruce A. Winters '87 Judge, Ottawa County Court of Common Pleas

Charles S. Wittenberg '73 Judge, Lucas County Court of Common Pleas

David E. Woessner '85 Judge, Wood County Probate/ Juvenile Court

Joyce A. Woods-Sansbury '79 Magistrate, Lucas County Juvenile Court

Stephen A. Yarbrough '73 Judge (Ret.), Lucas County Court of Common Pleas

John W. Yerman '76 Magistrate, Lucas County Juvenile Court

Connie F.

Zemmelman '81 Judge, Lucas County Juvenile Court

Norman G.

'69

County

Domestic

**Relations Court** 



### Tennessee

Zemmelman Judge, Lucas

Texas



Gene A. Zmuda '84

Common Pleas

Judge, Lucas County Court of

Frieda J. Fiske '82 Zouhary '76 Judge, Dallas Municipal Court Judge, Northern District of Ohio

Gerald L. Mever '79 Administrative Law Judge, Social Security Administration (Houston)



Henry A. Barringer '87 Judge, Tazewell Juvenile and Domestic Relations District Court

Glenn L. Clayton II '76 Judge, Fairfax County Juvenile and Domestic Relations District Court



R. Stephen Barrett '77 Judge, Montgomery County Court of Common Pleas

Jay J. Hoberg '77 Judge, Lancaster County Court of Common Pleas

Alan M. Rubenstein '70 Judge, Bucks County Court of Common Pleas

Jeffrey L. Schmehl '80 President Judge, Berks County Court of Common Pleas



# Oregon

Thomas W. Kohl '75 Presiding Judge, Washington County Courts, 20th

County (Reedsport)





Jeffrey M. Ramsdell '85 Judge, King County Superior Court

#### Blackshear Dalton '97

Angelita

Judge, General Sessions Court, Nashville and Davidson County

# **Ohio Supreme Court Justice Stresses Importance of Humanity, Civility** and Professionalism

### College of Law community celebrates as graduates begin new paths

By Jim Winkler '86

he College of Law welcomed 164 graduates into the legal profession at its May 9 commencement ceremony. More than 1,000 proud friends and family members joined them on this happy occasion.

After welcoming the graduates and their guests, Dean Douglas Ray dedicated the commencement ceremony to the late Chief Justice of the Ohio Supreme Court, Thomas J. Moyer, paying tribute to his leadership, commitment to justice and support of legal education. Chief Justice Moyer was a regular participant in the College's fall orientation program and a role model of professionalism.

Ohio Supreme Court Justice Judith Ann Lanzinger, a '77 graduate, delivered the commencement address and told graduates they stand at the brink of new opportunities and challenges. Lanzinger, who graduated as valedictorian of her class, exhorted them to use their skills and knowledge for the good of society, to enter their profession with a strong sense of ethics and to advocate vigorously for clients.

"Your clients, in seeking your help, will actually be entrusting you with their lives," she said. "So listen carefully to their stories and respond to their needs. Represent them zealously and champion their causes. You are their voice. In trying to understand your clients and what they need, remain loyal and respect their confidences. Most importantly, always behave ethically."

And she quoted Moyer in urging the graduates to retain their imagination, enthusiasm and — in a world that's becoming increasingly partisan and coarse — their civility.

"Civility requires respect — respect for ideas, respect for persons and respect for the institutions that have held together our nation in times of revolution, civil war and economic uncertainties," she emphasized. "Civility requires no operator's

manual, no updates to download, no complicated set of rules. It is simple, it is easy and it produces positive and constructive human interaction."

Recalling her days as a law student in the 1970s - before the Internet, laptop computers, "inedible Blackberries," computerized legal research sites and social media outlets like Facebook and Twitter - she told the audience how she wrote her lecture notes in longhand, shepardized cases book by book, interacted with friends at parties face to face, and enrolled in offerings like admiralty law or commercial paper, not environmental protection or Internet law.

"Sitting here today, can you imagine what the law and the legal profession will be like in 2040, 30 years from now?" she asked. "Can you imagine what it should be like?

In her talk, Lanzinger urged the graduates, faced with an uncertain economy, to be alert to the many opportunities afforded by their new degrees, recalling that she went through several job changes before reaching the Supreme Court.

"I myself zigzagged before reaching the Supreme Court — from practice as an in-house corporation lawyer, next, to a large law firm and then into the judiciary, stepping from the municipal, to the common pleas and then the appellate courts," she recalled. "The Supreme Court is my perfect legal job. But the perfect opportunity that satisfies your expectations might not present itself to you initially. Let me urge you to stay hopeful and seize your chances and recognize them for what they are. They might not first appear exactly as you expect them to."

"For example, you may initially have more time to devote to pro bono cases or to community service and then find that these challenges lead to full-time employment. Providing legal access to the poor will be an obligation that calls on you

throughout your career because it comes with the profession, and we urge you to do your part. In any event, in the hard times be comforted by the fact that no one can take your law degree from you. It was hard won, and it is worth treasuring."

.....

Ray emphasized that he and the rest of the law school's faculty were proud of the graduates and said they should take the same pride in their accomplishments. Noting that law school was a "transforming experience," he told the graduating class that they distinguished themselves with their spirit of public service and volunteerism, citing the thousands of hours they devoted to pro bono legal services and community outreach projects like food and clothing drives and Haiti relief efforts.

Before degrees were conferred, Ray told graduates that lawyers must assume major responsibilities that go along with the privileges that are a part of the profession.

"The career you begin today is one that gives you the opportunity to make a difference — and to be trusted with taking care of some of the most important things in people's lives," he said. "They will trust you to protect their liberty, their livelihoods, their families and their property. Today, you cross one threshold into the legal profession. You will cross another when you are sworn into the bar. You will cross the third threshold as you grow into the role of a professional — a person who treats law as a calling and not a commodity. The message we send you today as you walk across the stage is that we think you are ready to take on these responsibilities and to take the next steps."

Two graduates were honored at the ceremony. Jessica Welty received the Dean's Award for Distinguished Achievement and Service and was chosen to give the class address. Welty, a summa cum laude graduate, holds degrees from Denison

continued on next page



Jessica Welty receives Dean's Award for Distinguished Achievement and Service





Professor Susan Martyn provides the Faculty Welcome Cody Higley and Zachary Jay Hillyer



Student Bar Association President Brooke Stokke provides the Class Welcome

Sarah Miller

#### **GRADUATION 2010**





Brent Faber and Fatema Fathnezhad



Priya McDonald, Anthony McDowel, Matt McHugh, A. John McSweeny, Ph.D., Adam Miller and

Judith A. Lanzinger '77

Ohio Supreme Court Justice Stresses Importance of Humanity, Civility and Professionalism continued

University and the University of Maryland and will begin her legal career as a trial attorney with the U.S. Justice Department in Washington, D.C. Noting in her address that learning the law was "an intensely personal experience" that required her classmates to take different paths, Welty told the crowd that the class was, nevertheless, a close-knit group.

"The beauty of the education we earned is that we each took an individualized path together," she said. "We could not have made it any other way. No one understands the life of a law student quite like a law student ... In the end, we leave as a work hard/play hard group of amazingly talented individuals whose hard work, dedication and accomplishments deserve recognition." Echoing words passed on to her before she entered law school, Welty went on to tell her classmates, "The journey that we set out on three years ago begins and ends with each of you ... and how do you make the most of this journey? Well, just do you!"

Jessica Vartanian, a graduate of the University of Michigan, received the American Bar Association Scholarship and Leadership Award, an award presented to one student at each of the country's 200 ABA-accredited law schools. A magna cum laude graduate of the College of Law, Vartanian was undefeated in the Fornoff Moot Court competition, was a member of the college's labor and employment law moot court team, was named to the Order of Barristers and served as assistant executive editor of the University of Toledo Law Review. After graduation, she will clerk for Justice Maura Corrigan of the Michigan Supreme Court.

Susan Martyn, the John W. Stoepler Professor of Law and Values, gave the faculty welcome. She reminded graduates of the important roles they will be taking on, interpreting their clients' interests to the legal system and translating the law to them. She said, "We hope that you will feel privileged to teach and learn from your clients, just as we have been privileged to teach and learn from you." Brooke W. Stokke, immediate past president of the Student Bar Association, presented the class welcome on behalf of the graduates and presented the graduating class's Outstanding Professor Award to Assistant Professor Kelly Moore. Bruce M. Stone '96, president-elect of the Law Alumni Affiliate, welcomed graduates to the alumni.

Degrees were officially conferred by Judge Richard B. McQuade Jr. '65, a University trustee. On behalf of the University Board of Trustees, he praised Ray's service and leadership as dean and commended the law school for the progress it had made. Ray concluded the ceremony by thanking the graduates for all they had added to the law school community and shared his hope that each would "find a career that will fill you with excitement every morning as you think of the difference you can make."

At a Law Center reception following the ceremony, the Law Alumni Affiliate presented each graduate with a bronze scales-ofjustice gift.

# **Passing the torch**

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Legal education at Toledo Law is a three-generation family affair for Toledo's Cubbon family By Jim Winkler '86

A fter watching her grandfather, father, mother and several other relatives — all graduates of University of Toledo College of Law — have successful legal careers, Jocelyn Cubbon DeMars, a member of law school's Class of 2010, is ready to make her own mark on the legal world.

"I've loved my three years in law school, but I can't wait to move to Cincinnati and start to practice," said Jocelyn, who is moving with her husband, William, a pilot with regional air carrier American Eagle, to Cincinnati, where she will become an associate in the corporate department of Dinsmore & Shohl LLP. "I have so much to learn beyond what I learned in law school."

Her grandfather, Frank W. Cubbon Jr. '53, was a prominent Toledo personal-injury attorney for six decades before retiring in 2005. Her father, Stuart Cubbon '81, now heads the firm his father founded, and her mother, the Honorable Denise Navarre Cubbon '81, is a Lucas County juvenile judge. Denise and Stuart met in law school and later married An aunt, Kyle Cubbon '84, married to Toledo criminal defense attorney Spiros P. Cocoves '85, is a member of the Cubbon firm, as is her uncle, Thomas J. McArdle '87. Aunt Barbara Cubbon-Beale '88 is also a graduate. They all share an amazing loyalty to the law school.

Jocelyn, a magna cum laude graduate who served as editor-inchief of the Law Review this year, said that as she was growing up she wasn't specifically encouraged to enter law. Because it was such a big part of her parents' lives, however, it was easy to gravitate toward the profession. And she appreciates the historical significance of her graduation and the pivotal role that the law and the law school have played in her family's life.

"They never pushed it, but the law was something that I was fascinated by because that's what my parents did," she said. "It was something that I grew up with."

The oldest of four children, she recalls evening meals at home, where lively conversations among siblings and parents often focused on local politics, current events and cases her parents were working on that piqued her interest.

Jocelyn was always welcome to visit her mother, an assistant Lucas County prosecutor for 23 years before being elected judge in 2004, at work or on an occasional trip to the police station or crime lab to gain insight. She also found occasional work as a temporary receptionist or file clerk in the office with her father, a past Toledo Bar Association president and past president of the College of Law Alumni Association.



The Cubbon Family (not pictured Barbara Cubbon-Beale '88)

After graduating from Toledo's St. Ursula Academy and the University of Notre Dame, Jocelyn spent two years in Atlanta as an executive recruiter before enrolling in fall 2007.

Jocelyn, who made the Dean's List five times, says that the most important thing her parents taught her was that "family comes first, no matter what." She learned from her grandfather and grandmother the values of hard work and determination.

"They worked so hard and had so much success and have always been so humble and generous with everything they did," she explained. "So I have pretty good role models to follow."

"When I finally decided to go into law, what really inspired me about my parents and grandfather is that they are people whom the community needs," Jocelyn explained. "Lawyers help people with serious problems, they are so essential."

"We have had a dedicated allegiance and loyalty to the College of Law," said Frank W. Cubbon Jr. '53, the family patriarch who, along with late Bernard Rice, established Cubbon & Associates Co., L.P.A. in 1953. Over the years, the firm has employed 22 Toledo Law graduates, and Frank Cubbon was a positive force in the lives of hundreds of other attorneys. Mark V. Spix '77, an Atlantabased attorney who teaches Sports Law at Georgia State credited Frank Cubbon's loyalty to the family of a deceased friend for his admission to law school. Spix said that when he applied to law school, Frank "took the trouble and wrote about the son of his friend who had been gone for 15 years and did so with passion and conviction." Cubbon's impact on the hundreds of lawyers he mentored is legendary. Robert W. Pike '66, who later went on to serve as executive vice president and chief administrative officer for The Allstate Corporation, had the opportunity to work with Frank for three years at the start of his career. He said he "probably learned more about how to manage both myself and others than I have since I left his firm. He was able to make you feel good about yourself by quite frankly putting greater confidence in you than you had in yourself." Pike adds that Frank was a role model whose mentorship encouraged his associates to put forth their best efforts and Frank relied on "hard work, honesty, a zest for life, and giving those like me a

chance to succeed." Pike concludes "no one could have asked for a better mentor or, more importantly, for a better friend."

Cubbon said his decision to attend Toledo Law served him well, and he was gratified that the law school education he received allowed him to do what he wanted. He established himself as a skillful litigator a public figure with an established name — and his legal skills earned him a solid living. To show their gratitude, Frank and Barbara Cubbon provided a substantial donation to the law school in 1996 for renovation of the moot court room that today bears their names. The Cubbons said their granddaughter's graduation reinforces their sense of appreciation for the values of a Toledo legal education.

Rather than feeling intimidated by such a legacy to follow, Jocelyn exudes an air of confidence and excitement about what the future holds. "I'm so grateful for the legal education and foundation that I've received at Toledo. I know it will serve me well as I start to practice."



Professors Bruce A. Campbell, Robert J. Hopperton and Douglas K. Chapman

# Law School Honors Service of **Three Outstanding Professors**

On May 7, faculty, staff and members of the bar gathered at the Law Center to pay tribute to the careers and service of three outstanding law professors. Professors Bruce Campbell, Douglas Chapman and Robert Hopperton will retire this summer and the law school community gathered to honor their service with gifts and a reception. Dean Douglas Ray stated, "We have all been fortunate to know and work with Bruce, Doug and Bob. They have been outstanding teachers and outstanding members of our community. We will miss their wisdom, their energy, their expertise and their leadership. Retirement does not mean good-bye, however. We will hope to bring each back from time to time for part time teaching opportunities so that future students will have the opportunity to learn from them as well." Campbell, Chapman and Hopperton all served as associate deans during their tenure at Toledo Law, and Professor Hopperton twice served as interim dean.

### **Bruce A. Campbell**

Professor Bruce Campbell, known as "Mr. Commercial Law," to generations of law students, has been on the faculty since 1979. In his time here, he taught American Legal History, Banking Law Seminar, Conflicts of Law, Constitutional Law, Contracts, Contract Law Seminar, Commercial Paper, Sales and Secured Transactions. Students left his courses not only knowing the governing doctrine, but also understanding the bigger picture. He ensured that students learned that the law is more than just an assemblage of rules and stressed that the law of a particular subject is an intellectual and operative system, the individual elements of which are interrelated and derived from policy and even cultural norms.

Serving as associate dean in the early 1980's, Campbell was instrumental in helping expand the college's student recruiting program and, with Assistant Dean Carol Frendt, in establishing a modern law admissions system. Campbell also provided leadership through his chairmanship of the curriculum committee, his work on ABA self study committees and University committees.

Campbell has found teaching to be a challenging and rewarding career, one that provided the opportunity to think, analyze, learn and then present a complex subject in a coherent way. He said, "The best part of the law school has always been its people: smart, serious and friendly faculty; capable dedicated and supremely gracious and helpful staff; and, always, amazing students."

### **Douglas K. Chapman**

During his 28 years on the law faculty, Professor Douglas Chapman has been one of the most popular and appreciated classroom teachers in the building. He was voted "Outstanding Professor," for example, by 12 different graduating classes.

When asked what he has liked about his time at the law school, Chapman answered, "the people." He called it a wonderful place to work and said he has made many lifelong friendships among his students. He also mentioned close relationships with many staff members and praised the collegial atmosphere among the faculty.

Chapman joined Toledo Law in 1982, after teaching at Southwestern University in Los Angeles, The University of Tulsa and Ohio Northern University. He taught Federal Income Tax, Federal Estate/Gift Tax, Business Enterprise Tax, Corporate Tax, Estate Planning, Property and Trusts and Estates. In each of these courses, he brought a sense of energy to the classroom and mixed humor with a thorough and practical grounding in the subject. He frequently used real-life hypotheticals to help students understand the practical applications of what he was teaching and to make them think about why a case or doctrine was important. After 35 years of teaching, he still experiences a sense of excitement in the classroom and enjoys the fun of watching his students discover new things.

Outside the classroom, Chapman made a difference as well. He was instrumental in forming the Great Lakes Institute and served as its first director. In addition, he provided leadership and service in his years as the College of Law's associate dean for academic affairs and in his many efforts on behalf of our student recruiting program.

### **Robert J. Hopperton**

Professor Robert J. Hopperton has been with the law school since 1978. He's served with distinction as both interim dean and associate dean, but teaching is his real passion.

"I can't imagine a more enjoyable and satisfying career than being a law professor," he said. "It's the perfect combination of intellectual challenge, hard work and interaction with students, faculty and staff."

In his more than 30 years on the faculty, Hopperton has taught Property I and II, Land Use and Development Law, Real Estate Transactions, Negotiation and Settlement, Negotiation Theory and Strategy, Alternate Dispute Resolution, Mediation, Arbitration Advocacy, Writing for Law Review, Legal Drafting, Advanced Legal Writing, Environmental Land Use Regulation and Legal Process. He noted the "remarkable changes" he's seen in both the law school and the legal profession. For example, his 1972 graduating class at Ohio State University's law school contained only six women out of 150. Now, women average about 50 percent of incoming classes nationwide. Hopperton said this has brought a new diversity of viewpoints to the classroom, a change that has made for a more interesting and valuable educational experience.

He also talks about advances in technology, the increased role of globalization, and greater emphasis on skills training as developments he's been pleased to see over the years. Throughout their time in law school, he has asked students to think of themselves as professionals and to aspire "to become the kind of lawyers they'd like to be represented by." If he could stress one thing to students, it's that "preparation is part of professionalism." He hopes that he's taught them to be prepared, and to develop a "wholesome attitude of service."

Before coming to Toledo Law, Hopperton served as director of the Law Reform Project, Ohio State University College of Law, assistant director of the Ohio Department of Commerce, and chief of the Ohio Consumer Protection Division. He also taught at the University of Dayton Law School.



### College of Law Honors Assistant Dean Carol Frendt

On Jan. 28, the College of Law community gathered to honor Assistant Dean for Admissions Carol Frendt on the occasion of her retirement after 33 years at the law school. For many, she was the face of the law school. For some, she was the first person they met before admission and the last person they saw after graduation. She worked tirelessly and creatively to guarantee that each year the College of Law would have an entering class of which we could be proud. In presenting her with an Outstanding Service Award, Dean her colleagues on the staff. One wrote, "She is the ultimate professional and always portrays the college in the best light possible." Another described her as a "true friend who has been a delight to work with." Yet another said, "Persons such as Carol Frendt are essential, not only for the College of Law to function effectively, but also for the college to be a human place." At the end of the reception, the entire group joined in applauding Frendt for being that true friend to all and for helping make the College of Law a truly human place.

#### John A. Barrett Jr. Associate Professor



Associate Professor John A. Barrett Jr. just completed his term as president of the Faculty Senate and has begun his term as past president. What this means

in practical terms is that he has spent the year on more than 20 University and College of Law committees and work groups, in addition to his normal teaching, advising and moot court activities. He claims it was a great learning experience and that he now knows more about UT. Barrett also conducted a sold-out wine tasting event for the College of Law Alumni Affiliate in April. The theme was types of wine you should be drinking more of, and the alumni were treated to a great lineup of some of his favorite grapes. Finally, Barrett wrote a chapter on Joint Venture Governance for the second edition of Joint Ventures in the International Arena.

Benjamin G. Davis Associate Professor



Professor Benjamin G. with Keefe Influence Space(s) and Digital Influence Waves: In Honor

of Charly 25 Ohio St. J. on Disp. Resol. 201-245 (2010). He continued his work as a council member of the ABA Section on Dispute Resolution (participating in setting section policy and initiatives), being appointed to the Nominating Committee, and as chair of the Subcommittee on the Arbitration Competition, ABA-Law School Division Competitions Committee. As a board member of the Society of American Law Teachers (former co-chair and current member of the Human Rights Committee),

Associate Davis published Snyder, Online

and criminal prosecution of high-level civilians and military generals. He is a member of the Robert Jackson Steering Committee (work on issues related to torture). He received the Outstanding Professor of the Year award from The University of Toledo Law Alumni Affiliate and a Community Service Award from the United Muslims Association of Toledo. He was on sabbatical in spring 2010, writing a book on the citizen's role in state compliance with international law.

Professor Maara

two-year term as

president of the

Ohio Mediation

Association, a

statewide

Fink recently

finished her

he helped in addressing a wide range of issues

within the purview of SALT ranging from law

threats to the legal profession, to amicus briefs

to the Supreme Court in CLS v/ Martinez, to

threats to legal clinics in Maryland, to torture

school concerns, to access to justice and

#### Maara Fink **Clinical Professor**



organization for mediators and mediation advocates. She has been appointed to serve as vice-chair of the Leadership Council for Planned Parenthood of Northwest Ohio and recently joined the board of The University of Toledo College of Law Alumni Affiliate.

Professor Fink presented to several groups and organizations on various topics in alternative dispute resolution. She served as one of several moderators during the fall CLE on The Role of Judges in Mediation and Settlement. She also served as a moderator during the annual conference of the Ohio Mediation Association.

Professor Fink continues to encourage law students to explore and promote the use of alternative dispute resolution methods in our legal system by serving as the adviser to the College of Law ADR Society.

#### Llewellyn Joseph Gibbons Associate Professor



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Professor Llewellyn Joseph Gibbons is serving as the chair of the American Association of Law Schools Section on

Associate

Minorities. Gibbons has had two articles accepted for publication. Visual Artist Rights Act and the Protection of Digital Works of "Photographic" Art? will be published in the North Carolina Journal of Law and Technology, and Technology Transfer: Enough *is Never Enough* will be published in the University of Louisville Law Review. In addition, Professor Gibbons spoke or presented papers at the following programs: The BIO International Convention 2010; The North Carolina Journal of Law and Technology Symposium Honoring Laura N. Gasaway; the International Association for the Advancement of Teaching and Research in Intellectual Property (ATRIP); the University of Louisville Brandeis School of Law Second Annual Conference in Innovation and Communications Law Program; the South China University of Technology, Intellectual Property School and the Law School of Guangzhou, China, 2009 International Workshop on the Copyright Industries and Intellectual Property (CIIP'09); and the University of Hong Kong, Journalism and Media Studies Centre The Age of Digital Convergence: An East-West Dialogue on Law, Media and Technology.

#### **Heather S. Karns** Assistant Dean



Assistant Dean Heather Karns hosted several alumni events and employer roundtables in the past year. Since July 2009, she has hosted events in Atlanta. Ga.; Buffalo, N.Y.; Charlotte, N.C.; Chicago, Ill.; Cincinnati, Ohio; Cleveland, Ohio; Columbus, Ohio; Dayton, Ohio (Ohio State Bar Meeting); Dearborn, Mich. (Michigan State Bar Meeting); Findlay, Ohio; Miami, Fla.; Monroe, Mich.; Raleigh, N.C.; Toledo, Ohio; and Washington, D.C. In addition, she conducted an extensive set of professional development programs designed to prepare students for professional success (See pp. 4-5 ). She participates on the Toledo Bar Association's Diversity Committee, serves on a subcommittee of the University's Strategic Planning Committee and is a co-chair of the National Association of Law Placement's Law Student Professional Development Section. In May 2010, she and Jessica Mehl put on a resume and cover letter workshop for outgoing AmeriCorps attorneys in the region.

#### **Bruce Kennedy** Associate Professor



Professor Bruce Kennedy has written A Brief Introduction to U.S. Legal Research Materials and Eminent Domain - The Two Edged

Associate

Sword of U.S. Property Law, two book chapters for a forthcoming book sponsored by the Hong Kong America Center.

#### Ken Kilbert Associate Professor



Associate Professor Ken Kilbert wrote "The Public Trust Doctrine and the Great Lakes Shores," which was the lead article in the winter 2010 issue

of the Cleveland State Law Review.

He also organized the ninth annual Great Lakes Water Conference in Nov. 2009, sponsored by the College of Law and its

Great Lakes.

Additionally, in March 2010, he taught a short Civil Procedure course to Hungarian law students as part of the American Law Program at the University of Szeged.

### Jessica Knouse



affiliated Legal Institute of the Great Lakes. Other speaking engagements included the Toledo Metropolitan Area Council of Governments in Sept. 2009 regarding the proposed federal Clean Water Restoration Act and the Lucas County Bar Association in April 2010 regarding invasive species and the

### Assistant Professor



Assistant Professor Jessica Knouse, who was promoted to associate professor effective fall 2010, published an article titled From Identity

Politics to Ideology Politics in the Utah Law Review (2009 Utah L. Rev. 749). She was selected by the AALS New Law Professors' Section to present an article titled Restructuring the Labor Market to Democratize the Public Forum at the 2010 AALS Annual Meeting in New Orleans, La., and to publish the article in the Stetson Law Review. She presented papers at the 2009 Annual Meeting of the Law and Society Association in Denver, Col.; the 2009 Ohio Legal Scholarship Workshop at Ohio Northern University College of Law in Ada, Ohio; the 2009 Labor & Employment Colloquium at Seton Hall University School of Law in Newark, N.J.; and the Indiana University School of Law in Indianapolis, Ind. She is scheduled to present a paper at the 2010 Annual Meeting of the Law and Society Association in Chicago, Ill. She has also given several presentations at The University of Toledo College of Law most notably, she participated along with other constitutional law faculty in a panel discussion of the Supreme Court's 2009-2010 term and presented her scholarship at faculty roundtables.

#### Susan Martyn

Stoepler Professor of Law and Values



Stoepler Professor of Law and Values Susan Martyn has written (with co-author Lawrence J. Fox) the second edition of their Legal Ethics Deskbook, Red

Flags: A Lawyer's Handbook on Legal Ethics (ALI-ABA 2010). Rather than marching through various legal rules theoretically, *Red Flags* approaches legal ethics from the perspective of a practicing lawyer facing an actual dilemma. The second edition covers topics such as identifying your client, fees, the five C's of fiduciary duty, the limits of zealous representation and a new chapter on judicial ethics.

Martyn and Fox, a practicing lawyer and adjunct professor of legal ethics at Yale, met 20 years ago as advisers to the American Law Institute's Restatement of the Law Governing Lawyers. They have also written Traversing the Ethical Minefield: Problems, Law and Professional Responsibility (Aspen 2d ed. 2008); a law school casebook, The Ethics of Representing Organizations: Legal Fictions for Clients (Oxford Press 2009); and a yearly edition of a rules supplement *The Law* Governing Lawyers: National Rules, Standards, and State Lawyer Codes (Aspen 2010).

Martyn also served as a co-editor of ACentury of Legal Ethics: Trial Lawyers and the ABA Canons of Professional Ethics, (ABA Litigation Section 2009) contributing her own chapter to the book, titled "Back to the Future: Fiduciary Theory Then and Now."

In December, Martyn and Fox contributed a brief amicus curiae to the United States Supreme Court in the case of *Holland v*. *Florida*, on behalf of 30 legal ethics professors and practitioners. The experts' brief argues that a lawyer's failure to follow a client's instruction to file a federal habeas petition constitutes grounds for equitable tolling of the statute of limitations.

In August, Martyn will complete her three-year term on the American Bar Association Standing Committee on Ethics and Professional Responsibility.

#### FACULTY NOTES

#### Jessica Mehl '05 Assistant Dean



Assistant Dean Jessica Mehl '05, who previously served as assistant director of our Law Career Services Office, has been promoted to assistant dean for

admissions. In that position, she will oversee

student recruiting and law admissions. She is

the co-author, with Anneliese Gryta, of "Tips

and Pointers on Drafting a Resume for a Legal

Services Position," NALP Bulletin, Vol. 22,

Lee Pizzimenti

Associate Dean for Student Affairs

Associate Dean Lee Pizzimenti participated in a presentation on professionalism and civility at the opening meeting of the Morrison

> R. Waite Chapter of the

Inns of Court. She serves as secretary and a member of the executive committee for that organization. She also served on a panel at a CLE sponsored by the Toledo Bar Association, which explored ethical and professionalism issues associated with the Internet and social media.

### **Nicole Porter**

Associate Professor



at a conference at the University of Denver Law

School, titled "Motherhood: Reclaiming Our

Past, Transforming Our Future." Finally, Porter

Porter, who was granted tenure and promoted to professor effective fall 2010, had two pieces of scholarship accepted for publication. Her

Associate

Professor Nicole

article, Synergistic Solutions: An Integrated Approach to Solving the Caregiver Conundrum for "Real" Workers was accepted for publication in the Stetson Law Review. This article was selected from a national search to be presented at the Annual Meeting of the American Association of Law Schools in Jan. 2010. Porter also presented this article at the Fourth Annual Labor and Employment Law Colloquium at Seton Hall Law School in Sept. 2009. Porter placed a book review, Relieving (Most of) the Tension: A Review of Samuel R. Bagenstos, Law & the Contradictions of the Disability Rights Movement, in the Cornell Journal of Law and Public Policy. In March 2010, Porter was an invited panelist on a panel titled *Reconstructing Superwoman: Care* and Market Work from a Non-Binary Perspective,

became a member of the Sexual Harassment Task Force, a university-wide committee responsible for preventing sexual harassment throughout the University. Beginning fall 2010, she will also serve as associate dean for academic affairs.

#### **Geoffrey Rapp** Associate Professor



Associate Professor Geoffrey Rapp, who was granted tenure and promoted to professor effective fall 2010. continued his writing in the

area of tort law. He completed a major piece, Defense Against Outrage and the Perils of Parasitic Torts, exploring the role of traditional common law defenses in connection with conduct actionable as Intentional Infliction of Emotional Distress. The piece addressed broader issues relating to the development of new torts through common law decisionmaking, and was accepted for publication in the fall 2010 issue of the Georgia Law Review.

In addition, Rapp wrote several shorter pieces for law journals. In Unmanned Aerial Exposure: Civil Liability for Domestic Law Enforcement Use of Unmanned Aerial Systems, a contribution to a symposium sponsored by the University of North Dakota Law Review, Rapp explored civil liability concerns should unmanned drones be integrated into the national aerospace system. In Salvage Award on the Somali Coast: Who Pays for Anti-*Piracy Rescue Efforts?*, a contribution to an American University Law Review symposium on combating piracy, Rapp explored the possibility that public and private efforts to rescue merchant vessels from maritime pirates could trigger admiralty law "salvage awards." In Blue Sky Steroids, a contribution to a symposium sponsored by Northwestern University's Journal of Criminal Law and Criminology, Rapp explored whether a disclosure regime modeled on American securities regulation laws could address the problems associated with performanceenhancing-substance use in professional sports. In Governance by Whistleblower, a

contribution to a symposium sponsored by Chapman University's Nexus Journal of Law and Policy, Rapp argued that as a result of federal investment in publicly traded companies through the "bailout" legislation, existing federal statutes could be used to provide bounties for securities fraud whistleblowers.

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Rapp spoke at the annual meeting of the Association of American Law Schools in New Orleans in Jan. 2010 and gave presentations at DePaul University in Chicago, Ill., and Seton Hall University in Newark, N.J. He was interviewed by Slate (three times), Business Insurance Magazine, The Christian Science Monitor, The New York Times, Toronto's National Post (six times), and The Washington Times (twice), and was a guest on the Louisville radio station WKRD show The Early Birds.

#### **Douglas Ray** Former Dean



Professor Douglas Ray, with Professors Sharpe and Strassfeld of Case Western Reserve Law School, has completed work on the third

edition of Understanding Labor Law (LexisNexis), a general treatise for law students and attorneys. The new edition will be published in fall 2010. With Professors Cameron (Southwestern) and Corbett (LSU), he published the 2009 supplement to Labor Management Relations: Strikes, Lockouts, and *Boycotts* (Thomson West), a treatise for labor law practitioners. In May 2010, he co-chaired and presented at the Center for American and International Law's four-day Course in Labor Law and Labor Arbitration in Plano, Texas. The program is attended by lawyers from across the country and features presentations from top labor law professors and attorneys. A highlight of this year's program was a presentation by the Hon. Wilma Liebman, chair of the National Labor Relations Board. This is the 11th year that Ray has chaired or co-chaired the program.

### William Richman



awarded to elected members who have served and supported the institute for 25 years. The class of honorees, who was elected to membership in the ALI in 1985, number about 50. Richman was in good company; the class included three United States Circuit Judges, numerous state appellate court judges and legal scholars, including one who is now president of the University of Rochester.

Richman is finishing his work on a book about the changes in the United States Circuit Courts caused by the crushing increase in the volume of appeals filed. The book will be published by the Oxford University Press.

Richman also completed the annual supplement to his multi-volume treatise on personal jurisdiction. His senior co-author, Robert Casad, is no longer active in preparing the supplement, so Richman has recruited Associate Dean Wendy Perdue of Georgetown University Law Center as another co-author.

#### **Rob Salem Clinical Professor**



school bullying at conferences in Dallas, Texas, and Cleveland, Ohio. He also testified before the Ohio General Assembly on a cyber bullying bill that he and several Toledo law students helped draft. Salem was also interviewed on a public television program called "In The Life," which addressed the

### Kelly A. Moore Assistant Professor

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in St. Louis and at the St. Louis University School of Law, and having been director of the LL.M. in Tax Program at Washington University School of Law over the past eight years. During his first year at the College of Law, he taught Trusts and Estates, Business Enterprise Tax, Fiduciary Income Tax and Federal Income Tax. He is teaching Trusts and Estates as a visitor at St. Louis University School of Law in summer 2010.

Moore placed an article, The Road To Transfer Tax Simplification is Paved With Incremental Intentions, Now, with the Houston Business and Tax Law Journal (cowritten with David Frederick) and a writing, Tax on Prior Transfers and the 2035b Gross Up, with the Southern Illinois University Law Journal over the course of the year. In addition, he wrote an essay, <u>The Socratic</u> Method Outline, for the newsletter of the Institute for Law Teaching and Learning.



### Distinguished University Professor



Distinguished University Professor William Richman has been made a life member of the American Law Institute, an honorary status

Clinical Professor Rob Salem presented at several symposia and workshops over the past year. He conducted workshops on the law related to epidemic of youth suicides related to bullying. The program aired nationally throughout the month of March.

Salem gave a presentation at the annual Ohio State of the State Conference on emerging legal issues affecting Ohio's transgender community. He spoke on the status of LGBT family and marriage law in the United States for a continuing legal education seminar at Ohio Northern University Pettit College of Law. Salem also gave a presentation on Ohio's Felonious Assault law at a conference for social workers titled "Sex, HIV and the Law." Salem was also a co-author of a paper on judicial involvement in media cross-ownership rules that was presented at the Southern Popular Culture Association conference in Wilmington, N.C.

Salem also continues to be a guest lecturer on medical ethics and privacy issues for classes at The University of Toledo College of Medicine.

#### **Joseph Slater**

Balk Professor of Law and Values



Balk Professor of Law and Values Joseph Slater continues to teach torts and various classes in the labor and employment law area. He is working on two

casebooks: Public Sector Employment: Cases and Materials (2nd ed.) (with Marty Malin and Ann Hodges) (West); and Labor Law in the Private and Public Sectors: Cases and Materials (with Seth Harris, David Gregory, and Anne Lofaso) (LEXIS).

Also in 2009, he published the following: a book review of John Lyons, Teachers and Reform: Chicago Public Education 1929-70, 114 American Historical Review 783 (2009); Working Group on Chapter 1 of the Proposed *Restatement of Employment Law: Existence of* Employment Relationship," 13 Employment Rights & Employment Policy Journal (with Theodore St. Antoine, Dennis Nolan, and Alvin Goldman); and "Labor and the Boston Police Strike of 1919," in Aaron Brenner, et al. eds., The Encyclopedia of Strikes in American <u>History</u> (2009).

Slater also testified as an expert witness on the history of public and private sector labor law in Springfield Nat'l Educ. Ass'n v. Springfield Bd. of Educ., Case No. 0931-CV08322 (Cir.Ct. Greene Cty, MO 2009) and in <u>Bayless Education Association v.</u> Bayless School District, No. 09SL-CC1481 (Cir.Ct. St. Louis Cty, MO, Feb. 10, 2010).

Slater also gave four conference papers in 2009. He was a chair and commentator on the panel, "Creating a Culture of Professionalism," at the North American Labor History Conference, in Detroit in October. He gave the paper, "Why We Should Teach Public and Private Sector Labor Law Together, and How to Do It," at the Fourth Annual Colloquium on Current Scholarship in Labor and Employment Law. He gave the paper, "Post-Pyett Decisions of the Lower Courts: Key Questions Remain," at the South East Association of Law Schools Annual Meeting. And he gave the paper, "Teaching Private and Public Sector Labor Law Together," at the American Association of Law Schools Mid-Year Meeting On Worklaw.

Slater also enjoyed working with Professor Porter and the students on the Labor and Employment Law Moot Court team, and he is proud of that team's successes. Beyond work, he tries to keep up with his surprisingly athletic son, Isaac.

#### **Daniel J. Steinbock** Interim Dean and Anderson Professor

of Law and Values



Interim Dean and Anderson Professor of Law and Values Daniel J. Steinbock continues to serve on the Ohio Commission on

Practice and Procedure, and its Evidence Committee, as well as the Supreme Court of Ohio's Committee on Foreign Legal Education. In May 2010, he appeared on Toledo television discussing the Elena Kagan nomination.

#### Lee J. Strang Associate Professor



Associate Professor Lee J. Strang, who was granted tenure and promoted to professor effective fall 2010, placed his most recent publication, An Originalist

Theory of Precedent: The Privileged Place of Originalist Precedent, in the B.Y.U. Law Review. He argued in An Originalist Theory of Precedent, that originalism retains a significant role for stare decisis.

Strang also published The Golden Age That Never Was: Catholic Law Schools From 1930-1960 and the Question of Identity (with John M. Breen), in the Journal of Catholic Social Thought. This essay is the first installment of a book project in which Professors Strang and Breen review the history of and evaluate current conceptions of Catholic legal education.

Strang reviewed two books for First Things magazine. Both books dealt with aspects of constitutional interpretation. Strang is also editing a constitutional law casebook for LexisNexis.

Strang presented papers at numerous conferences across the country. Most recently, he presented An Originalist Theory of Precedent at the Midwest Political Science Association annual conference. He also presented The Road Not Taken: Catholic Legal Education at the Middle of the Twentieth Century at Villanova University School of Law and the University of Dayton School of Law, and Originalism and the Aristotelian Tradition: Virtue's Home in Originalism at Notre Dame University.

Strang frequently engaged in debates on constitutional interpretation at law schools across the country. He debated Originalism v. Living Constitutionalism at Valparaiso University School of Law, CLS v. Martinez at Ohio Northern University College of Law, Limited and Enumerated: The Scope of Congress' Section Five Powers at Michigan State College of Law, and Can Originalism "Get With the Times"?: How Originalism

Meets the Challenge of Change at Thomas M. Cooley School of Law.

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Strang, as faculty adviser to the Federalist Society, assisted organizing speakers and debates including a panel discussion, The Upcoming Supreme Court Term, with College of Law faculty. Strang and Barrett participated in a debate hosted by Phi Alpha Delta titled A Naked Public Square?: The Proper Relationship Between Church and State.

Strang frequently spoke to civic and political organizations about the Constitution. His most popular talk is an educational seminar on the basics of constitutional history, meaning and modern applications, The U.S. Constitution 101. Strang also regularly commented in the media, especially on health-care reform legislation and judicial nominations.

#### **Rebecca E. Zietlow** Charles W. Fornoff Professor of Law and Values



Charles W. Fornoff Professor of Law and Values Rebecca E. Zietlow published Free at Last! Anti-Subordination and the Thirteenth Amendment in

the Boston University Law Review and The Promise of Congressional Enforcement, in Alexander Tsesis, Ed., The Promises of Liberty: Thirteenth Amendment Abolitionism and Contemporary Context (Columbia University Press, 2010). She also presented Congressional Enforcement of the Privileges and Immunities of Citizenship and James Ashley and the Thirteenth Amendment at the 2009 Annual Meeting of the Law and Society Association. She was an invited participant at the University of Maryland Constitutional Law Symposium in Feb. 2010.

# A. Louis Denton '83\*

on investments and taxes.



\* A. Louis Denton '83, is president and chief executive officer of Borer Denton & Associates, Inc., a registered investment advisory firm in Blue Bell, Pennsylvania.

hen I got my first job in the securities business some 26 years **W** ago, I used to listen with awe to people who would complain about taxes. At the time, I didn't have two nickels to rub together, let alone have to worry about paying taxes. I figured that if you owed Uncle Sam money, you must have made money. From that point on, I vowed to never complain about them, but simply to pay them and be thankful that I was in such a position.

I know from experience that clients detest taxes. For me, I look at the government as a business partner and simply accept that it has an interest in my business. In my opinion, taxes are to be considered in making investment decisions. However, they should never be the driving force behind them. Unfortunately, clients do not always agree and look to strategies that avoid the dreaded tax.

the Rules of

### Periodically, we ask alumni to share with us their perspectives on important issues. For this issue, we have asked noted investment advisor and Dean's Advisory Council Member, A. Louis Denton, Esq. '83, to share his perspectives

At present, the long term capital gains tax rate is 15 percent. No matter how you look at it, that's pretty low, and I doubt that it will ever be lower in my lifetime. I prefer to think of the tax in a more positive light. For every dollar of profit made, you get to keep 85 cents of it. While I don't know how long the rate will be 15 percent, I would hazard a guess and say that rates are more likely than not to be higher in the foreseeable future. (I hope I'm wrong, but at least I am realistic.) Finally, I advise clients to reinvest net proceeds from a sale; i.e., set aside some of the winnings to pay the tax. In essence, I suggest to them that they are paying the tax from the profit made on the trade and that when the taxes are due, they won't have to scramble to raise cash to pay them.

It seems that people have a hard time accepting the fact that the government wants a piece of the action. Individuals are willing to make illogical decisions based on the fact that the capital gain will cost them something at tax time. For some reason, people often prefer to take a chance and put off the decision to sell.

A number of years ago, a very wise investment advisor counseled me on a way to look at these dreaded taxes. He pointed out that there are three legal ways to avoid capital gains tax on stock sales. I will briefly run through them now.

The first way is to donate all of your appreciated securities to charity. You would get a tax deduction for your donation and the non-profit organization handles the sales. While this would effectively allow you to avoid the tax, it may leave you with few assets to live on. Most people take a pass on this option.

The second way is to die. When you pass away, your securities portfolio gets a stepped-up basis to the date of your death. Your heirs will be happy, but you'll be dead. For obvious reasons, most people are not eager to pursue this strategy.

The third way is to ride the stock down to what you paid for it, thereby erasing the paper gain that was once there. Clients who choose this option usually kick themselves for every point the stock drops. Indeed, it is a tortuous way to avoid the taxman and not advised. Besides, clients generally blame their advisor for not being more forceful with the sale recommendation.

As always, my crystal ball is cloudy when it comes to predicting shortterm market movements. However, over longer periods of time, I believe that markets will ultimately go higher. If I'm correct, the tax issues will always be with us. If I am wrong and the market goes to zero, then I think we will have more to worry about than sharing a mere 15 percent of the winnings with Uncle Sam.

Eddie M. Cole was the 2009 Honoree of the African American Legacy Project of Northwest Ohio.

# 19**59**

The Hon. J. Ronald Bowman was awarded the Community Service Award by the Toledo Bar Association in 2009.

# 1961

Kenneth I. White Sr. was presented the 2009 Robert A. Kelb Distinguished Service Award by the Toledo Bar Association. Ken will also be honored this fall at the Inverness Club where the Law Alumni Affiliate will present him with the 2010 Distinguished Alumnus Award.

# 1965

Stanley M. Krawetz was honored by the Florida Supreme Court in Tallahassee for his work in 2009 on behalf of poor and indigent clients. He received the Florida Bar's Pro Bono Service Award. His principal area of practice is family mediation and family law. He has contributed more than 800 hours through Legal Aid of Manasota and his pro bono contribution from the last two years exceeds what most attorneys donate throughout their careers.

# 1961

Henry Herschel received the 2009 Public Service Commitment Award from the Law Alumni Affiliate at the

2009 Gala Celebration held at the Inverness Club.

# 1968

Prof. Ron Brown of the University of Hawaii Law School was awarded a competitive grant from the U.S.-China Legal Cooperation Fund to conduct a series of workshops in China to produce "An Implementing Platform for China's New Draft Social Security Law." He will be working with government officials and Peking University. In addition, his article "A Comparative Study of Labor Dispute Mediation and Arbitration Systems in China and the U.S." was recently published in volume 8 of Labor Relations Journal, Peoples' University Law School, Beijing, China (in Chinese).

Murray K. Lenson was elected to Best Lawyers in America and Ohio Super Lawyers for the year 2010 in the area of professional malpractice defense. Murrav is a partner in the Cleveland Law firm of Ulmer & Berne.

# 1969

#### The Hon. Norman G.

Zemmleman was honored as an ASTAR (Advanced Science and Technology Adjudication Resource) Fellow. ASTAR is a non-profit institute that prepares judges to preside over cases involving complex scientific issues.

# 19

Bruce Bailey received the 2009 Distinguished Alumnus Award from the Law Alumni Affiliate at the 2009 Gala Celebration held at the Inverness Club.

R. Jeffrey Bixler was one of four recipients of the 2010 Access to Justice Awards, presented in Toledo on May 26, 2010.

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# 1973



been recognized by Law & Politics as a 2009 Ohio Super Lawyer. He was also appointed by the American College of Trial Lawyers to the State Committee for 2010.

1975



iudge for the United States District Court in Fort Wayne, Ind. In September 2009, he was the featured speaker for



Moore, has been named 2010 Roanoke "Banking Lawyer of the Year" by The Best Lawyers in America.

#### Thomas W. Kohl was reelected to his third six-year term as presiding judge in Washington County, Ohio.

Alan Sankin is currently vice president of tax and treasury at Dolby Laboratories Inc. in San Francisco. In May 2010, he was awarded the Tax Executive Institute's first Pro Bono service award for his activities as a volunteer lawyer for a not-for-profit group, Lawyers for One America in San Rafael, Calif.

Thom Sheets was named the general counsel for FERC (Federal Energy Regulatory Commission).

19

Gary E. Sargent retired from the Office of the General Counsel of the Social Security Administration in Baltimore, MD, after 31 years of federal service as an attorney. Before retiring, he was admitted to the bar of the Supreme Court of the United States.

#### Robert E. Wisniewski

was awarded the Exemplary Partnership Award by Phoenix College in recognition of his ongoing dedication and support.

19

Susan Goldstein is the author of a Hollywood murder mystery titled "Hollywood Forever" that is scheduled to be released in hardcover in

19

Thomas K. Byerley was appointed judge of the Eaton County (Michigan) Probate Court for a term expiring January 2011.

# 1979

Patricia S. Intagliata will be recognized at the 2010 Law Alumni Gala held at the Inverness Club and be presented with the Law Alumni Affiliate Commitment Award.

# 19**80**

### J. Christopher Anderson

has accepted an invitation to the Ohio State Bar Foundation's Fellows Class. Each Fellows Class works on a project promoting the Foundation's mission of public understanding of the law and improvements in the justice system.

Joanne Rubin was elected president of the Lucas County Bar Association.

Steven J. Sadler, a managing member of the Bloomfield Hills. Mich. law firm of Dawda. Mann, Mulcahy & Sadler, was included in the 2010 edition of The Best Lawyers in America.

Jeffrey L. Schmehl is now the presiding judge of the Berks County Pennsylvania Court of Common Pleas in Reading, Penn. He also serves on the Pennsvlvania State Trial Judges Education Committee.

# 19**81**

#### Mark J. Albrechta

has been elected to the Board of Directors of the Family Justice Center of Hillsborough County Inc. (Fla.) The Family Justice Center is a community-wide collaborative between public, private and non-profit organizations to provide comprehensive services to domestic violence victims and their families in a centralized location.

Daniel G. Bogden, currently a partner in the Nevada law

firm of McDonald Carano Wilson, was nominated by President Obama to serve as United States Attorney for the District of Nevada.

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Louis T. Bolognini is senior vice president, secretary and general counsel for Imperial Sugar Company in Sugar Land, Texas. In addition to managing the company's legal affairs, he serves as primary legal advisor to the CEO and president, the company's senior management team and the board of directors.

Stephen M. Dane will assume the role of president of the Toledo Bar Association for 2010-11. Steve also received the 2009 Distinguished Alumnus Award from The University of Toledo College

of Law Alumni Affiliate. His law firm of Relman & Dane was awarded the Outstanding Achievement Award in Fair Housing by the Washington Lawyers Committee or Civil Rights and Urban Affairs.

#### Kevin Greenfield, a

partner in the law firm of Shareholder, Franklin & Greenfield and director of the Ohio Harness Horseman's Association, was appointed by Governor Ted Strickland to the Ohio Standardbred Development Commission.

#### The Hon. Thomas J. **Osowik** was elected

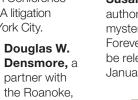
presiding judge of the Sixth District Court of Appeals through December 2010. Judge Osowik was also honored by serving as a visiting judge on the Supreme Court of Ohio and heard oral arguments in an Allen County (Ohio) attorney discipline case.

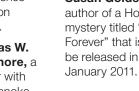
# 190

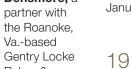
Kurt Reiber, senior vice president for KeyBank, was recognized as a community hero by receiving the first



the Indiana State Committee of the American College of Trial Lawyers in Indianapolis, and in October, he was a participant in the American Conference Institute's ERISA litigation forum in New York City.







Community Champions Award in Cincinnati, Ohio, for his years of dedicated service to the Freestore Foodbank. He is also the chairman of the Foodbank's Board of Trustees.

Phillip Schaedler of Professional Resolution Experts of Michigan earned certification for the Michigan Agricultural Mediation program, part of a federal dispute resolution program run by the U.S. Department of Agriculture.

Keith Wilkowski joined the Toledo law firm of Marshall & Melhorn to head its new Advanced Energy and Green Initiatives Practice Group.

# 1983

Mike A. Buck, a partner in the Cleveland law firm of Benesch Friedlander Coplan and Aronoff was appointed to the board of directors of The Center for Community Solutions, a not-for-profit advocate for policy and system reform.

**Christopher P. Bussert** will be honored this fall at the Inverness Club where the Law Alumni Affiliate will present him with the 2010 Distinguished Alumnus Award.

Dominick J. Graziano has been selected to the 2010 Florida Super Lawyers list as well as the Super Lawyers Corporate Counsel list. This is the third year Dom has been named to this list.

John S. Gulas became the president and chief executive officer of Farmers National Bank Corp. and its whollyowned subsidiary. Farmers National Bank of Canfield.

Paul Spaniola is Mason County's Prosecuting Attorney in Ludington, Mich

Garv D. Benz associate general counsel, has been promoted to director of Business Development, for FirstEnergy.

Ralph DiLeone is the managing partner at The DiLeone Law Group, a Raleigh-based law firm which concentrates in business, corporate, estate-planning and estate-administration matters for U.S. and international middle-market, closely-held and familyowned businesses as well as individual clients.



Denise Hasbrook of the Toledo firm of Roetzel & Andress, has been selected as an Ohio

Super Lawyer by Law and Politics magazine, Columbus Monthly magazine and Cincinnati magazine.

Michael O'Mara joined Hennes Pavnter Communications in Cleveland as vice president. This is the only firm in Ohio focused exclusively on crisis communications and one of the few in the U.S.

# 1985

Patty Humbert is the legal technology program director for Stautzenberger College in Maumee, Ohio,

### Lynn Balshone Jacobs,

who retired from the Lucas County Prosecutor's Office Civil and Juvenile Division as assistant prosecutor, was appointed to the Lucas County Children Services Board of Trustees.

William Jennings will lead the Supreme Court of Ohio Advisory Committee on the Judicial Family Network as chair for 2010-11.

Kathrin E. Kudner, a partner in the Dykema law firm in Detroit and a member of the Health Care Practice Group, has been named one of the Best Lawyers in America.

#### Anthony J. LaCerva

was presented with a Distinguished Service Award by the dean of the College of Law in recognition of outstanding leadership and service to the law school.

# 1986

**Neema Bell**, a partner in the Toledo office of Shumaker, Loop & Kendrick, was selected as an honoree of the 2010 YMCA Milestones: A Tribute to Women, a leadership recognition award ceremony in its 15th year.

Steven Pacitti has recently been named managing partner of the Las Vegas office of Feldmann Nagel & Pacitti. Steve works in general transactional law with an emphasis in sports and entertainment and tax. He has also been appointed to the advisory board for the University of Baltimore School of Law's Center for Sports and the Law and spoke at the ABA Young Lawyers' Regional conference on IP and sports law.



### **Terrence Finn**

a partner at the Akron law firm of Roetzel & Andress, was named "Leading U.S.

Attorney" in Chambers USA, America's Leading Business Lawyers Directory.

# 1988

David B. Chontos was elected to a three-year term on the board of directors for the Pennsylvania Association of Criminal Defense Lawyers.



Farolino a partner at the Akron law firm of Roetzel & Andress, was

Shane A.

named "Leading U.S. Attorney" in Chambers USA, America's Leading Business Lawyers Directory.

# 1902

Thomas C. French is a partner in the Atlanta office of Ford & Harrison, focusing his practice on the representation of management in both labor and employment matters with a concentration on

representing air carriers.

Christopher L. Mapes is the executive vice president of the water heating equipment manufacturer A. O. Smith Corp., and president of its electrical products unit. He was elected to the board of directors of Lincoln Electric Holdings Inc. of Cleveland.

Lt. Col. David Newsome has retired from the U.S. Army JAG Corp. after 20

years of service. He is currently serving as senior attorney for KBR, an international corporation with duty in Arlington, Va.

# 19

James J. Jaros is currently the CFO and general counsel of SSOE, Inc. in Toledo.

Daniel M. Klein has joined Health Care REIT Inc. as vice president of asset management in the Medical Facilities Group of the company.

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James DeMatteo started his own law office in Buffalo, N.Y., concentrating on personal injury and criminal defense.



Ohio, was named by the National Diversity Council as one of 2009's Most Powerful and Influential Women in Ohio.



Tim will focus his practice on employment discrimination. civil rights litigation, governmental liability. professional negligence and housing law.

1992

at the Buffalo, N.Y. firm of Rupp, Baase, Pfalzgraf, Cunningham & Coppola, has been re-appointed to serve a second two-year term as the chairperson of the Town of Amhert Board of Ethics. He concentrates his practice in insurance coverage and insurance defense litigation.

Mui-Ling Dong served on the panel of presenters for the President's Lecture Series on Diversity: Strategies

for Success in the Workplace, held at The University of Toledo in spring 2010.

James R. Knepp was sworn in on July 30 to serve as a United States Magistrate Judge in Toledo for the U.S. District Court for the Northern District of Ohio.

The Hon. Gregg P. Iddings was appointed by Michigan

Governor Jennifer Granholm in March 2009 to the Lenawee County Probate Court. Judge Iddings has also completed his fifth Ironman Triathlon in St. George, Utah.

Christi Scott Bartman

received her Ph.D. in policy history from Bowling Green State University in fall 2009. Her dissertation was titled "Lawfare: Use of the Definition of Aggressive War by the Soviet and Russian Governments."

19**95** Jenifer A Belt was elected to serve on the Board of Independent Madvocates, a

social organization focusing on violence against women.

Ingrid A. Effman accepted a position as staff counsel within the law offices of Laurie Ogden for Traveler's Insurance Company. She practices in the area of insurance defense and civil litigation.

Mvron Duhart was honored by the Toledo Bar Association with the 2009 20 Under 40 Award, which focuses on individuals under the age of 40 who have distinguished themselves in their careers or service in the community.

Jennifer M. Grieco joined the Southfield, Mich., firm of Neuman Anderson as partner. She was sworn in as president of the Oakland County Bar Association for a one-year term and her daughter, Meadow Rose Burch, was born on June 1, 2009.

Andrea Kimball has joined the firm of Sonnenschein, Nath and Rosenthal in the Kansas City office as a member of Sonnenschein's Litigation Practice.

Anita Lopez served on the panel of presenters for the President's Lecture Series on Diversity: Strategies for Success in the Workplace, held at The University of Toledo in spring 2010.

#### Jill Valiton McIntosh. a

member of the Kroger Co., has been promoted to director of human resources/labor relations in the Manufacturing Division in Cincinnati, Ohio,



#### Mohamed Abdrabboh

received the 2009 Outstanding New Exemplar Award from the Law Alumni Affiliate at the 2009 Gala Celebration held at the Inverness Club.

Chad R. Baker was honored by the Toledo Bar Association with the 2009 20 Under 40 Award, which focuses on individuals under the age of

40 who have distinguished themselves in their careers or service in the community.

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Joshua R. Bills was elected partner at Lane, Alton & Horst of Columbus.

he conducts his civil litigation practice. Josh practices in a variety of areas which include personal injury, insurance law, employment law and product liability.

William Connelly Jr. was elected to the Toledo Municipal Court in November 2009.

Stephen S. Keller is a partner at Weber & Sterling of Maumee, Ohio, specializing in estate planning and wealth transfer. Steve was named in the Toledo Business Journal's 2009 List of Who's Who in Area Law and as a 2010 Rising Star for estate planning and probate by Ohio Super Lawyers magazine.

Joel McGormley, an appellate division chief of the Michigan Department of Attorney General, argued before the United States Supreme Court on Renico v. Lett, a habeas case arising from a Michigan murder conviction.

Jodie Miller is a hearing officer with the North Carolina Employment Security Commission hearing appeals cases in Raleigh.

**Angelita Cruz Bridges** has been appointed by Ohio Governor Ted Strickland to the Ohio Ethics Commission.

Lee Geiger of Graydon, Head & Ritchey in Cincinnati, was appointed chair of the firm's Labor & Employment Practice Group and co-wrote the Healthcare Labor &

### ioined the Cleveland. Ohio, office of Weston Hurd as a partner.

# John R. Condren, a partner

Marie-Joëlle C. Khouzam

Ohio, where

Employment Practice Guide, which was recently published by the American Health Lawyers Association.



Stacy N. Lilly

opened her law office in Philadelphia to exclusively serve the needs of other

attorneys and law firms with their litigation practices and provide support to litigation practices experiencing a temporary uptick in their workloads.



David J. Mack was elected as partner in the Toledo firm of Shumaker, Loop &

Kendrick and is a member of the firm's financial institutions practice group. He

specializes in banking, mergers and acquisitions, securities and corporate matters.

Jeff Wilson wrote a book. the first of a series, called Lifes' Cheat Sheet: Crucial Success Habits School Never Taught You, which being released this summer. It's a street smarts quide targeted to the young adult market.

#### Kevin Cooper has

been named as secretary of the Toledo Bar Association's Workers' Compensation Committee.

Jennifer A. Coatney has been appointed magistrate in the Warren County (Ohio) Juvenile Court.

Julie Hoffman was named to the Board of Sylvania (Ohio) Schools.

Gerald L. Trepkowski has accepted a position with the Navy Office of General Counsel supporting the F-35 Joint Strike Fighter program. Jerry will also be honored this fall at the Inverness Club where the Law Alumni Affiliate will present him with the Outstanding New Exemplar Award. All this and a new baby girl, Natalya Irene, born to he and his wife, Rose, on June 17, 2010.

Timothy Marsh has accepted a position as Patent Counsel with Exxon Mobile in Houston, Texas,

Tyler B. Smith has opened his own firm in Huntington, W. Va.

Drew J. Mihalik was named partner at the Fitzgerald law firm in Findlay, Ohio, renaming it Fitzgerald & Mihalik. He and his wife Lydia have two children, JJ and Elizabeth.



Emily W. Newman was selected for 2009 Who's Who in Area Law. The Toledo

Business Journal recently included Emily among the top 100 attorneys in northwestern Ohio. Emily practices in Reminger's Toledo office, where her areas of concentration are general insurance, professional liability, mortgage banking and medical malpractice.

Carla Perrotta and her husband. Mark. welcomed their second child, Francesca Sofia. She joins big sister, Elena Lucia. Carla practices transactional information technology law at Miller,

Canfield, Paddock and Stone in Detroit. In addition, she was named to Leadership Oakland's 2009-2010 Class, a nine-month networking and training program that develops participants' leadership skills, explores key issues impacting the region and enables participants to reach their full potential professionally, personally and in the community.

Stephen Persia, an associate in the Akron office of Roetzel & Andress, focuses his practice in the area of civil litigation with an emphasis on general liability defense, toxic tort and transportation litigation.

Melinda Slusser was hired as superintendent of the Ottawa County (Ohio) Board of Developmental Disabilities.

Rhonda White is an assistant attorney general in the Appellate Division of the Criminal Justice Section, Denver, Colo, Her division represents the State of Colorado when defendants appeal criminal convictions to the Colorado Court of Appeals and the Colorado Supreme Court.

Sara Wisniewski has been appointed by Ohio Attorney General Richard Cordrav to associate general counsel for The University of Toledo and Ohio assistant attorney general.

# 2005



Damian B. Gosheff received the Indiana Bar Foundation's Pro Bono Publico Award.

Dom received this award for his ongoing advocacy on behalf of senior citizens and incapacitated adults, including

his contributions to the Volunteer Advocates for Seniors and Incapacitated Adults (VASIA).

Laura Gross has joined Gunster Attorneys at Law, as an associate in the firm's West Palm Beach, Fla. office. She will concentrate her area of practice in business litigation.

Shelly Musshel Kennedy was sworn in as president of the Toledo Women's Bar Association. She is a staff attorney for Judge James D. Jensen '69, of the Lucas County Court of Common Pleas.



Heilmann Mehl, the former assistant director of law career services

and public service coordinator. has been named the new assistant dean for law admissions at the law school.



Jennifer D. **Peshke** of the law firm of Stewart. Evans. Stewart & Emmons of Vero Beach.







career services in the Office of Professional Development at The University of Toledo College of Law. She and her husband, Corey Tomlinson, have a 16-month-old daughter named Norah Ruby.

Robert D. Smith Jr. was sworn in as an officer of the Dearborn, Mich., Police Department.



at the Ohio State Bar Association District 4 Annual Meeting. Karl has joined Mercy Health Partners in Toledo as in-house legal counsel.

# 20

Joslyn D. Shapiro joined the Las Vegas firm of Olson, Cannon, Gormley & Desruisseaux.

#### Courtney J. Trimacco has ioined the Cleveland office of Reminger Co.,

LPA and will focus on professional liability, commercial. casualty and employment matters with an emphasis on the defense of professional liability and catastrophic injury disputes.

# 20

Kyle B. Gee serves as law clerk to The Hon. Penny L. Blackwell, administrative judge of the Orphans' (Probate) Court Division in York County, Penn. Kyle is admitted to practice law in Pennsylvania, New Jersey and Ohio.

#### Stephanie Hanna has been appointed as co-chair of the CBA Minorities in the Law Committee, in Columbus, Ohio. She will be responsible for putting on the minority summer clerkship program.

### Rick Hanrahan, in

collaboration with other professionals and Toledo Law grads, recently launched a new legal education Web site called LegalFlip.com. LegalFlip.com provides free user and graphic friendly articles on the law to the public, and continues to expand its internet presence.

Ann M. Hunt is currently a second year associate with the law firm of McDonald Hopkins LLC in Cleveland, Ohio. Her practice focuses mainly on commercial disputes, products liability and construction litigation. This past year, Ann achieved LEED Associate accreditation and she looks forward to growing a practice area in "green" construction.

2009

Timothy Burkhard ioined the Farmington Hills, Mich., firm of Foster. Swift, Collins &

he works with the Business & Corporate Practice Group.

Matthew Coffman joins Elsass, Wallace, Evans, Schnelle & Co. in Sidney.

Ohio, as an associate. Ashley V. Myers joined

the Columbia, S.C., firm of Haynsworth Sinkler Boyd, P.A. focusing on bankruptcy matters and creditors' rights litigation and assists in the representation of lenders in commercial and consumer distressed-debt actions.



Toledo offices of Reminger Co., LPA and will focus his

legal practice in the areas of

#### general litigation, including medical malpractice, commercial liability, transportation litigation, general insurance and workers' compensation.

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#### Serena L. Lipski and Beth M. Szczepaniak have

joined the Toledo office of Shumaker, Loop & Kendrick as associates. Serena joined the employment and labor practice group, and Beth joined the real estate practice group.

Miyuki P. Oshima joined the law firm of Honigman, Miller, Schwartz and Cohn in

Detroit. Mich. David Puskar has joined the Saginaw Michigan firm of Braun Kendrick Finkbeiner as an associate.

# In Memoriam

Charles R. Testa '42 David D. Wexler '42 John C. Purdue '49 Milton A. Netter Jr. '51 Gene W. Graves '59 John E. Wagoner '65 John W. Martin '69 Jan K. Teague '69 Judy R. Bailey '70 Perry F. Driscoll '70 Peter J. Collins '72 Richard E. Shea '72 Richard L. Steinberg '72 David W. Content '76

Gregory W. Grover '76 James W. Millon '76 Richard T. Truitt '76 Charles G. Andrews '79 Thomas F. Zachman '79 Carol M. Marshall '80 Gary Dean Bishop '86 Karen S. Cleveland '87 Ruth M. Gulas '87 Brian L. Lambrix '91 Keith A. Keisser '93 Melissa B. Dallas '95 Leonard A. Samuelson '07



Send Us Your News!

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Highlight your personal and professional achievements. Tell us where you're going and what you're doing. Send information to ann.elick@utoledo.edu





Sadowski has joined the Toledo firm of

Adam P.

Gallagher

firm's

Professional Liability,

Davies & Ruck.

Sharp in the

Transportation and General Litigation Practice Groups.

Erin Kennedy Vella has joined the Toledo law firm of Cooper & Walinski, practicing in diverse areas of civil litigation. Amber Wagner has joined the Pemberville, Ohio, firm of

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Bruce M. Stone '96 President, Law Alumni Affiliate

### A Note from your Law Alumni **Affiliate President**

As a member of The University of Toledo College of Law Alumni Affiliate, I appreciate each opportunity I have to interact with our law school faculty, staff, students and fellow alums. I am honored to serve as your Law Alumni Affiliate President for 2010-2011.

This past year, the Law Alumni Affiliate sponsored many exciting and entertaining events and programs. These were well received by our fellow alums and their families. Planning has already begun for this year's activities. We hope you are able to enjoy one or more of these, including the Law Alumni Gala that is scheduled for Saturday, Sept. 11, 2010.

With the financial support of many of our fellow alums, this year your Law Alumni Affiliate implemented a new tradition for those who follow in our footsteps at the College of Law. Immediately following the May graduation ceremony, we presented each graduating student with a specially engraved Scales of Justice. Since then, many of our newest alums have written to express their thanks and appreciation for receiving this personalized gift. This program has the potential to have a lasting impact for our students, alumni and the College of Law. If you would like to learn more about how you can be part of this tradition, please contact your Law Alumni Affiliate.

This year saw the retirement of Professors Bruce Campbell, Doug Chapman and Bob Hopperton. On behalf of the Law Alumni Affiliate, I thank each of these beloved professors for their years of teaching and service to the College of Law.

Finally, I would like to thank Chad Tuschman for his leadership during his term as president of the Law Alumni Affiliate and Doug Ray for his leadership during his tenure as dean of the Law School. I commend both for their commitment to the College of Law.

Your Law Alumni Affiliate Board and I look forward to working with you this year. If you have any thoughts or suggestions, you can contact me through the Alumni Office at 419.530.5359.



Michelle L. Kranz '93 Development Chair, Law Alumni Affiliate

### Letter from your Development Chair

As the fall semester approaches, I am reminded, with fondness, of my first days at The University of Toledo College of Law — seeking out the posting of our first reading assignments, meeting new classmates, briefing my first tort case and enjoying the fall pig roast. Many years later, I continue to appreciate the tremendous educational opportunity I had at our College of Law, and I hope you do, as well. That education served as the departure point for a challenging and rewarding professional career that I cherish.

I now have the privilege of serving as the chair of Development Committee for our Alumni Affiliate. Granted, economic times are challenging, which is why this committee must actively reach out to you for assistance. Our College of Law has not been spared budget cuts and needs your financial assistance more than ever. Cuts impact the very heart of the general budget. For our College of Law to produce the next generation of great attorneys, we need your time, talents and, yes, your financial donations. All of us have the opportunity to continue to drive our College of Law to continued success and help create a learning environment worthy of the tremendous students preparing to start this school year.

Very simply, there are needs within our College of Law on many levels and in many programs. There is no gift too small, and all will be warmly welcomed. As some of our favorite and most dedicated professors retire, now is the perfect time to make a contribution in celebration of and gratitude for their long and distinguished careers. Please consider a gift of \$1,000, \$500, \$250, \$100 or whatever you believe is equal to your interest and ability. Every gift will have a positive impact on our College of Law. Your generous contributions will be put to work immediately and, if you have special directed requests, those will be honored to the extent possible.

The Alumni Affiliate is enthusiastically working to hold a wide variety of fun and engaging events, and we hope to see you at an event very soon. Of course, I would personally welcome the opportunity to discuss any contribution you might consider making and the impact it will have on The University of Toledo College of Law. Please consider this your invitation to reminisce a little about your law school days and consider a way to help today's students.

### You Can Open Doors!



#### Encourage Your Office to Consider Them

Your success and your work ethic will make you very credible when you encourage your firm or office to consider current Toledo Law students. We offer on-campus interviews, video interviews and a résumé collection service.

#### Be a Mentor and Provide Informational Interviews

Your career may have been aided by timely advice from just the right person at just the right time. You can be "just the right person" for current Toledo Law students. Join our National Online Alumni Network and agree to provide our students with advice about and insights into your specialty, your region and your practice. Mentors provide advice by e-mail, by phone and in office visits. Some join our Pathways to Success Program and allow students to shadow them through a day of work. However you choose to help, you will be a wonderful resource and, through your engagement, a wonderful role model.

#### Be on the Lookout for Opportunities

Talk to colleagues and contacts and help us find opportunities. When you hear of an opportunity that might be suitable for a new or a recent grad, please pass on the news to us by e-mailing heather.karns@utoledo.edu with any contact information we can share. Opportunities come in many forms, and we hope you'll pass on any job opportunity that might be suitable for a law grad. Although most law grads choose to practice law in the traditional sense, many people find satisfaction in "destination careers," which allow them to use their skills without practicing law.

#### Promote Toledo Law

Make sure that people know you attended Toledo Law. When they like you, they'll like us. Help us create opportunities for students and networking opportunities for alumni by agreeing to host an alumni reception or by assisting us with arrangements. You will make new friends, and the students we invite will learn a great deal.

#### **Create Connections**

Introduce our students to others in your community. Take them to bar meetings. Advise them on the best organizations to join and how to make a difference. Show them social service opportunities that will help them meet good people and do good for the community.

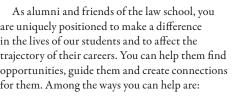
#### Visit the Law School and Share Your Experiences

Students are eager to hear about your working world and especially enjoy learning about specialty career fields and how best to prepare for them.

Today's job market is a challenge. Toledo Law students can still find the careers of their dreams, but it will take all of us working together. We look forward to partnering with you and thank you in advance for your support!

Hithskas Royh 8 Ray

Douglas E. Ray



#### Hire Them

We have students with outstanding talent, a great work ethic and a commitment to making a difference. If you have an opening, consider bringing in a Toledo Law student, whether for a full-time position, a part-time position, project work or an externship.



Toledo Law Office of the Dean

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# **Please Join Us!**

Information about these and other events can be found on our Web site at *law.utoledo.edu* 

- Sept. 11: Law Alumni Reunion & Recognition Gala, Inverness Country Club (6-10 p.m.)
- Sept. 22: Federalist Society Speaker, Kurt Lash, University of Illinois Alumni Distinguished Professor of Law and Co-Director of the Program on Constitutional Theory, History and Law (noon)
- Sept. 30: Michigan Law Alumni Event hosted by Stephen Afendoulis '82 and Varnum Law Firm, Grand Rapids, MI (4:30-6 p.m.)
- Oct. 6: Stranahan Speaker, Dr. Arthur C. Brooks, President of the American Enterprise Institute (noon)
- Oct. 12: Third Annual Supreme Court Preview (noon)
- Oct. 21: Annual Fornoff Competition Finals (noon)
- Oct. 28: Washington DC Law Alumni Event (details coming soon)
- Nov. 5: Annual Water Conference (application has been made for 4.5 CLE hrs.)
- Nov. 10: Federalist Society Speaker, Ted Frank, President of the Center for Class Action Fairness (noon)