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# ADVOCATE

UNIVERSITY OF SAN DIEGO SCHOOL OF LAW

VOL. 11, NO. 2 SPRING/SUMMER 1994





University of San Diego

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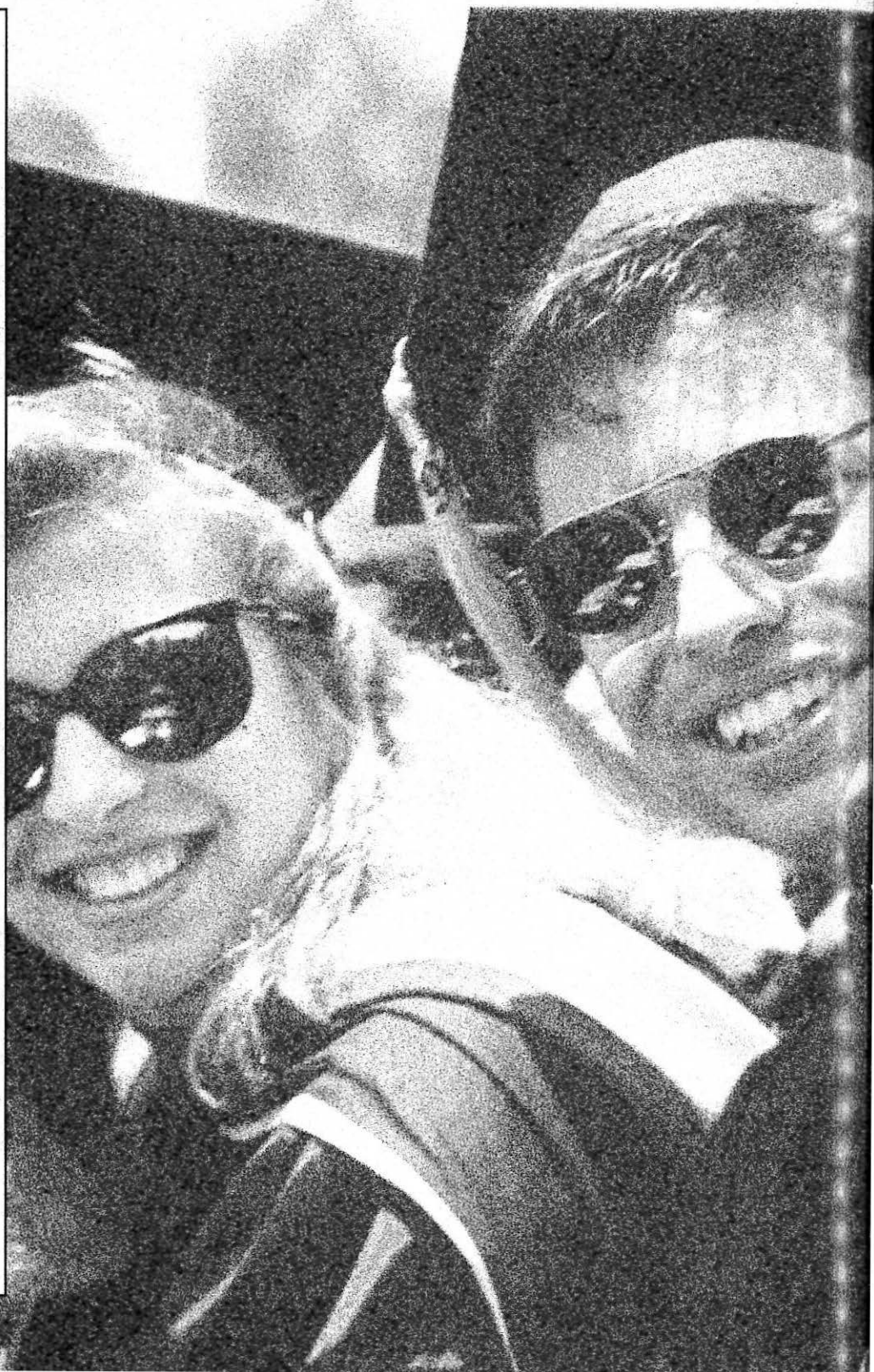
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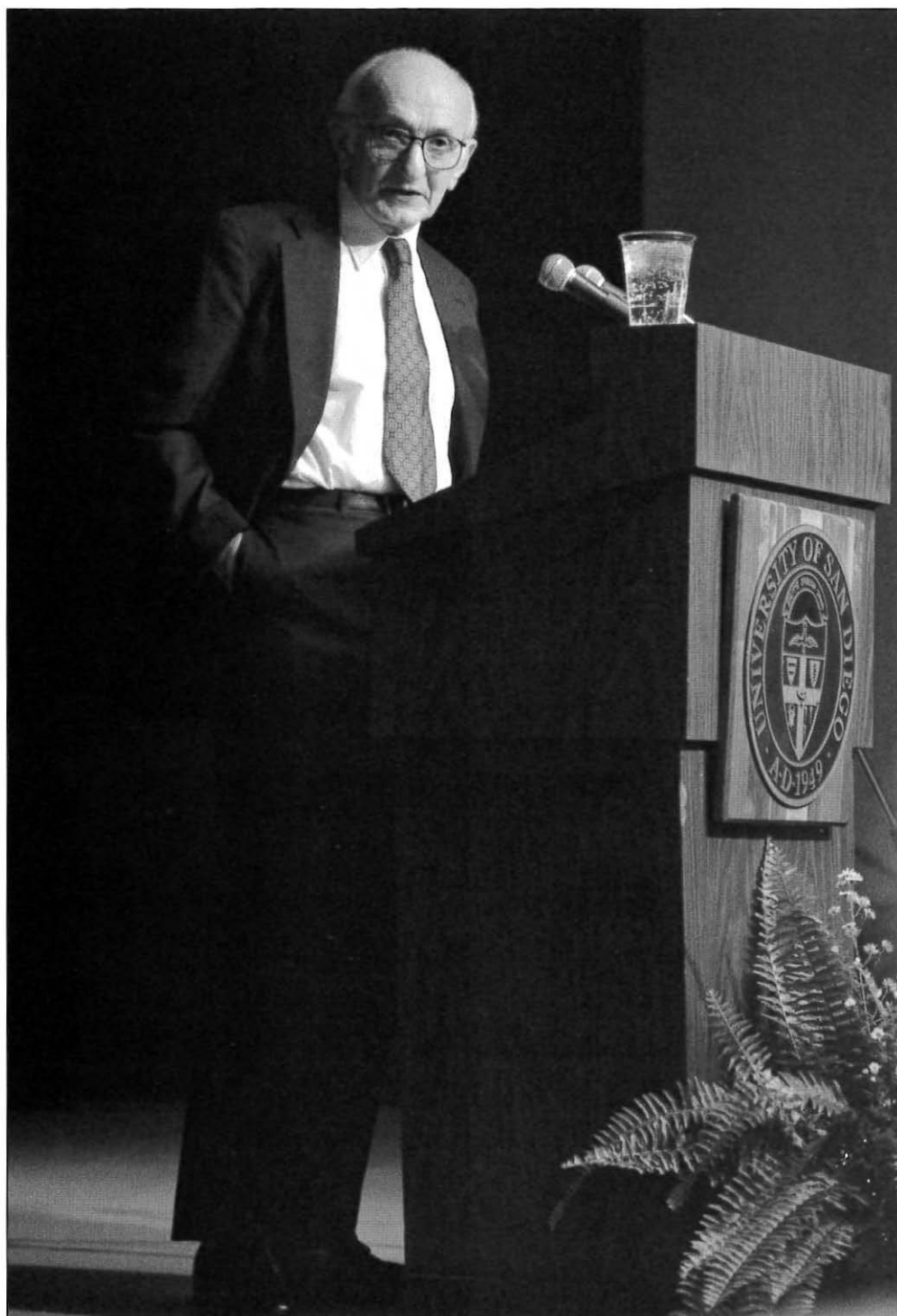
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## ON THE COVER

Professor Lou Kerig, a favorite of many alumni, appears here in the uniform he wore while umpiring hundreds of intramural softball games. Kerig, who is enjoying his retirement, recently attended alumni receptions in Las Vegas and Los Angeles. Professor Kerig was respected and admired for his fairness and good judgment, both inside the classroom and on the softball diamond. Photograph by Ian Cummings.

Left: Deborah Engel '94 and Ron Espinoza '94 at law school commencement. Photograph by Rodney Nakamoto.





# Henkin Calls for a Just Immigration Policy

by Kate Callen

The distinguished legal scholar from the East Coast stood at the Salomon Hall podium and looked out over his expectant San Diego audience.

"I wouldn't dream of talking to you about U.S. immigration problems, especially in Southern California," he said drily. "I assume you have not come expecting a New York professor to give you answers to the difficult questions of this region."

True to his word, Louis Henkin didn't offer answers when he visited USD on Jan. 13 to deliver the 10th annual Nathaniel L. Nathanson Memorial Lecture.

Instead, in a probing exploration of "An Immigration Policy for a Just Society," the Columbia University professor emeritus presented challenges — challenges to political philosophers, challenges to future lawyers and challenges to both sides in the increasingly rancorous debate over immigration.

Among the issues he addressed (and debunked) were:

— That the United States, a multicultural society from its inception, must curb immigration to maintain its national character. "Anybody we admit would find a place somewhere in this pluralistic country," he said.

— That immigrants pose an economic threat to the United States because they

*Professor Louis Henkin delivers the Nathaniel L. Nathanson Memorial Lecture.*



*Professor Henkin, Professor Willard Wirtz and John Forry, member of the USD law school board of visitors, enjoy the reception.*

exhibit high levels of unemployment and criminal activity. "Do immigrants create urban problems, or do they meet urban needs?" Henkin asked. "For every argument and set of data, there is a countervailing argument and a countervailing set of data."

— That immigrants should be denied due process, equal protection and other civil rights guaranteed to citizens under the U.S. Constitution. "It is time to bring immigration into the constitutional framework," he said.

In an earlier student colloquium, and in the evening lecture that followed, Henkin applied longstanding precepts of American justice to the current polemic over immigration. Again and again, the polemic crumbled, and the precepts held firm.

In her introduction of the 1994 Nathanson lecturer, Dean Kristine Strachan fondly recalled Henkin's leadership as reporter for the American Law Institute's codification of the law of foreign relations and his deft guiding hand in the debates.

"He was always tolerant of the views of others but very firm in advancing his own views, which usually prevailed, to the astonishment of no one," said the dean. "In his person and his works, Professor Henkin carries on the tradition

of Nat Nathanson, and no one is more fit to honor Nat's memory."

Like Nathanson, Henkin was a protégé of U.S. Supreme Court Justice Felix Frankfurter. Both men spent time in service to the U.S. government (Nathanson at the Securities and Exchange Commission, Henkin at the State Department). Both were active in the arena of

international law, and both shared a lifelong dedication to upholding constitutional law and protecting human rights.

"I don't think Nat Nathanson would object to, and I don't apologize for, inviting you to join me in exploring a major public issue under an aspect of a principal human value — justice," said Henkin.

"The very title of this lecture raises two questions. Is justice relevant to this subject? And, if it is, what are the principles of justice that should guide immigration policy?"

Speaking calmly and with deliberation, Henkin traced the development of the philosophy of justice from the Bible and Aristotle to St. Thomas Aquinas and the framers of the Declaration of Independence, a social contract safeguarding the right to life, liberty and the pursuit of happiness.

"Is there an obligation of justice to open our social contract to others?" Henkin asked. "That would seem to be quite farfetched, and I think most of you would resist that. But it was not farfetched to our political ancestors."

Noting that Congress, in an 1868 treaty with China, stipulated "the inherent and inalienable right of man to change his home and alle-

*Elaine Alexander, left, member of the USD law school board of visitors, chats with Professor Henkin and Mrs. Alice Henkin at a reception preceding the Nathanson Lecture.*



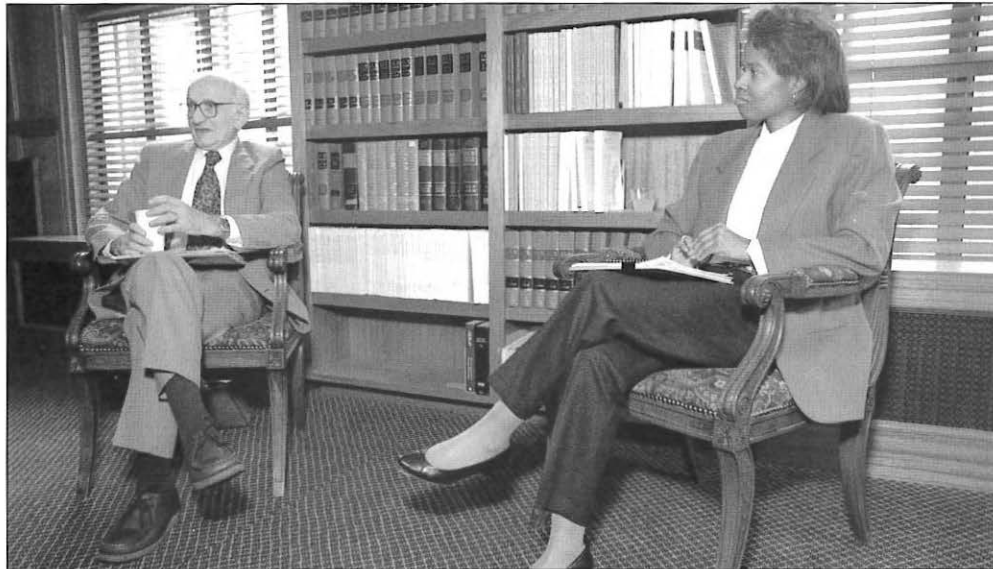
giance," Henkin said: "Perhaps Congress thought this was only half a right — a right to leave your country, but not a right to enter another one.

"I put it to you: If a human being has a right to leave his country and change his allegiance, somebody else out there may have some kind of duty to accept him. ... And if we are talking about people who are refugees from death or oppression, or from the threat of death or oppression, a just society has some obligation of justice to let them in."

Given its history as a sanctuary for generations of refugees, the United States may bear a special obligation of justice, said Henkin. He gleefully recalled how Franklin D. Roosevelt, in a speech to the patrician Daughters of the American Revolution, "got up to the podium, looked at them, and began his remarks with the words 'My fellow immigrants.'"

Throughout his visit, Henkin emphasized that he does not favor "absolutely open borders — it wouldn't work," and he acknowledged the real costs of immigration to the United States, particularly to gateway states like California and Florida.

*Professor Henkin participates in a student colloquium moderated by USD Law Professor Mary Jo Newborn titled "What Should be the Immigration Policy for a Just Society?"*

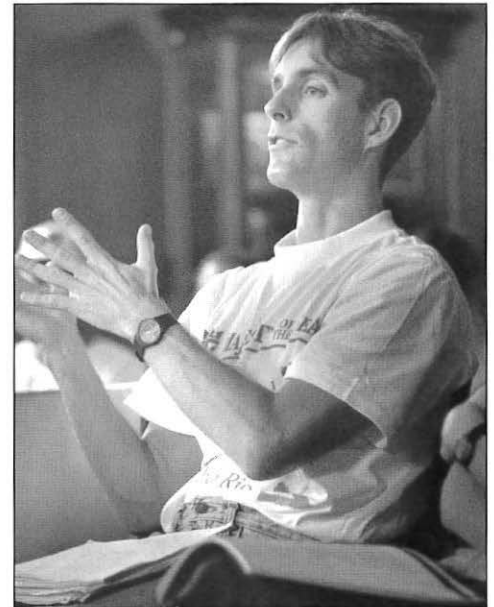


"Florida has a huge problem with Cuban immigrants," he told the students at the lunchtime colloquium. "There's no reason Florida should bear that burden. Florida doesn't decide who should be admitted; the United States decides that. That burden ought to be borne more equitably."

One proposal for redistributing the burden of immigration, Henkin noted, has been to move immigrants to less populated states.

"I can see why people would want to stay in San Diego, because it's so lovely, but there's nothing to prevent them from moving to Kansas," he said. "Should we have a program where we say to immigrants, 'We'll admit you, but you've got to live in Kansas for five years?' That might be unconstitutional. ... Except for the right to vote, a legal immigrant has all the rights contained in the Bill of Rights, and that includes the right to freedom of movement within the United States."

But while they are free to move about in the United States, naturalized immigrants have no right to remain in this country, Henkin noted. "Under modern constitutional law, an alien who has been naturalized and has lived here



*Student Alan Forsley questions Professor Henkin in a wide-ranging debate on immigration.*

peacefully for 50 years can be deported by Congress for any reason or for no reason," he said. "That law is outrageous. ... We ought to encourage naturalized aliens to seek citizenship to make this a more democratic society."

Henkin strongly warned against immigration policy based on stereotypes.

"The assumptions we make about the impact of immigration ought to be subject to strict scrutiny," he told the students. "Someone asked me recently, 'Don't immigrants create crime?' Every immigrant group I know of produces some criminals. The immigrant groups who came here in the 17th century produced criminals — in fact, they probably *were* criminals."

Henkin concluded his lecture with a plea that justice be the prevailing standard in setting national immigration policy.

"We refer to ourselves as a beacon on the hill, and it's true," he said. "The trouble with a beacon on a hill is that it's bright, but remote and inaccessible. Maybe we can find a better metaphor — such as a haven for freedom and welfare and justice, as it has been for us, my fellow immigrants."



# Bersin Points to Hard Choices Ahead

Alan D. Bersin, United States Attorney for the Southern District of California, reflected on the escalating demands of the law profession after receiving the degree of Doctor of Laws (honoris causa) May 21 at the School of Law's 37th commencement.

Addressing 340 graduates and their guests under sunny skies in Torero Stadium, Bersin congratulated the Class of '94 on "this occa-

sion of truly significant accomplishment." He then added, "Count your blessings well, for it is time now to take stock of our future."

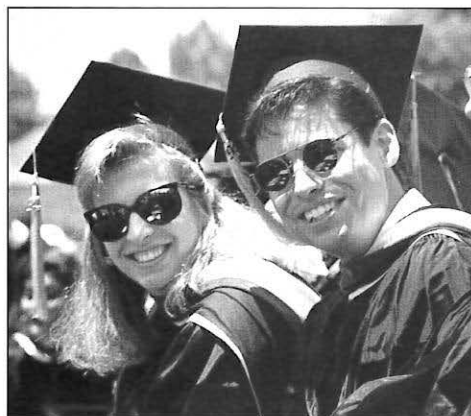
"The law has always been a jealous master and a jealous mistress," Bersin warned his new peers. "But it is getting out of hand [and] the consequences ... potentially are severe for individual lawyers, the people they love and the communities they serve."

Bersin's appearance at the commencement ceremony was a faculty reunion of sorts. Before President Clinton selected him as the top federal prosecutor for Southern California, Bersin was a USD visiting law professor. "I am, and remain, deeply touched by my formal affiliation with this university and particularly with our law school," Bersin told the commencement crowd. He and his wife, Lisa Foster, teach cor-

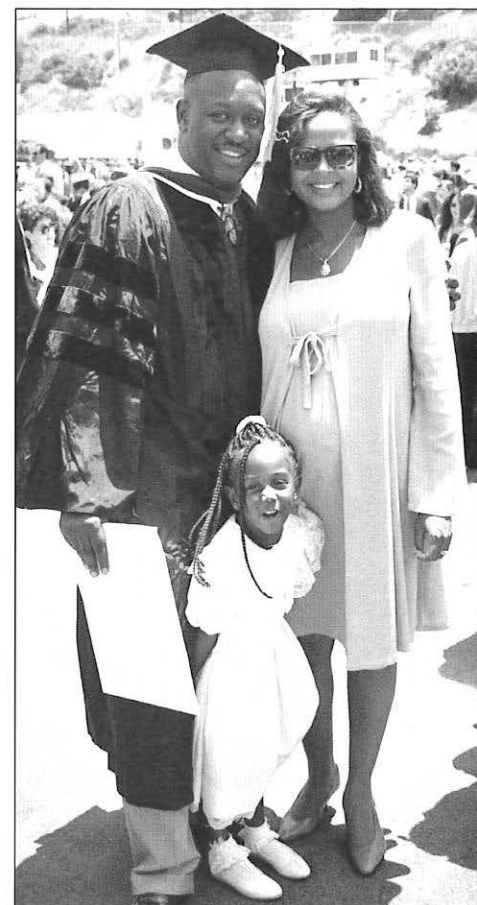
porate crime and sex discrimination, respectively, at USD.

In her introduction, Dean Kristine Strachan paid tribute to Bersin's "achievements as a skilled litigator, his passion for justice and his dedication to service to community and country."

Strachan remarked on Bersin's stellar academic record, which includes a Harvard undergraduate degree (magna cum laude and Phi Beta Kappa), a Yale law degree and a stint as a Rhodes scholar at Oxford. She also described some of his remarkable legal triumphs, includ-



*Left: Graduates Deborah Engel '94 and Ron Espinoza '94. Below: Alan Bersin is hooded by USD President Author E. Hughes as he receives his honorary degree from Dean Kristine Strachan. Right: Lemul Campbell '94 with his wife, Lisa Lake, and daughter, Ariel, at the commencement ceremonies.*





Gigo Alampay '94 with his daughter.

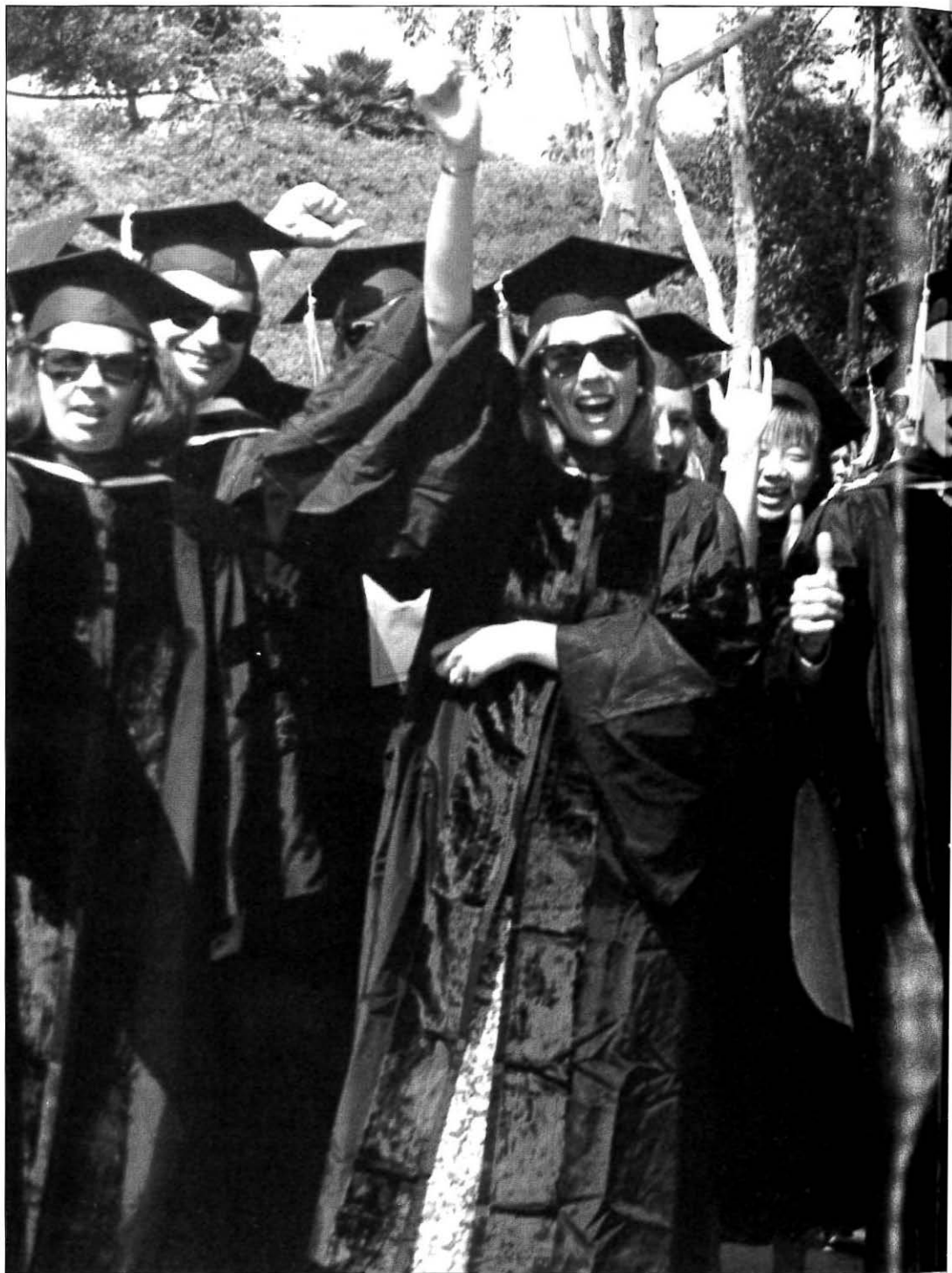
ing his representation of the Republic of the Philippines against the estate of Ferdinand and Imelda Marcos — which resulted in an injunction freezing the Marcos' assets worldwide — and his pro bono representation of the city of Los Angeles against the county over inadequate homeless services, which resulted in an extra \$38.1 million for the care of indigent residents.

Bersin's remarks were refreshingly informal and, by turns, both elevating and sobering, with references running the gamut from Albert Einstein, Arnold Schwarzenegger and W.H. Auden to computer chips and CD-ROM.

Bersin noted that technological advancements will give future lawyers the opportunity to stage virtual-reality presentations to juries and make court appearances at a distance via video. Unfortunately, he added, high-tech law practice will present lawyers with other opportunities: to work longer hours, undergo greater stress, sacrifice more leisure time and forfeit opportunities for community service.

"We are a highly competitive, intense bunch," Bersin said, "and it is the nature of the legal product that it can always be perfected through additional effort.

"You must maintain a balance in your life," he counseled the graduates. "You must not permit professional commitments to override your obligations to family and community. You must recognize from the very beginning of your career that these obligations are sacred. Make time to fulfill them in a meaningful way."



Right: Graduates celebrate.



Alan Bersin concluded his commencement address with the poignant, evocative words of W.H. Auden. He read:

Law is the wisdom of the old  
The impotent grandfathers shrilly  
scold;  
The grandchildren put out a treble  
tongue,  
Law is the senses of young.

Law, says the priest with a priestly  
look,  
Expounding to an unpriestly people,  
Law is the words in my priestly books,  
Law is my pulpit and my steeple.

Law, says the judge as he looks down  
his nose,  
Speaking clearly and most severely,  
Law is as I've told you before,  
Law is as you know I suppose,  
Law is but let me explain it once  
more,  
Law is The Law.

Yet law-abiding scholars write,  
Law is neither wrong nor right,  
Law is only crimes  
Punished by places and by time.

Law is the clothes men wear  
Anytime, anywhere,  
Law is Good morning and Good night.

Others say, Law is our Fate,  
Others say, Law is our State;  
Others say, others say  
Law is no more  
Law has gone away.

And always the loud angry crowd  
Very angry and very loud  
Law is We,  
And always the soft idiot softly Me.

—W.H. Auden

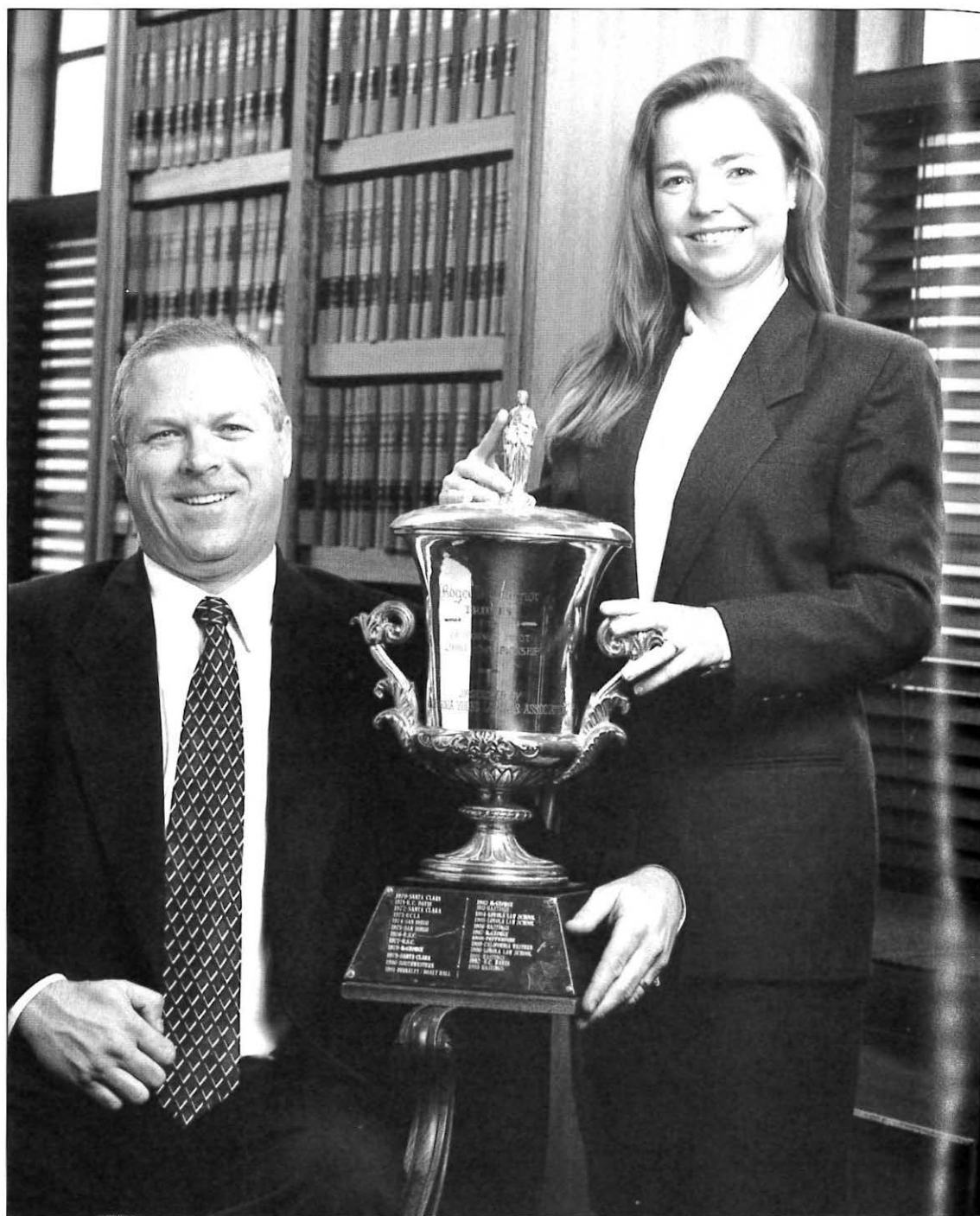


# USD Wins Triple Sweep in Trial Competitions

The USD School of Law produced three winning teams in major regional law school competitions this spring. USD placed first in the 1994 Traynor California Moot Court Competition, the 1994 Jessup International Law Competition and the 1994 Western Regional of the ABA National Trial Competition.

The USD team of David Bigelow and Kate Flaherty came home with the first-place trophy for the prestigious statewide 1994 Roger J. Traynor California Moot Court Competition, sponsored by the California Young Lawyers Association. The competition, held in March at Stanford Law School, included 24 teams from leading law schools statewide. The USD team bested UCLA in the semifinal round and Southwestern in the final round. The final round judges included 9th Circuit judges Diarmuid O'Scannlain and Stephen Reinhardt.

The 1994 USD Jessup International Law Team was awarded best brief in the world in April at the national and international competition. After placing first in the 1994 Jessup Regionals in Denver in March, the USD Jessup team went on to face other regional and international winners in Washington, D.C. The team won the Alona E. Evans award for best memorials, and team member Eric Prosser was selected



*David Bigelow and Kate Flaherty display their first-place trophy.*



*Left: The 1994 USD Jessup International Law Team: (standing, from left) Kirk Donnelly, coach Vince Brunkow, Anne-Margaret Bartish, Eric Prosser and (seated) Sean Schwerdtfeger.*

*Below: Steve McGreevy, Wendy Angus and (seated) Professor Richard Wharton '73, the team's coach, captured first place in the Western Regionals of the American Bar Association's National Trial Competition.*



best oralist. The 1994 Jessup team included Anne-Margaret Bartish, Kirk Donnelly, Eric Prosser, Sean Schwerdtfeger and coach Vince Brunkow.

For the fifth year in a row, USD finished first in the Western Regionals of the American Bar Association's National Trial Competition, besting 12 other teams. The team then moved on to Dallas in March, where they competed in the National Trial Competition. In that competition, the team placed fifth out of a field of 200 teams from 120 law schools nationwide.

USD's National Trial Competition team consisted of Wendy Angus and Steve McGreevy as attorneys and Brian Worthington and Holly Denton as witnesses. The team was coached by Professor Richard "Corky" Wharton '73.

USD recognizes the law firm of Thorsnes, Bartolotta, McGuire & Padilla, whose generous support of the Mock Trial Program has allowed the program to grow.



*Virginia Nolan, the latest USD professor elected to the American Law Institute.*

## Nolan Elected to ALI

Another member of the USD School of Law faculty was elected to the American Law Institute this year. Professor Virginia Nolan joins USD professors Carl Auerbach, Roy Brooks, Homer Kripke, Bert Lazerow, Dick Pugh, Kristine Strachan and James V. Vergari as a member of the prestigious law reform group.

ALI is a renowned group of lawyers, judges and academicians dedicated to improvement of the law and legal education. ALI promotes clarification and simplification of the law and its better adaptation to societal needs. Its mission is to secure better administration of justice and to encourage and carry on scholarly legal work.

## USD Patient Advocate Wins Statewide Award

Ann Collier, a lawyer in USD's Patient Advocacy Program, was honored as the 1994 Advocate of the Year by the California Association of Mental Health Patients' Rights Advocates. Collier was selected, from 200 mental health patient rights advocates statewide, based on her work as a paralegal ombudsman with USD's Patient Advocacy Clinic.

Collier's Advocate of the Year nomination praised her work in organizing local client groups, and noted that she is known for speaking out on behalf of client groups and dealing constructively with antagonism in the community.

The Patient Advocacy Clinic at USD, established in 1977, gives students clinical training in the growing area of patient rights.

## National Water Law Conference Held at USD

The USD School of Law Land Use and Planning Association, in conjunction with the American Bar Association, presented the second annual USD-ABA Water Law mini-conference on Feb. 11. The panel discussions featured five leading national water law experts and was moderated by Professor Jack Minan. Conference attendees included both visiting and local practitioners as well as faculty and students.

John E. Thorsen, special master of the Arizona General Stream Adjudication, spoke on the purposes and complexities of general stream adjudications in a given watershed. Professor Robert H. Abrams of Wayne State University discussed the constitutionality of "source switching," as well as the public policy issues involved as water becomes increasingly scarce. Peggy Tweedt, Nevada assistant attorney general, explained the problems of water allocation and the water rights of Indian tribes in the allocation scheme. Sandra Dunn, a Sacramento practitioner, and Peggy Strand '89, of the San Diego County Water Authority, spoke about career opportunities in water law.





*The Honorable Judith McConnell and the Honorable Judith Keep '70 look on during the celebration.*

## WLC Honors Women in Law

The Women's Law Caucus hosted the fourth annual "Celebration of Women in Law" on March 28. Current students were inspired by several notable alumnae who described the obstacles they encountered and inroads they made in establishing themselves in the legal community over the last four decades.

Congresswoman Lynn Schenk '70 presented the Women's Law Caucus' 1994 Outstanding Alumna of the Year award to the Honorable Judith Keep '70, chief judge of the U.S. Federal District Court.

Four other alumnae, each representing a different decade since the founding of USD School of Law, regaled the audience with anecdotes about their careers. Mary Harvey '59 was the first woman to graduate from USD School of Law. Betty Boone '64 was the second female

graduate of the law school and a member of the first San Diego Law Review. Susanne Stanford '75 portrayed the changing times during the 1970s. Sheryl King '86 represented the non-traditional student, beginning law school at age 40. King thanked the women who preceded her into the legal profession, saying many of the gender barriers of previous decades had been broken by the 1980s.

The WLC also presented an honorary lifetime membership to the Honorable Judith McConnell, San Diego Superior Court. While not a USD alumna, she has been an active supporter of the USD Women's Law Caucus. McConnell co-taught the first course in sex discrimination and the law at USD, together with Congresswoman Schenk and Sister Sally Furay '72.

## Herzog Estate Funds Endowed Scholars

USD School of Law has received a generous gift of more than \$450,000 from the Arthur and Daisy Herzog Estate to recognize meritorious performance of faculty in either scholarly publication or teaching.

Several faculty will hold the title of Herzog Endowed Scholar each year. They will receive additional funds for professional development or release time to work on research or teaching projects.

The gift was directed to USD by the trustee of the Herzog Estate, Maurice Clark, and his wife, Dorothy Clark. The Clark's son, Allen, is married to Gay Morgan, valedictorian of the Class of 1990.

Herzog was a long-time San Diego resident and international entrepreneur who was very civic-minded and valued education. The first Herzog Endowed Scholars will be selected this fall.

Dean Kristine Strachan, in commenting on the gift, said, "Gifts such as these are so important to our ability to attract, retain and motivate faculty who are strong teachers/scholars. USD is most grateful to Gay Morgan, Mr. and Mrs. Clark and, of course, the Herzog Estate."



Michael B. Kaplan '72, a USD trustee, is pictured here with Dawn Marie Barnes, a recipient of an Entering Merit Scholarship, which is partially funded through the generosity of the Kaplan family. Michael addressed the audience on the importance of student aid to USD's future.

## New Scholarships Awarded at 1994 Scholarship Luncheon

USD law students who were beneficiaries of more than \$92,000 in new scholarship grants were guests at a spring luncheon to meet and thank their benefactors. The three new scholarships are: the Warren Family Endowment for Student Assistance, awarded to 12 continuing day students based on financial need and academic performance; the Spain Family Endowed

Scholarship, awarded to five continuing evening students who demonstrate financial need and academic promise; and the Alumni Scholarship, awarded to four continuing students who demonstrate financial need and have been active in law school service activities. Student recipients and their benefactors are pictured here.



Colleen Curtin, Alison Matsumoto, Christine Putnam, Monica Zent, Mrs. Joanne Warren, Jilana Miller, Karen Lintott, Corinne Coleman, Shannon Kelley, Matt Wakefield, Michael Quinn. Not Pictured: Kevin Smith and Donna Leetz.

## Warren Family Endowment for Student Assistance

The 12 recipients of the Warren Family Endowment for Student Assistance each received \$5,000. The endowment was a gift of Mr. and Mrs. Frank R. Warren. Mrs. Warren serves on the USD board of trustees. The students who sat at Mrs. Warren's table at lunch shared their perspective about attending USD School of Law. Mrs. Warren asked the students about their backgrounds and their experiences at USD, then shared her own story of serving on the board of trustees. At the end of the luncheon, students took turns individually thanking Mrs. Warren.

*"The number one reason I was at the luncheon was to thank Mrs. Warren. As a law student, you are worrying about money all the time, about how to work an extra day to make ends meet. So a scholarship which covers a third of the law school tuition has a major impact on my life and makes it easier to focus on my classes."*

— Michael Quinn, second-year student



Alan Brubaker '76 (second from right) shares a humorous moment with scholarship recipients (left to right) John Doherty, Cesar Luna, and Bruce Rosen. Not pictured: Scott Savary.

## Alumni Scholarship

The four students who received the newly established Alumni Scholarship at USD School of Law had the opportunity to thank Alan Brubaker '76 of Wingert, Grebing, Anello & Brubaker, who represented the Law Alumni Association board of directors at the luncheon. The Alumni Scholarship Fund is the focus of the reunion class giving campaign organized in conjunction with the annual Law Alumni Weekend. Law school graduates celebrating reunions are asked to contribute to the reunion class gift to support these scholarships. The program began in 1991, with volunteer leaders asking their reunion classmates for a four-year pledge to support the program. Alan Brubaker was one of the first volunteer leaders, chairing the Class of 1976 for its 15-year reunion.

*"Each of the students, individually and as a group, were gracious and very appreciative of what the alumni are doing for them, and wanted to express it. I was impressed with what quality individuals we were assisting with our efforts. They were excited about their education, which I think is a real credit to what's going on at USD in the classroom and in the extracurricular program."*

— Alan Brubaker '76, alumni board member and alumni scholarship representative.



Students gather around their benefactor: (back row, left to right) Barry Fraser, Ann Marie Lehnert, Pamela Jones Spain '83, Kristen Polacek, Mark Ginella, (front row) Dave Bigelow, John Eck.

## Spain Family Endowed Scholarship

Pamela Jones Spain '83 represented her husband, James E. Spain IV '79, and his parents, Mr. and Mrs. James E. Spain Jr., at the annual Scholarship Luncheon. The student recipients all were evening students, as was Jim Spain. Each student received a grant of \$4,000 as a result of the Spain family's gift of a \$400,000 endowment fund. Pam Spain is vice president and assistant general counsel for ITT Residential Capital Corp. Jim Spain is a senior marketing associate with Iliff, Thorn & Co.

*"It was an unexpected surprise to receive the scholarship luncheon invitation. What a great way to express my gratitude. I was happy to tell Mrs. Spain what a difference it will make for me. She put a face on the scholarship."*

— Kristen Polacek, second-year evening student and recipient of the Spain Family Endowed Scholarship.



# Events at USD School of Law

USD faculty and student groups host a variety of co-curricular events which enrich the intellectual life of the USD School of Law community. The following list represents a sampling of these events from the 1993-94 academic year.

**"Mobilizing for Our 21st Century Democracy."** Address by consumer advocate Ralph Nader. Sponsored by USD Center for Public Interest Law, September 1993.

**"Abortion Funding in the Health Care Bill,"** featuring Lisa Foster, USD adjunct professor of law. Sponsored by the Women's Law Caucus, October 1993.

**"The Legal Aspects of Doing Business in Russia,"** featuring Dr. Christopher Osakwe of the Eurolaw Group. Sponsored by the Master's of Comparative Law Forum, October 1993.

**"Regional Law and Border Law Enforcement,"** featuring U.S. Attorney Alan Bersin. Sponsored by La Raza/SBA, October 1993.

**"Pro Bono Activities and the AIDS Crisis,"** featuring Todd Stevens, San Diego Pro Bono Attorney of the Year. Sponsored by Pro Bono Legal Advocates, October 1993.

**"Social Responsibility: How Personal and Professional Choices Can Affect Economic Policies of Multinational Corporations and Promote Social Justice,"** featuring Father Michael Crosby, O.F.M. Sponsored by the St. Thomas More Law Society, November 1993.

**"Rape Victims' Trauma and What You Can Do,"** featuring Judith Rowland, director of the California Crime Victims' Legal Clinic. Sponsored by the Women's Law Caucus, November 1993.

**"Attorneys in International Law,"** panel presentation featuring: Hugh Lawrence, Union Bank, government relations division; R. Jeffrey Kelleher, California International Law Chambers; Ruth Marvin-Webster, formerly of the European Court of Human Rights, Council of Europe; Ernesto Grijalva, Esq.; and Lawrence Binderow, vice president and general counsel, Hang Ten International. Sponsored by the International Law Society, February 1994.

**"Professionalism in the Practice of Law,"** featuring Assistant District Attorney Tim Walsh. Sponsored by the SBA, February 1994.

**"Contemporary Legal Issues in Water Law,"** Second Annual Water Law Conference, featuring: John Thorsen, chairman of the ABA Water Resources Committee; Professor Robert H. Abrams, author of *Legal Control of Water Resources*; and Professor John Minan, USD. Sponsored by the Land Use & Planning Association, February 1994.

**"Harm v. Culpability: Should the Organizing Principle of Criminal Law Be Social Harm or Defendant Culpability,"** featuring: Professor Larry Alexander, USD; Professor Peter Arenella, UCLA School of Law; Professor Kevin Cole, USD; Professor Joshua Dressler, Wayne State University Law School; George Fletcher, Columbia University School of Law; Professor Jean Hampton, University of Arizona; Professor Heidi Hurd, University of Pennsylvania Law School; Professor Leo Katz, University of Pennsylvania Law School; Professor Michael Moore, University of Pennsylvania Law School; Professor Jeffrie Murphy, Arizona State University; Professor

Paul Robinson, Rutgers — The State University of New Jersey School of Law; and Professor Ken Simons, Boston University School of Law. Sponsored by the *Journal of Contemporary Legal Issues*, February 1994.

**Public Interest Law Fair,** featuring: Bill Boylen, public defender; Diane Takvorian, Environmental Health Coalition; Lisa Briggs, Utilities Consumer Action Network; Linda Cory Allen, AIDS Foundation; and Lynda Pond, Crime Victims' Legal Fund. Sponsored by the Public Interest Law Foundation, February 1994.

**"Domestic Violence and Pro Bono Activities,"** featuring Douglas Humphreys, head deputy city attorney. Sponsored by the Pro Bono Legal Advocates, March 1994.

**"Celebration of Women in Law,"** featuring the Hon. Judith Keep '70, Congresswoman Lynn Schenk '70 and the Hon. Judith McConnell. Sponsored by the Women's Law Caucus, March 1994.

**"Prosecuting Domestic Violence/Working as a Female Prosecutor,"** featuring Michelle Hagan, deputy city attorney. Sponsored by the Women's Law Caucus, March 1994.

**"Being a Woman Attorney in San Diego: A 20-Year Perspective,"** featuring the Hon. Janis Sammartino, San Diego Municipal Court. Sponsored by the Women's Law Caucus, March 1994.

**"Killing NAFTA,"** featuring Jorge Vargas, USD professor of law. Sponsored by La Raza and the International Law Society, March 1994.

**"Furthering Human Rights and International Justice Through an International Criminal**

**Court,"** featuring Bryan MacPherson. Sponsored by the International Law Society and Phi Delta Phi, March 1994.

**"Women in Politics and the Legislative Arena,"** Christine Kehoe, San Diego city councilmember. Sponsored by the Women's Law Caucus, March 1994.

**"Protests at Abortion Clinics: Activity Protected by the First Amendment or Unjustified and Unexcused Criminal Behavior?"** moderated by USD Professor Cynthia Lee and featuring Cynthia Thornton, Esq., founder of the California Abortion Rights Action League and Greg Anthony, Esq., affiliated with the Center for Law and Religious Freedom, September 1993.

**"Horror of War in Bosnia: Does America Have an Obligation to Intervene?"** moderated by USD Professor Thomas A. Smith and featuring Gerald Doppelt, professor of philosophy at UCSD, November 1993.

**"What Should Be the Immigration Policy of a Just Society?"** moderated by USD Professor Mary Jo Newborn and featuring Louis Henkin, professor emeritus, Columbia University, and 1994 Nathaniel L. Nathanson Memorial Lecture Series speaker, January 1994.

**"Bowers v. Hardwick Revisited: An Introduction to the Harm Principle in Criminal Law,"** moderated by USD Professor Cynthia Lee and featuring Dr. Rodney Pfeffer, department of philosophy, USD, April 1994.

## Faculty Colloquia 1993-94

Professor Steve Hartwell, USD, presented "Classroom Techniques to Enhance the Moral Development of Law Students," September 1993.

Professor Michael Kelly, USD, presented "Can We Live Without the Avoidable Consequences Doctrine?" September 1993.

Professor C. Hugh Friedman, USD, presented "New Limited Liability Companies," October 1993.

Professor Robert Fellmeth, Price Professor of Law, USD, presented "Disciplining the Medical Profession," October 1993.

Professor Larry Alexander, USD, presented "Banning Hate Speech," October 1993.

Professor William Lawrence, University of Kansas, presented "Radical Changes in the UCC," October 1993.

Professor Paul Wohlmuth, USD, presented "The Hidden Depth of Restitution," October 1993.

Douglas J. Bennet, Assistant Secretary of State for International Organizations, presented "Peacekeeping and Peacemaking in the Post-Cold War World," October 1993.

Nancy Carol Carter, director of the Pardee Legal Research Center and the LRC professional staff, presented "Hands-On Experience with New Library Technologies," November 1993.

Professor Herb Hovenkamp, University of Iowa, presented "The Role of Preference in Welfare Judgments," November 1993.

Professor Robert Schopp, University of Nebraska, presented "The Battered Woman Syndrome: Justification and Excuse," November 1993.

Professor Robert Vaughn, American University, Washington College of Law, presented "Federal Information Policy and Administrative Theory," January 1994.

Professor Kimberly Schonert-Reichl, University of British Columbia, Vancouver, department of psychology, presented "Determining the Role of Gesture in Moral Development: Using the Hands to Understand the Mind," February 1994.

Professor Carl Auerbach, USD, led a discussion of his article "Perspective: Division of Labor in the Law Schools and Education of Law Teachers" and Judge Edward's article, "The Growing Disjunction Between Legal Education and the Legal Profession," February 1994.

Professor Jay M. Feinman, Rutgers — The State University of New Jersey School of Law, presented "Simulations in Large Courses" and "Economic Negligence: Liability of Professionals and Business to Third Parties for Economic Loss," April 1994.

Professor Jorge Vargas, USD, presented "Mexico's Foreign Investment Act of 1993," April 1994.

Professor Stephen Perry, McGill University, presented "Interpretation and Methodology in Legal Theory," April 1994.

Professor William Fletcher, University of California, Berkeley, Boalt Hall, presented "The Mandatory Jurisdiction of the Federal Courts: A New Argument for an Old Problem," May 1994.

Professor Chris Wonnell, USD, presented "Market Causes of Constitutional Values," May 1994.

# School of Law Faculty

*Publications and Activities  
Completed in the 1993-1994  
Academic Year*

## LAWRENCE A. ALEXANDER (1970)

### Publications:

"Harm, Offense, and Morality," *The Canadian Journal of Law and Jurisprudence* (forthcoming, 1994).  
To be reprinted in anthology on Joel Feinberg's *The Moral Limits of the Criminal Law*.

"Practical Reason and Statutory Interpretation," 12 *Law & Philosophy* 319 (1993).

"The Public/Private Distinction(s)," 10 *Constitutional Commentary* 361 (1993).

"Trouble on Track Two: Non-Content Regulations Affecting Speech and the Value of Information," 44 *Hastings Law Journal* 921 (1993).

"What We Do and Why We Do It," 45 *Stanford Law Review* 1885 (1993).

"The Deceptive Nature of Rules," (co-authored with Emily Sherwin) \_\_\_ *University of Pennsylvania Law Review* \_\_\_ (1994).

"Crime and Culpability," 5 *Journal of Contemporary Legal Issues* \_\_\_ (1994).

### Addresses:

Moderator, Conference on Forbidden Grounds, San Diego, February 1993.

"The Changing Face of Constitutional Interpretation," Hastings College of the Law, February 1993.

"Civil and Legal Education," Stanford Law School, March 1993.

"Legal and Administrative Issues of Affirmative Action," sponsored by the Southern California Association of Scholars, Santa Monica, Calif., November 1993.

### Appointments:

Member, Steering Committee, National Association of Scholars.

Co-editor, *Legal Theory*.

Editor, *Journal of Contemporary Legal Issues*, 1993-94.

Board of Editors, *Ethics*.

Board of Editors, *Law & Philosophy*.

## CARL A. AUERBACH (1985)

### Appointments:

Visiting Scholar, Northwestern University Law School, 1993.

### Awards:

1994 American Bar Foundation Fellows Research Award — award for outstanding research in law and government. Presented at the 38th Annual Meeting of The Fellows of the American Bar Foundation, Kansas City, Mo., February 1994.

## LAURA M. BEREND (1983)

### Appointments:

Vice President, Board of Directors, Defenders Program of San Diego Inc., 1993.

Board of Directors, San Diego Psych-Law Society.

## DARRELL D. BRATTON (1967)

### Appointments:

Director, USD LL.M. (General) Program.

Director, USD Summer Session 1993.

USD Strategic Long Range Planning Committee, 1993-94.

Faculty Advisor, *USD Law Review*.

Faculty Advisor, Christian Legal Society.

Vice Chair, Board of Directors, Golden State KAIROS Inc. of San Diego, 1993-94.

## ROY L. BROOKS (1979)

### Publications:

Review of *Property Rights and Poverty: Political Argument in Britain, 1605-1834*, by Thomas A. Horne. 530 *The Annals of the American Academy of Political and Social Science* 208 (1993).

"A Critical Race Theory Critique of the Right to a Jury Trial Under Title VII," 5 *Journal of Law & Public Policy* 159 (1993).

"Understanding Black Self Esteem Forty Years After Brown: Some Suggestions for the Supreme Court," \_\_\_ *Temple Pol. & Civ. Rights L. Rev.* \_\_\_ (1994).

"Critical Race Theory: A Proposed Structure and Application to Federal Pleadings," \_\_\_ *Harvard B.L.J.* \_\_\_ (1994).

"Critical Race Theory and Classic-Liberal Scholarship: A Distinction Without a Difference?" (co-authored with Mary Josephine Newborn) \_\_\_ *California L. Rev.* \_\_\_ (1994).

"The Essential Purpose and Analytical Structure of Personal Jurisdiction Law," \_\_\_ *Indiana Law Review* \_\_\_ (1994).

"Critical Feminist Theory: Toward An Understanding of Feminist Procedure," \_\_\_ *Kansas L. Rev.* \_\_\_ (1994).

### Addresses:

"Historical and Theoretical Perspectives of Malcolm X and Dr. Martin Luther King Jr.," USD School of Law, January 1993.

The Carter G. Woodson Lecture: "The American Race Problem," Berea College, Berea, Ky., February 1993.

"Thurgood Marshall and Critical Race Theory," University of California at San Diego, September 1993.

"Critical Feminist Theory: A Proposed Structure and Critique of Personal Jurisdiction," SALT Conference on Civil Procedure, Santa Clara, Calif., October 1993.

### Appointments:

Distinguished Visiting Professor, Warren College, University of California at San Diego, Fall 1993.

National Planning Committee, Civil Procedure Conference, Association of American Law Schools.

## NANCY CAROL CARTER (1987)

### Publications:

"Bruce Catton's *Uncivil War* on Benjamin Butler," (co-authored) \_\_\_ *Louisiana History* \_\_\_ (1994).

### Appointments:

Director, Pardee Legal Research Center.

Editor, *Obiter Dictum* (monthly newsletter of the Pardee Legal Research Center).



Advisory Board, *Law Library Journal*.  
 Advisory Board, Legal Reference Services Quarterly.  
 Board of Directors, Law Library Microform Consortium.  
 Founding Chair, AALL Committee on Research,  
 1993-94.

## KEVIN L. COLE (1987)

### Publications:

*Federal Sentencing Guidelines Handbook: Text and Analysis of Case Law* (co-authored) Colorado Springs, Colo.: Shepard's/McGraw-Hill. Revised edition, 1993.

*Federal Sentencing and Forfeiture Guide (and Newsletter)* (co-authored). 3rd ed. Del Mar, Calif., Del Mar Legal Publications, 1993.

"The Voodoo We Do: Harm, Impossibility, and the Reductionist Impulse," 5 *Journal of Contemporary Legal Issues* \_\_\_\_ (1994).

### Addresses:

Draft of a Uniform Law on Civil Forfeiture in Drug Offense Cases, presented to the Drafting Committee of the Conference, Philadelphia, January 1993, and Kansas City, Mo., March 1993; presented to the National Conference of Commissioners, Annual Meeting, Charleston, S.C., August 1993.

"Civil Remedies in the War on Drugs," USD University of the Third Age program, San Diego, July 1993.

### Appointments:

Provost Search Committee, University of San Diego.  
 Reporter, Drafting Committee on Civil Forfeiture in Drug Offense Cases, National Conference of Commissioners on Uniform State Laws.

## LYNNE L. DALLAS (1987)

### Addresses:

"New Directions in Corporate Law" Symposium, Washington and Lee University School of Law, Lexington, Va., November 1993.

### Appointments:

Coordinator, Faculty Development Program.

## JOSEPH J. DARBY (1965)

### Publications:

"Die Kompetenzverteilung zwischen dem Bund und den Einzelstaaten in U.S.-amerikanischem Umweltrecht," *Jahrbuch für Umwelt-und Technikrecht* (University of Trier, 1993).

"Discriminatory Taxation," (co-authored with Herbert Lazerow) \_\_\_\_ *American Journal of Comparative Law* \_\_\_\_ (1994).

### Addresses:

"American Contributions to Constitutionalism," Catholic University of Brussels, Belgium, February 1993.

"Conflict of Laws in the United States," and "U.S. Constitutional Law," University of Leuven, Belgium, March 1993.

"Fundamental Principles of American Constitutional Law," Catholic University (K.U.L.), Kortryk, Belgium, March 1993.

"Problems of Federalism in American Environmental Law," (in German) University of Trier, Germany, June 1993.

## ROBERT C. FELLMETH (1977)

### Publications:

"The Regulation of Child Care," *California Regulatory Law Reporter* Vol. 13, No. 2 (Spring 1993).

"Public Disclosure of Physician Information: Who Knows What's Best for Whom," (co-authored with Julianne B. D'Angelo) *California Regulatory Law Reporter* Vol. 13, No. 4 (Fall 1993).

"A Perspective on California's Regulation of Tax Preparers, Certified Public Accountants, Architects, and Landscape Architects," (co-authored with Julianne B. D'Angelo) *California Regulatory Law Reporter* Vol. 13, No. 4 (Fall 1993).

"The Attorney General's 'Circle of Error' Casts a Shadow Over California's Sunshine Laws," (co-authored with Julianne B. D'Angelo) *California Regulatory Law Reporter* Vol. 13, No. 1 (Winter 1993).

"How to Litigate for Children," *Child Advocates' Information Exchange* (publication of the National Association of Counsel for Children [NACC]) Vol. 4, No. 1 (Winter 1993): 6.

"On Reforming the Regulation of Lawyers," *Bulletin of the Federation of State Medical Boards* 33 (Spring 1993).

"DOE Funds Pilot Child Advocacy Project," (co-authored) *The Guardian* (National Association of Child Advocates, Fall 1993): 16.

### Addresses:

"Financing Children's Services in the States: Sources of Funding and Leverage," Children's Defense Fund Annual National Conference, Washington, D.C., March 1993.

"Financing Options for Child Services and Child Related Regulation," National Association of Counsel for Children (NACC), Mid-year Annual Conference, Mississippi, April 1993.

"Child Care Regulation Options," National Association of Child Advocates (NACA), Annual National Conference, Princeton, N.J., October 1993.

"Novel Regulatory Strategies for Children," National Association of Counsel for Children (NACC), Annual National Conference, Denver, Colo., October 1993.

### Appointments:

Price Chair in Public Interest Law.

Director, Center for Public Interest Law.

Director, Children's Advocacy Institute.

## RALPH H. FOLSOM (1975)

### Publications:

1993 Supplements to: *Connecticut Estates Practice: Commitment, Placement, Conservatorship, Guardianship, Adoption, Jurisdiction and Procedure; Settlement of Estates; Trusts; Wills* (co-authored). Rochester, N.Y.: Lawyer's Co-operative Publishing Co.

*European Community Law: Handbook*. St. Paul, Minn.: West Publishing Co., 1993.

*European Community Law: Sourcebook*. St. Paul, Minn.: West Publishing Co., 1993.

"State Antitrust Enforcement." Chapter 2 in *Antitrust Litigation and Counseling Techniques*. Edited by Julian O. von Kalinowski. New York: Matthew Bender Co., revised 1993.

*State Antitrust Law and Practice*. Two vols. Clifton, N.J.: Prentice Hall Law and Business, Supplement, 1993.

## C. HUGH FRIEDMAN (1977)

### Publications:

- California Practice Guide: Corporations*. Two vols. Encino, Calif.: The Rutter Group, 9th ed. 1994.
- "How Section 2115 Affects Your Delaware Clients: A Comparison of Delaware and California Law Applicable to Quasi-California Corporations," (editor and contributor) 15 *Business Law News* 3 (1993).
- "The Validity of a Unanimous Written Consent Approving a Transaction Involving an Interested Director Under the California Corporations Code," (co-author) 15 *Business Law News* 3 (1993).

### Addresses:

- "Developments in Corporate, Tax, & Securities Law During 1991," Annual Meeting of San Diego County Bar Association Business Law Section, January 1993.
- "Ethical Issues for the Business Lawyer," California State Bar Spring Continuing Education Program, Monterey, Calif., May 1993.
- Moderator, "Advising Corporations Experiencing Financial Difficulties," Continuing Legal Education programs, San Francisco, Los Angeles, San Diego and Costa Mesa, Calif., October 1993.
- "Recent Judicial Developments Concerning the Powers and Duties of an Arbitrator," Institute for Arbitrators sponsored by American Arbitration Association, University of San Diego, November 1993.
- "Limited Liability Companies — the New Kid on the Block and Valuation of LLC Interests," California Probate Referees Association, Palm Springs, Calif., December 1993.

- "Forming and Using Limited Liability Companies and Limited Liability Partnerships," Practising Law Institute, Los Angeles, January 1994.

### Appointments:

- California Commission on Corporate Governance, Shareholder Rights and Securities Transactions.
- White House Conference on Small Business Commission (Presidential appointment).

## STEVEN HARTWELL (1980)

### Addresses:

- Continuing Judicial Studies Program — California Judicial Education and Research, Annual Continuing

Education Conference, Oakland, Calif., January 1993.

- "Meeting the Needs of Gay Students," Irvine Conference — Writing Across the Spectrum: Exploring Diversity, University of San Diego, April 1993.
- "A Kohlbergian Analysis of the Impact of Television Viewing on Jury Decision Making," Annual Conference of Speech Communications, Miami, November 1993.

### Appointments:

- Faculty Advisor, SBA Pro Bono Project.
- Faculty Advisor, Gay and Lesbian Law Students Association.
- Steering Committee, USD Irvine Foundation Cultural Diversity Grant.

## WALTER W. HEISER (1978)

### Publications:

- "Forum Selection Clauses in State Courts: Limitations on Enforcement After Stewart and Carnival Cruise," 45 *Florida Law Review* \_\_\_\_ (1994).
- "Forum Selection Clauses in Federal Courts: Limitations on Enforcement After Stewart and Carnival Cruise," 45 *Florida Law Review* \_\_\_\_ (1994).

### Appointments:

- San Diego County Citizens Law Enforcement Review Board.

## GAIL HERIOT (1989)

### Publications:

- "The New Feudalism: The Unintended Destination of Contemporary Trends in Employment Law," 28 *Georgia Law Review* 167 (1993).

### Addresses:

- Panelist, Conference on Forbidden Grounds, San Diego, February 1993.

## PAUL HORTON (1973)

### Addresses:

- "Professional Ethics," Legion Lex American Inn of Court, San Diego, January 1993.
- "The Latest on Copyright," San Diego and Southern

California chapters of the Special Libraries Association, October 1993.

### Appointments:

- President, USD Senate.
- Supervisor, USD Judicial Internship Program, 1993.
- USD Strategic Long Range Planning Committee, 1993-94.
- San Diego Legion Lex American Inn of Court.
- Exhibits and Collections Committee, San Diego Zoological Society.

## MICHAEL B. KELLY (1988)

### Appointments:

- Faculty Advisor, USD Moot Court Board, 1993.
- Board of Directors, USD Law Alumni Association.

## HERBERT I. LAZEROW (1967)

### Publications:

- "Discriminatory Taxation," (co-authored with Joseph J. Darby) \_\_\_\_ *American Journal of Comparative Law* \_\_\_\_ (1994).

### Addresses:

- "Internationalization of the Curriculum," Speech to ABA Conference on Internationalization, Washington, D.C., November 1993.

### Appointments:

- Director, USD Institute on International and Comparative Law.

## CYNTHIA LEE (1993)

### Publications:

- "Prosecutorial Discretion, Substantial Assistance, and the Federal Sentencing Guidelines," \_\_\_\_ *UCLA L. Rev.* \_\_\_\_ (1994).

### Addresses:

- Moderator, "Protests at Abortion Clinics: Activity Protected by the First Amendment or Unjustified and Unexcused Criminal Behavior?" Colloquium, USD School of Law, Fall 1993.
- Panelist, Criminal Law Panel, Pan Asian Lawyers of San Diego, Community Law School, April 1994.
- Moderator, "*Bowers v. Hardwick* Revisited: An



Introduction to the Harm Principle in Criminal Law," Colloquium, USD School of Law, Spring 1994.

#### Appointments:

Faculty Advisor, Asian Pacific American Law Students Association.

### BRIAN LEITER (1993)

#### Publications:

"Perspectivism in Nietzsche's Genealogy of Morals." In *Nietzsche, Genealogy, Morality*, Richard Schacht, ed. Berkeley: University of California Press, 1994.

"Objectivity and the Problems of Jurisprudence." Review of *Law and Objectivity*, by K. Greenawalt. 72 *Texas Law Review* 187 (1993).

"Beyond Good and Evil," 10 *History of Philosophy Quarterly* 261 (1993).

"Determinacy, Objectivity and Authority," (co-authored) 142 *University of Pennsylvania Law Review* 549 (1993). Reprinted in *Interpretation and Law*. Edited by A. Marmor. Oxford: Oxford University Press, forthcoming.

"Mind Doesn't Matter Yet," (co-authored) 72 *Australasian Journal of Philosophy* \_\_\_\_ (1994).

#### Addresses:

"Morality in the Pejorative Sense," Department of Philosophy, University of California at San Diego, October 1993.

"Pornography and Equality," Fourth Biennial Discussion Group on Constitutional Law, Georgetown University Law Center, December 1993.

"The Middle Way," Annual Meeting of the Association of American Law Schools, Section on Jurisprudence, Orlando, Fla., January 1994.

#### Appointments:

Manuscript Referee, Cambridge University Press (for book series: "Studies in Philosophy and Law").

Editorial Board, *Legal Theory*.

### JOHN HART MINAN (1976)

#### Publications:

*The Law of Personal Property Leasing* (co-authored). Boston, Mass.: Warren Gorham Lamont, 1993.

#### Addresses:

Moderator, Symposium on Water Resources Law. Land Use and Planning Association and Environmental Law Society, USD, February 1993.

"The American Legal System," presentation at the United States/Russian Judicial Exchange Program, National Judicial College, Reno, Nev., 1993.

### JEAN MONTOYA (1990)

#### Publications:

"Something Not So Funny Happened on the Way to Conviction: The Pretrial Interrogation of Child Witnesses," 35 *Arizona Law Review* 927 (1993).

#### Appointments:

Faculty Oversight Committee, USD Irvine Foundation Cultural Diversity Grant.

Faculty Advisor, La Raza Law Students Association.

Faculty Advisor, Native American Law Students Association.

Board of Directors, La Familia.

### GRANT H. MORRIS (1973)

#### Publications:

"Out of Mind? Out of Sight: The Uncivil Commitment of Permanently Incompetent Criminal Defendants," (co-authored) 27 *U.C. Davis L. Rev.* 1 (1993).

#### Addresses:

Seminars: "Rights of Mental Patients," and "Conservatorships for the Gravely Disabled," University of California at San Diego School of Medicine, January 1993.

"Doctor's Dilemma: Mad Patients Who Refuse Treatment," presentation with Allen Snyder and Ansar Haroun, M.D., at the USD University Center, March 1993; and at the Annual Meeting of the American Psychiatric Association, San Francisco, May 1993.

#### Appointments:

Clinical Professor, University of California at San Diego School of Medicine, Department of Psychiatry, 1993-96.

Superior Court Mental Health Hearing Officer, San Diego County, 1993.

Executive Committee, Association of American Law Schools, Section on Law and Mental Disability.

### MARY JOSEPHINE NEWBORN (1990)

#### Publications:

"Undersecured Creditors in Bankruptcy: Dewsnap, Nobelman and the Decline of Priority," 25 *Arizona State Law Journal* 547 (1993).

"Critical Race Theory and Classic-Liberal Scholarship: A Distinction Without a Difference?" (co-authored with Roy L. Brooks) \_\_\_\_ *California L. Rev.* \_\_\_\_ (1994).

#### Addresses:

Moderator, "An Immigration Policy for a Just Society," Colloquium, USD School of Law, Spring 1994.

"Dewsnap and Priority," Bankruptcy Law Seminar, USD School of Law Continuing Legal Education, January 1993.

"Classical Liberalism vs. Critical Race Theory," Western Law Teachers of Color Conference, Monterey, Calif., March 1993.

#### Appointments:

Chief Reporter, 9th Circuit Judicial Council Committee for Review of Local Bankruptcy Rules, since 1992.

Faculty Advisor, Black Law Students Association.

### VIRGINIA NOLAN (1974)

#### Publications:

*Understanding Enterprise Liability: Rethinking Tort Reform for the Twenty-First Century* (co-authored with Edmund Ursin). Temple University Press, forthcoming, 1994.

#### Appointments:

Member, American Law Institute.

### THERESA PLAYER (1980)

#### Publications:

Supplement to *California Trial Techniques* (co-authored), Parker & Sons, 1993.

#### Addresses:

"USD School of Law Clinical Programs," State Bar Commission on Legal Services, San Diego, September 1993.

#### Appointments:

Director, USD Legal Clinic.

ABA/AALS Inspection Team for the University of North Dakota School of Law.

Standing Committee on Legal Services to the Poor, California State Bar, Section on Legal Services.

## **RICHARD CRAWFORD PUGH (1989)**

### *Publications:*

1993 Supplement to *Taxation of International Transactions 1991-93* (co-authored), Chicago, Ill.: Commerce Clearing House, 1991.

### *Appointments:*

Director, Association of American Rhodes Scholars.  
Fellow, American College of Tax Counsel.

## **MICHAEL B. RAPPAPORT (1991)**

### *Publications:*

"The Publication of OLC Opinions: Executive Authority and the Rule of Law," in *The Opinions of the Office of Legal Counsel*. T. Olson, L. Simms, & B. Clark, eds., 1994.

## **JOHN L. ROCHE (1970)**

### *Addresses:*

"First Family Summit," San Diego Youth Involvement Inc., February 1993.

### *Appointments:*

USD Committee for the Protection of Human Subjects.

## **MAIMON SCHWARZSCHILD (1982)**

### *Publications:*

"Class, National Character, and the Bar Reforms in Britain: Will There Always Be an England?" \_\_\_\_ *Connecticut Journal of International Law* \_\_\_\_ (1994).

"Religion and Public Debate in a Liberal Society: Always Oil and Water or Sometimes More Like Rum and Coca Cola?" \_\_\_\_ *San Diego Law Review* \_\_\_\_ (1994).

### *Addresses:*

"Restitution and Unjust Enrichment," Annual Meeting of the Association of American Law Schools, Section on Remedies, Orlando, Fla., January 1994.

"Crime and Punishment," San Diego State University Continuing Education Center, Rancho Bernardo, Calif., February 1994.

### *Appointments:*

Member of Barristers' Chambers, 1 Gray's Inn Square, London, England.

## **EMILY L. SHERWIN (1989)**

### *Publications:*

"Contribution Agreements in Commercial Law," (co-authored) 42 *Emory L. J.* 897 (1993).

"The Deceptive Nature of Rules," (co-authored with Lawrence A. Alexander) \_\_\_\_ *University of Pennsylvania Law Review* \_\_\_\_ (1994).

### *Addresses:*

"The Deceptive Nature of Rules," Boston University School of Law Workshop, October 1993.

"Restitution and Unjust Enrichment," Annual Meeting of the Association of American Law Schools, Section on Remedies, Orlando, Fla., January 1994.

## **VIRGINIA V. SHUE (1974)**

### *Publications:*

1993 Supplement to *State Computer Law: Commentary, Cases and Statutes* (co-authored with James Vergari). Deerfield, Ill.: Clark Boardman Callaghan.

### *Appointments:*

Associate Dean for Academic Affairs.

Director, Graduate Tax Program.

USD Strategic Long Range Planning Committee, 1993-94.

## **BERNARD H. SIEGAN (1973)**

### *Publications:*

"Constitutionally Protecting Economic and Property Rights," (in Portuguese) Instituto Liberal, Rio de Janeiro, Brazil (1993).

"Hayek and the United States Constitution," 23 *Southwestern University Law Review* 469 (1994).

### *Addresses:*

"A Tribute to Ronald Coase, Nobel Laureate in Economics," Annual Meeting of the American

Economic Association, Anaheim, Calif., January 1993.

"Protecting and Enhancing the Urban Environment," Environmental Symposium, Claremont-McKenna College, February 1993; and Continuing Legal Education Seminar, Seattle, Wash., April 1993.

"Property Rights and the Environment," Annual Banquet, Northwest Legal Foundation, Seattle, Wash., April 1993.

"Constitutional Protection of Business Interests," U.S./Russia/Mexico Business Exchange Program, San Diego State University, May 1993.

"No Zoning is the Best Zoning," Federalist Society; "How Zoning Affects Business," Houston Property Rights Association; and "Non Zoning and the Proposed Houston Zoning Ordinance," Houston Realty Breakfast Club; Houston, Texas, June 1993.

"Framing a Constitution and Establishing Constitutional Government," M. Curie Sklodowska University, Lublin, Poland; University of Gdansk Law School, Sopot, Poland, November 1993.

"Constitutionally Protecting Property and Economic Rights," Club of Liberal-Conservative Thought, University of Gdansk, Poland, November 1993.

"Protection of Rights Under the U.S. Constitution," International Conference on the Constitutional Order of a State, Warsaw, Poland, November 1993.

"Hayek and the United States Constitution," Conference on F. A. Hayek and Contemporary Legal Thought, Southwestern University School of Law, Los Angeles, December 1993.

### *Appointments:*

Evaluator, National Endowment for the Humanities, Washington, D.C., 1991-present.

## **ROBERT L. SIMMONS (1972)**

### *Addresses:*

"Employment Discrimination Issues Under the Americans with Disabilities Act," USD Conference Center, October 1993.

## **THOMAS A. SMITH (1992)**

### *Publications:*

"A Capital-Markets Approach to Mass Tort





Bankruptcy," 104 *Yale Law Journal* \_\_\_\_ (November 1994).

**Addresses:**

Moderator, "Horrors of War in Bosnia: Does America Have an Obligation to Intervene?", Colloquium, USD School of Law, Fall 1993.

**Appointments:**

Adjunct Scholar, American Enterprise Institute.

## ALLEN C. SNYDER (1978)

**Publications:**

"Competency to Refuse Life-Saving Treatment by Non-Terminal Patients: Valuing Non-Logical Aspects of Decisions," *Issues in Law and Medicine*, November 1993.

**Addresses:**

"Negotiations for Seniors," San Diego State Elder Hostel, February-April 1993.

"Competency to Refuse Life-Saving Treatment by Non-Terminal Patients: Valuing Non-Logical Aspects of Decisions," Annual Meeting of the National Legal Center for the Medically Dependent and Disabled, Inc., New Orleans, April 1993.

"Negotiations and Mediation Program," Moscow State Polytechnique Institute, Moscow, Russia, April 1993.

Mediation program, Management Institute of Moscow at Yugo-Zapad, Moscow, Russia, May 1993.

"Doctor's Dilemma: Mad Patients Who Refuse Treatment," presentation with Grant Morris and Ansar Haroun, M.D., at the USD University Center, March 1993; and at the Annual Meeting of the American Psychiatric Association, San Francisco, May 1993.

"Competency to Refuse Life-Sustaining Treatment," Hastings Center and American Hospital Association "Decisions Near the End of Life" Program, La Jolla, Calif., November 1993.

**Appointments:**

National Institute for Trial Advocacy, 1993: Program Director Pacific Region; Faculty at Northwest Region; Faculty Berkeley Teacher Training; Faculty National Program, Boulder, Colo.

Board member, San Diego Volunteer Lawyers Program; Chair, Nominations Committee.

Board of Trustees, Institute for Effective Education.  
Judge Pro Tempore, Small Claims Division, San Diego Municipal Court, 1993.

## LESTER B. SNYDER (1983)

**Addresses:**

"Risky Business: Meeting the Challenges of Evolving Standards in Tax Practice," State Bar of California, Section on Taxation, Third Annual Institute, Ethics Program, Coronado, Calif., November 1993.

"Countersinking the Screws to the Real Estate Investor — Get Ready for a Consumption Tax," San Diego County Bar, San Diego, October 1993.

## KRISTINE STRACHAN (1989)

**Addresses:**

"Beyond Tokenism: Opportunities and Barriers," Annual Meeting of the Association of American Law Schools, Orlando, Fla., January 1994.

"The Accountability of Legal Education to Outside Constituencies," ABA Deans Meeting, Kansas City, Mo., February 1994.

"Emerging Issues in Legal Education," International Society of Barristers, Scottsdale, Ariz., March 1994.

**Appointments:**

Evidence Advisory Committee, Section on Evidence, Association of American Law Schools, 1994.

Chair, Committee on Academic Freedom, Association of American Law Schools, 1994.

Nominating Committee, Association of American Law Schools, 1994.

Board of Directors, Association of Business Trial Lawyers, San Diego, since 1993.

Biden Committee: Civil Justice Reform Act, San Diego Federal Court Advisory Committee, since 1992.

Honorary Master of the Bench, American Inns of Court, San Diego.

Evidence Test Drafting Committee, Multistate Bar Exam, National Conference of Bar Examiners.

Provost Search Committee, University of San Diego.

## EDMUND URSIN (1975)

**Publications:**

*Understanding Enterprise Liability: Rethinking Tort Reform for the Twenty-First Century* (co-authored with Virginia Nolan). Temple University Press, forthcoming, 1994.

## JORGE A. VARGAS (1983)

**Publications:**

Chapters XI, XII and XIII (in Spanish). In *International Law Manual for Seagoing Officers*. 2d ed. Secretariat of Foreign Relations and Secretariat of the Marine, Mexico, 1993.

El Archipiélago del Norte. Fondo de Cultura Económica, Mexico, 1993.

"Conflict of Laws in Mexico: The New Rules Introduced by the 1988 Amendments," *The International Lawyer* (Fall 1994).

"Acquisition of Real Estate in the U.S. by Mexican Nationals. Legal, Migratory and Fiscal Questions," (in Spanish) *Revista del Notariado Nacional* (Summer 1994).

"Enforcement of Judgments in Mexico. The 1988 Rules of the Federal Code of Civil Procedure," \_\_\_\_ *Northwestern Journal of International Law & Business* \_\_\_\_ (1994).

"Mexico's Foreign Investment Act of 1993," \_\_\_\_ *Loyola of Los Angeles International and Comparative Law Journal* \_\_\_\_ (1994).

**Addresses:**

"Acquisition of Real Estate in the U.S. by Mexican Nationals," Third National Conference of Mexican Public Notaries, Juarez, Mexico, October 1993.

"NAFTA as an Instrument to Promote Human Rights in Mexico," Fourth Annual Fulbright Symposium on International Legal Problems, Golden Gate University School of Law, San Francisco, March 1994.

"Profound Legal Changes in Mexico as a Result of NAFTA," Pacific Southwest Association of Realtors, Seminar in Real Estate in Mexico, Chula Vista, Calif., March 1994.

**Appointments:**

Visiting Professor, Stanford Law School, Spring 1994.

## DONALD T. WECKSTEIN (1972)

### Publications:

- "Feller Visits 'The Classics,'" *The Chronicle* 9 (Journal of the National Academy of Arbitrators, January 1994).  
 "Obligations and Responsibilities of Employer/Clients to In-house Counsel: Which Status Governs," in *Proceedings of Labor and Employment Law Conference*, \_\_\_\_ *Stetson Law Review* \_\_\_\_ (1994).

### Addresses:

- Moderator, Court Connected Mediation Discussion, Southern California Mediation Association, Los Angeles, March 1993.  
 "Recent Developments in Professional Ethics," California Association of Lemon Lawyers, Coronado, Calif., May 1993.  
 "Confidentiality in Mediation," American Arbitration Association, San Diego Mediation Center and San Diego Chapter of Society of Professionals in Dispute Resolution, June 1993.  
 "Ethical Practice," CLE By the Sea, Arizona State Bar Association, July 1993.  
 Moderator, "Ethics for the Rest of Us: Four Perspectives," Ethics Panel, USD Law Alumni Day, September 1993.  
 Facilitator, Public Forum: "Steps Toward Developing a Sustainable Dialogue Between Opposing Parties," Conference on Hopes and Fears of Palestinians and Israelis, University of San Diego, September 1993.  
 Moderator, "Ethics and Wrongful Discharge of House Counsel," California State Bar Annual Meeting, Corporate Law Committee, October 1993.  
 Moderator, "Professional Responsibility Issues in 'The Verdict,'" San Diego County Bar Association, October 1993.  
 "Arbitrators' Ethical Responsibilities," National Academy of Arbitrators, Workshop — Education Meeting, October 1993.  
 Moderator, "Ethics for Civil and Criminal Trial Lawyers," San Diego County Bar Association, November 1993.  
 "Discipline and Discharge Issues," American Arbitration Association, November 1993.

### Appointments:

- City of Los Angeles Employee Relations Board.

ABA, Administrative Law and Regulatory Practice Section: Liaison, Committee on Specialization, 1993-94.

Board of Directors, Southern California Mediation Association, 1993-94.

Member, National Academy of Arbitrators, Committee on Professional Responsibility and Grievances.

San Diego County Bar Association, Committee on Professional Responsibility Education; Chair, Alternative Dispute Resolution Section.

Regional Vice President, Society of Professionals in Dispute Resolution, 1991-94.

Board of Directors, California Dispute Resolution Council.

## CHARLES B. WIGGINS (1975)

### Appointments:

- Senior Trainer and Consultant, Partners for Democratic Change, San Francisco, (Hungary, Poland, the Czech and Slovak Republics, Ukraine).  
 Senior Consultant, Judicial Arbitration and Mediation Services (JAMS).

## W. WILLARD WIRTZ (1986)

### Publications:

- Review of *Can Unions Survive*, by Charles B. Craver. \_\_\_\_ *Chicago Kent Law Review* \_\_\_\_ (Winter 1993-94).

## PAUL C. WOHLMUTH (1974)

### Addresses:

- "The Nexus of Oral and Written Law," at the Workshop on "Literalness and Legal Interpretation," Institute for Law and Systems Research, Regents College, London, June 1993.  
 "Law in the Context of Restraint," at the Workshop on "Language, Regulation and Justice," Institute for Law and Systems Research, University of Michigan, Ann Arbor, Mich., December 1993.  
 "The Problem of Rule-Governed Accounts of Behavior in Evolutionary Systems," Conference on "Ritual and the Origins of Culture," jointly sponsored by the Human Evolutionary Research Group (London), Institute for Law and Systems Research, and

Department of Sociology, University of East London, March 1994.

### Appointments:

- Executive Director, Institute for Law and Systems Research.

## CHRISTOPHER T. WONNELL (1984)

### Publications:

- "The Contractual Disempowerment of Employees," 46 *Stanford Law Review* 87 (1993).

### Addresses:

- Participant, Conference on Forbidden Grounds, San Diego, February 1993.  
 Participant, Conference on F. A. Hayek and Contemporary Legal Thought, Southwestern University School of Law, Los Angeles, December 1993.

### Awards:

- Law Professor of the Year, SBA Award, USD School of Law, May 1993.

## FRED C. ZACHARIAS (1990)

### Publications:

- "Specificity in Professional Ethics Codes: Theory, Practice, and the Paradigm of Prosecutorial Ethics," 69 *Notre Dame Law Review* \_\_\_\_ (1993).

### Addresses:

- "The Changing Supreme Court and the First Amendment," Annual Meeting of the National Conference of State and Local Legislators, San Diego, Summer 1993.

### Appointments:

- Editor of Newsletter, Association of American Law Schools, Section on Professional Responsibility.  
 Executive Committee, Association of American Law Schools, Section on Professional Responsibility.



# Thanks to Adjunct Faculty

Each year, approximately 50-60 courses and skills sections offered at the University of San Diego School of Law are taught by adjunct members of the faculty. Lawyers and judges play a critical role in the education of law students. As part-time faculty, they teach small sections of clinical courses, specialized advanced courses and graduate tax courses. Special thanks to the following people who gave so much time and effort to improve the quality of education for our law students in the 1993-94 academic year.

## MEMBERS OF THE JUDICIARY

The Honorable Cynthia Aaron  
The Honorable Susan P. Finlay  
The Honorable Judith F. Hayes  
The Honorable  
Richard D. Huffman  
The Honorable Robert E. May  
The Honorable Howard H. Shore  
The Honorable Glen Spearman

## ATTORNEYS & ALLIED PROFESSIONALS

Maria Arroyo-Tabin  
Kevin M. Bagley  
Elizabeth Barranco  
Eleanor Blais  
William B. Bunker  
Richard A. Carpenter  
Debra Cohen  
G. Coleman Conrad  
Barbara Cox  
Jacqueline Crowle  
Bonnie Dumanis  
Barbara Filner  
Lisa Foster  
Richard Gates  
Sharon Grodner, Ph.D.  
Allen M. Gruber  
Annie M. Gutierrez

Phillip Halpern  
Robert J. Hanna  
Ann C. Harris  
Jeffrey Hatfield  
John R. Heisner  
David Hersh  
Juliana Humphrey  
Adrienne Jeffrey  
Phillip L. Jelsma  
Knut Johnson  
Louis Knobbe  
Rhonda Ladendorf  
Alex Landon  
Michael Marrinan  
Harley D. Mayfield  
Susan Milliken  
David A. Niddrie  
Christopher Oberle  
Carolyn Oliver  
Susan Quinn  
Michael Roake  
David Rubin  
Lawrence Schultz  
Lawrence Serra  
Richard A. Shaw  
Darryl Steinhauser  
J. Stacey Sullivan  
Michael Sullivan  
Kay Sunday  
Albert Tarvyd  
Randa Trapp

Vickie Turner  
Thomas J. Ulovec  
Glenn Warren  
David P. Wolds  
Robert C. Wright

## VISITORS

Patrick Atiyah  
Carl Auerbach  
James Hogan  
J. Randall Johnson  
William Lawrence  
Byron Miller  
Donald Osteen  
Joseph Page  
Stephen Perry  
Walter Raushenbush  
Gilda Tuoni Russell  
Janet Spragens  
Robert Vaughn  
W. Willard Wirtz

## Additional thanks to Summer Session 1993 professors not mentioned previously:

John Adler  
Anson Levitan



*Lisa Foster leads a class in federal jurisdiction.*



# Law School Mourns Passing of Former Dean

A distinguished army officer, USD School of Law's former acting dean and a professor of law, Maj. Gen. George W. Hickman Jr., died of cancer on Dec. 21, 1993, at the age of 89.

Gen. Hickman came to USD School of Law in 1961 after retiring from the Army, where he served as the judge advocate general, the Army's top legal adviser, from 1957 to 1961. His prior military career included assignments as staff judge advocate of the Far East Command under Gen. Douglas MacArthur and staff judge advocate, United Nations Command, during the Korean conflict. As senior legal advisor to the United Nations delegation, he helped negotiate the terms of the armistice between communist forces and the United Nations that ended the war on July 27, 1953.

His military honors included the Distinguished Service Medal, the Legion of Merit with two oak-leaf clusters and the Bronze Star. Gen. Hickman was a 1926 graduate of the United States Military Academy at West Point and received his law degree from Harvard in 1948.

Gen. Hickman was the third full-time professor at USD School of Law, teaching constitutional law and other courses. He served as acting dean from 1963 to 1964. He then took a two-year leave of absence to go to Chicago, where he worked with the American Bar Association as director of committee services. Gen. Hickman returned to USD in 1966



*Major General George W. Hickman Jr.*

and continued to teach until his retirement in 1971.

The Hon. Judith Keep '70, chief judge of the U.S. Federal District Court in San Diego, remembers Gen. Hickman fondly. "General Hickman was a wonderful man," she recalls. "I took Constitutional Law from him during my second year and a constitutional law seminar during my third year. What was so inspirational about him was his love for the Constitution; he believed in the Constitution, he believed in the Supreme Court and the deliberative process.

"When I took Constitutional Law from Gen. Hickman, it was 1968," Keep adds. "Those were troubled times for the country, between the Vietnam War and the serious attack on the Warren Court. At a time when values were changing so fast, he was a stabilizing influence — a true North Star. His legacy to me was a deep love of the Constitution."

Gen. Hickman's wife of 54 years, Margaret Morrison Hickman, died in July 1993. He is survived by three daughters, Peggy Wirtz, Patricia Livingston and Mary Lee Fefer. His daughter Peggy Wirtz also is connected to USD and legal education. Her husband, Richard Wirtz, is dean of the University of Tennessee School of Law. Her father-in-law is a USD distinguished professor of law and a former Secretary of Labor, W. Willard Wirtz.



# Class Action

*Class Action is an update on the personal and professional news of your classmates and other alumni. Please submit news and photos to the Advocate editor.*

## Founding Classes

### '58-62 35-Year Reunion

#### CLASS EVENT & GIFT CHAIR



**Thomas E. Sharkey '59**  
McInnis, Fitzgerald,  
Rees & Sharkey  
1230 Columbia St., Suite 800  
San Diego, CA 92101  
(619) 236-1711

### '63



**Judge Victor E. Bianchini**, currently with the El Cajon Municipal Court, was honored as reviewing officer at a retirement parade at the Marine Corps Recruiting Depot in San Diego. Bianchini, who was awarded the Meritorious Service Medal for service during Operation Desert Shield/Desert Storm, retired as a colonel of the U.S. Marine Corps Reserve. Judge Bianchini is a member of the board of trustees of the San Diego County Law Library and has been appointed to the Faculty Council of the National Judicial College in Reno, Nev.

### '64 30-Year Reunion

#### CLASS EVENT CHAIR



**Gayle F. Anderson**  
Hinchy, Witte, Wood,  
Anderson & Hodges  
11440 W. Bernardo Ct., #280  
San Diego, CA 92121  
(619) 487-7948

#### CLASS GIFT CHAIR



**Gerald L. McMahon (Jerry)**  
Seltzer, Caplan, Wilkins &  
McMahon  
750 B Street, Suite 2100  
San Diego, CA 92101  
(619) 685-3003

### '68

**Brian E. Michaels** was elected for a two-year term to the USD law alumni association board of directors. Brian also was elected for a three-year term to the San Diego County Board of Directors.

### '69 25-Year Reunion

#### CLASS EVENT & GIFT CHAIR

**Thomas J. Ryan**  
Law Offices of Thomas J. Ryan  
2366 Front Street  
San Diego, CA 92101  
(619) 239-9141

**Roger A. McKee** was elected for a two-year term to the State Bar of Arizona board of governors. He previously served as the chairman of the state bar's sole practitioners section.

### '70

**Michael R. Lennie** has practiced for 20 years in Valley Center, Calif. He is a civil litigator licensed in California and New York, and devotes half his practice to representation of authors from around the country in their contractual and litigation dealings with publishers.

**Peter Nunez** is the new chairman of the San Diego Crime Commission. After three years in Washington, D.C., with the Treasury Department, Nunez was appointed coordinator of the graduate tax program at the University of San Diego School of Law.

### '71

**The Honorable Napoleon Jones** was elected for a two-year term to the USD law alumni association board of directors.

### '72

**Robert Grimes**, a partner with Grimes & Warwick in San Diego, was elected for a three-year term to the board of directors of the San Diego County Bar Association.

**Judge Leland B. Harris** is with the Los Angeles Municipal Court and is currently assigned to the Van Nuys branch.

**The Honorable Ignazio "Nace" Ruvolo** left his post as the managing partner of the Walnut Creek, Calif., office of Bronson, Bronson & McKinnon, to accept an appointment to the Contra Costa County Superior Court.

**Howard Wayne** was awarded a Supreme Court fellowship by the National Association of Attorneys General to work in Washington, D.C., this spring.

'73



**Joel Krissman** relocated his firm — Stolpman, Krissman, Elber, Mandel & Katzman — to Long Beach, Calif.

## '74 20-Year Reunion

### CLASS EVENT CHAIR



**John S. Adler**  
Law Offices of John S. Adler  
La Jolla Centre II  
9255 Towne Centre Dr., #200  
San Diego, CA 92121  
(619) 455-8055

### CLASS GIFT CHAIR

**Samuel K. Eaton**  
Eaton & Jones  
1032 Santa Barbara St.  
Santa Barbara, CA 93101  
(805) 963-2014

**John Adler** was elected vice president of the 1994-95 USD law alumni association board of directors.

**David Bright**, a partner with White & Bright in Escondido, Calif., was elected the 1994 president of the Bar Association of Northern San Diego County.

**David Casey Jr.** was elected vice president of the California Trial Lawyers Association for 1994.

'75

**Arlene Prater** joined the San Diego office of Best, Best & Krieger and continues to represent

employers in labor and employment law and litigation.



**Susanne Stanford** was recently elected president of the 1994-95 USD law alumni association board of directors.

'76

**Clayton Anderson** is the current president of the Foothills Bar Association.

**Alan Brubaker**, a partner with Wingert, Grebin, Anello & Brubaker in San Diego, was elected for a three-year term to the board of directors of the San Diego Bar Association.

**Joe Cordileone** is living in Montana with his wife, Sylvia. While a member of the Montana Bar, he still works on cases in San Diego with the help of electronic mail and computer access.

**Janelle B. Davis** is a supervising deputy attorney general for the California Attorney General. She has argued seven cases in the California Supreme Court.

**Craig Engstrand** is of counsel at Lorenz, Alhadeff, Cannon & Rose in San Diego.

**Susan Waggener** is a partner with Gibson, Dunn & Crutcher in Los Angeles.

'77

**Steve Legomsky** was awarded the Walter D. Coles chaired professorship at the Washington University School of Law. Legomsky recently traveled to Geneva and Moscow at the invitation of the Russian government to provide advice on immigration and refugee policy.

Earlier this year, he was a guest on "Good Morning America."

'78

**Eric V. Benham** announced the opening of his new law practice in San Diego on Feb. 1.

**Patricia McQuater** was elected president-elect of the 1994-95 USD law alumni association board of directors.

**Fred Schenk** is the new president of the San Diego Trial Lawyers Association.

## '79 15-Year Reunion

### CLASS EVENT CHAIR



**Randall W. Magnuson**  
Randall W. Magnuson  
Attorney at Law  
225 Broadway, Suite 2220  
San Diego, CA 92101  
(619) 232-1081

### CLASS GIFT CHAIR



**Maria T. Arroyo-Tabin**  
Assistant Chief, Criminal  
Division  
U.S. Attorney's Office  
940 Front Street, Rm. 5152  
San Diego, CA 92101-8800  
(619) 557-5682

**Jimmy L. Verner Jr.** formed Verner & Brumley in Dallas, specializing in family law.

'80

**Douglas Barker** formed the firm of Barker, Thomas & Kay in San Diego.

**Robert P. Cheney Jr.** entered private practice in 1992 after 11 years with the New Hampshire Attorney General's office, where he served as general counsel to the state agency responsible for the reuse of Pease Air Force Base. In 1994, he became a director and shareholder of Sheehan, Phinney, Bass & Green in Manchester, N.H. His current practice focuses on environmental law.

**Kris Hayato Ikejiri** was promoted to vice president of administration for Contract Freighters Inc., a trucking firm in Joplin, Mo.

**Philip Matricardi** practiced law in Alaska for 11 years and is now a buyer's agent for Jim Stacey Realty in Seattle. He now serves as a court-appointed volunteer guardian ad litem for children separated from their parents by the state.

**Monty A. McIntyre** was awarded his second Outstanding Trial Lawyer Award by the San Diego Trial Lawyers Association in the area of medical malpractice. Monty was installed as the 1994 parliamentarian for SDTLA. In February, Monty, **Lann G. McIntyre '82** and **Peter R. Thompson '80** celebrated the fourth anniversary of the founding of their firm, Thompson & McIntyre.

**Dorothy O'Donnell Starkey** and husband, Robert, announce the arrival of their first child, Susannah Elisabeth, on Oct. 2, 1993, in Houston.

## '81

**Bob Hoffman** was appointed chief counsel of the State Department of Toxic Substances Control in January. He is married to **Denise Ferkich Hoffman '81**. The couple has two sons, Ryan, 8, and Spencer, 5.

**Mary Lynne Perry** stepped down as dean of Western State Law School in San Diego. After

a sabbatical leave, she will resume her faculty position as a professor at Western State. She and her husband, Christopher Brower, are proud to report that in April the 1992 Pinot Noir from their Dundee Hill Winery in Oregon won a gold medal in the 11th annual San Diego National Wine Competition.

## '82

**Alan H. Barbanel** and his wife are expecting their first child, a boy.

**Frank Ponticello** has been a prosecutor in the Clark County District Attorney's office since 1988.

**David Ranowsky** is back at work with the Navy's procurement integrity office after a five-month detail to the White House as special counsel to the president.

**William R. Rosner** recently formed Rosner & Leopold, a law partnership restricting its practice to immigration law.

## '83

**Daniel Lamborn** received the Prosecutor of the Year award from the San Diego Deputy District Attorneys Association.

**Teresita L. Ponticello** has been a senior attorney with PriMerit Bank since 1988. She and her husband, **Frank Ponticello '82**, have a son, Anthony, born in 1992.

**Kathi Ranowsky** is spending a lot of time in Hunstville, Ala., on a case for Crowell & Moring.

**Pamela Jones Spain** joined ITT Residential Capital Corp. as vice president and assistant general counsel.

## '84 10-Year Reunion

### CLASS EVENT CHAIR



**Mary F. Gillick**  
Luce, Forward, Hamilton &  
Scripps  
600 W. Broadway, Suite 2600  
San Diego, CA 92101  
(619) 236-1414

### CLASS GIFT CHAIR



**Steven J. Cologne**  
McInnis, Fitzgerald,  
Rees & Sharkey  
1230 Columbia St., Suite 800  
San Diego, CA 92101  
(619) 595-3317

**Niki Cox** is an assistant attorney general with the state of California Department of Justice. She married Don Shaffer in August 1993. They live in La Mesa, Calif.

**Dearing D. English** joined the San Diego office of Best, Best & Krieger, specializing in public agency appellate, writ and general civil litigation.

**Donald J. Jones** recently was promoted to vice president, marketing, of MedTrans. In the past year, MedTrans grew to be the second largest ambulance company in North America.

**Sherry Van Sickle** relocated to Orange County as managing attorney for ITT Hartford's staff counsel. The firm is Van Sickle and Associates.

## '85

**Gregory J. Anthony** married Gabriel Brunner in the village of Konigstetten, a few miles from Vienna, Austria. The couple will live in both San Diego, where Gregory has a law practice,

and Austria, where Gabriel has a dental practice.

**Lesa Christenson** in February became the first woman to achieve partnership at Hillyer & Irwin.

**James Hester** (M.A. '86) published his first novel, titled *Knights of the White Camelia*. He currently practices law in Carlsbad, Calif.

**Kristine Amodeo Lachantin** and her husband, John, announced the birth of her third son, Alexander William, born Aug. 4, 1993. She is a founding partner of the Albany, N.Y., firm of Ruberti, Girvin & Ferlazzo.

**Roxanne Story Parks** joined the San Diego City Attorney's Office, criminal division.

'86

**Dennis Doucette** in January became a partner in the law firm of Luce, Forward, Hamilton & Scripps.



**David N. Guedry** was named a general business and corporate partner in the Dallas office of Hughes & Luce.

**Rhonda Cartwright Ladendorf** was elected to the board of directors for the Association of California State Attorneys and Administrative Law Judges. She is also an adjunct professor for Lawyering Skills II at the University of San Diego School of Law.

**Paula S. Rosenstein** is co-chair of the Tom Homann Law Association in San Diego.

**Dana F. Weinstein** is an associate with The Law Offices of Gary E. Pike, specializing in family law.

'87

**Robert Baker** was selected as the California Trial Lawyer of the Year by the California chapters of the American Board of Trial Advocates.

**Maj. Russel Primeaux** and his wife, Valerie, are pleased to announce the birth of their new son, Brian Joseph, on Oct. 10, 1993. They now have four boys. Russel is the Staff Judge Advocate for the Marine Reserve Force, headquartered in New Orleans.

**Kneave Riggall** (LL.M.) published his 19th tax article, "The Tax Consequences of Statutory Duke Orders," 14 *Whittier Law Review* 809 (1993).

'88

**Kevin DeSantis** and **Georgina A. DeSantis** celebrated the birth of their first child, Sara Frances, on Aug. 18, 1993.

**Lois Kosch** joined Mazzarella, Dunwoody, Wilson & Petty in San Diego.

**Francois G. Laugier** lives in Palo Alto, Calif., and works in San Francisco with Ropers, Majeski, Kohn, Bentley, Wagner & Kane, where he has developed an international practice, primarily with French corporations.

**Thomas Mauriello** joined the Law Offices of John Reaves.

**Richard Vattuone** joined the San Diego firm of Mazzarella, Dunwoody, Wilson & Petty.

'89

5-Year Reunion

CLASS EVENT CHAIR



**Benjamin C. Bunn**  
Ludecke, Denton & Bunn  
2333 First Avenue, Suite 201  
San Diego, CA 92101  
(619) 525-3907

CLASS GIFT CHAIR



**Marjorie A. Huntington**  
Huntington & Haviland  
1551 Fourth Avenue,  
Suite 700  
San Diego, CA 92101-3155  
(619) 233-9500

**Benjamin C. Bunn** recently was elected co-president of the Barristers Club of San Diego. Ben also was elected for a two-year term to the USD law alumni association board of directors.

**Vivian Velichkoff Doering** was sworn in to practice law in her native state of Illinois. She lives in Escondido, Calif., and also is licensed in California and the District of Columbia.



**Mark W. Dundee** was appointed by California Gov. Pete Wilson to serve as a state commissioner on the Council on Economic Development.

**Marsha Redmon** left the full-time practice of law to conduct a weekly morning television segment about practical legal issues on Channel 8 in San Diego.

**Lane Webb** and **Mary Caroline Arenzana** (M.S.N. '91) were married in October 1992.



'90

**Gregory J. Bianco** operates a full-service property management firm along with an escrow company. He recently received his general contractor's license.

**Roberta F. Lowe** is employed by Underwood & Associates, a fund-raising and consulting firm in San Diego.

**Donna Lyn Silverberg** started working as the public policy coordinator for the state of Oregon's Dispute Resolution Commission. In this position, her primary focus is providing dispute resolution services for all natural resource agencies within Oregon.

**Lori Yocum** joined the Rancho Bernardo, Calif., office of Hinchy, Witte, Wood, Anderson & Hodges. She specializes in estate planning, probate law and conservatorships.

'91

## CLASS AGENT

**Timothy R. Walsh**  
Deputy District Attorney  
2851 Meadowlark Drive  
San Diego, CA 92123  
(619) 694-4574

**James M. Barth** and his wife, Nancy, moved to Park City, Utah, where Jim took and passed the Utah State Bar. He currently is director of development services for the Coleman Land Co.

**Robert T. Bryson** assumed a position with a San Diego personal injury firm after passing the California Bar. He recently joined Belofsky & Jenkins, an insurance defense firm in Redondo Beach. Robert is married with two boys, Tommy, 5, and Chase, 2.

**Rodolfo R. Diaz** started a private practice in 1993.

**Patrick Flynn** is practicing in the Fifth Avenue Financial Centre. A member of the Pacific Beach, Calif., town council and Pacific Beach Planning Committee, he worked on the community plan update (a 20-year blueprint for Pacific Beach). He also serves as appointed legal counsel for the Pacific Beach Citizen's Patrol. He and his wife celebrated their fifth wedding anniversary last summer.

**Kathryn Ann Gooding** (LL.M '92) married Alfredo Coronado Valverde Jr. in July. She is the in-house counsel and marketing communications coordinator for the Wavetek U.S. Corp.

**Mark Hall**, president of the Black Law Student Association, reported that three BLSA members from the University of San Diego received awards at the Earl B. Gilliam Awards Dance in recognition of outstanding service. Those students were **Stephanie Mire '91**, **Ian Lockhon '92** and **Michelle Smith '91**. Five hundred people were in attendance and several major law firms in San Diego bought tables. The event was very successful and everyone from the University of San Diego enjoyed themselves.

**Dave Kaplan** decided against the fast track "courtroom drama" of civil litigation in favor of a family and a national commercial real estate investment company begun by his father 33 years ago. He married his wife, Melissa, last summer, and became stepfather to three daughters. The couple is happy to announce the birth of their first child together, Cassandra Leigh, on Jan. 13. David plans to enter a Master's in Teaching program in Spokane, Wash., this June, with the hope of teaching middle school beginning in the fall of 1995.

**Matthew A. Keces** moved to Tokyo to work for a Japanese steamship company after passing the California Bar. In July 1993 he married Tamara Malka Vinograd, who currently works for Sony Corp. while Matthew continues his involvement in international business and legal

affairs. They intend to live in Tokyo for another one or two years.

**Dennis S. Knight** and his wife, Nancy, are the delighted parents of their son, Thomas Ryan, born Jan. 6, 1993.

**David Vincent Kraus** since graduation has dealt with contracting, joint venture and other healthcare transactional matters in his position with University of California, San Diego, Medical Center. David also has a private practice servicing environmental and medical clients. He and his wife, Jennifer, are most proud to announce the birth of their first baby, Kendall Frances, on Aug. 6, 1993.

**Dawn J. Levi** gave birth to her daughter, Victoria, while still in school. She passed the California Bar and worked part-time for a sole practitioner. Dawn has done little law work since the birth of her son, Zachary, in November 1993. She watches Blake Madruga four days a week for former classmates Sarah and Rick Madruga.

**Michael G. Lubitz** passed both the Oregon and State of Washington bar exams before joining Kyocera Corp., where he has been inside counsel since September 1991. Michael's son, Joseph Benjamin, was born the day he received his Oregon Bar results.

**John McConnin** recently established his own firm where he does criminal defense, personal injury and plaintiff work. As part of his firm he has established "Attorney Mortgage Services," a company he owns with a few partners.

**Claire Nelson** married Lt. Amos Gallagher in September 1993. After practicing in San Diego with Straus, Kissane & Cook, Claire relocated to New Jersey, where she passed the New Jersey Bar and joined the environmental department of Hoagland, Longo, Moran, Dunst & Doukas in New Brunswick, N.J.

**Carol A. Spils** passed the Alaska Bar and later joined the Washington, D.C., office of Sen. Murkowski, where she now serves as the environmental law legislative assistant. Her other fields of practice include governmental affairs, rules, labor and human resources, judiciary, agriculture, ethics, and aging. "So I am kept busy!" she says.

**Jamie Sternberg** continues to practice general litigation with an emphasis in real estate matters for Nostrand and Lange. She married Wayne Knorck in the summer of 1992, and they recently purchased a home in Tierrasanta, Calif., overlooking Shepard Canyon.

**Leann A. Sumner** is an associate with The Law Offices of Gary E. Pike, specializing in family law.

**Tim Walsh** continues to work as a deputy district attorney and is presently assigned to juvenile, where he is prosecuting interesting felony cases. Tim was elected for a two-year term to the USD law alumni board of directors. Tim is the class agent for the Class of 1991. Classmates with news can write directly to Tim. Watch your mail for his letters.

**Carol Wilkinson** is working in Washington, D.C., with the narcotics section of the criminal division of the Department of Justice. She greatly enjoys working and living in D.C. A number of classmates have visited Carol in the nation's capitol, and she looks forward to seeing more in the future.

## '92

**Nicola S. Blair** is an associate with The Law Offices of Gary E. Pike, specializing in family law.

**Dorothy Daniels** joined the San Diego County public defender's office in 1993.

**Theodore J. Griswold** joined the San Diego office of Best, Best & Krieger, specializing in natural resources and environmental law.

**Susan E. Sommers** married Navy Lt. Richard N. Larsen on Aug. 7, 1993. She practices with Michael Radford & Associates.

**Robert K. Sparks** (B.B.A. '89) is practicing with the law firm of Pyatt & Eglet in Las Vegas, specializing in insurance defense.

**Robert D. Strauss** is teaching constitutional law and criminal procedure at Lourdes College. He also is an assistant prosecutor for Wood County, Ohio.

## '93

**Stephanie Delaney** is an assistant attorney general for the state of Washington.

**Kendra Hall** joined the firm of Klinedinst, Fliehm, McKillop & Jones as an associate.

**Mary Katharine A. Fowler** lives in Pasadena, Md., and works for the Annapolis public defender's office.

**Marc. S. Goldin** is an associate with O'Kain & Joy in Irvine, Calif. He and his wife, Alyssa, are expecting their first baby.

**Dayna Pineda** has joined Gray, Cary, Ware & Friedenrich.

**Tamela Ridley** received the Sharp Rehabilitation Services Eagle Spirit Award, which celebrates the power of the human spirit to conquer disabilities. Ridley, who became a quadriplegic after a swimming accident 10 years ago, is a lawyer with Frega & Tiffany in San Diego. Since her accident, she completed her undergraduate and law degrees, and received one of the 1993 Dean's Distinguished Service Awards.

**Adam E. Slonim** is an associate with The Law Offices of Gary E. Pike, specializing in family law.

**Mary A. Smigielski** announced the opening of her new law offices in San Diego in the spring of 1994.

**Frank Tobin** is a new associate with Chapin, Fleming & Winet.



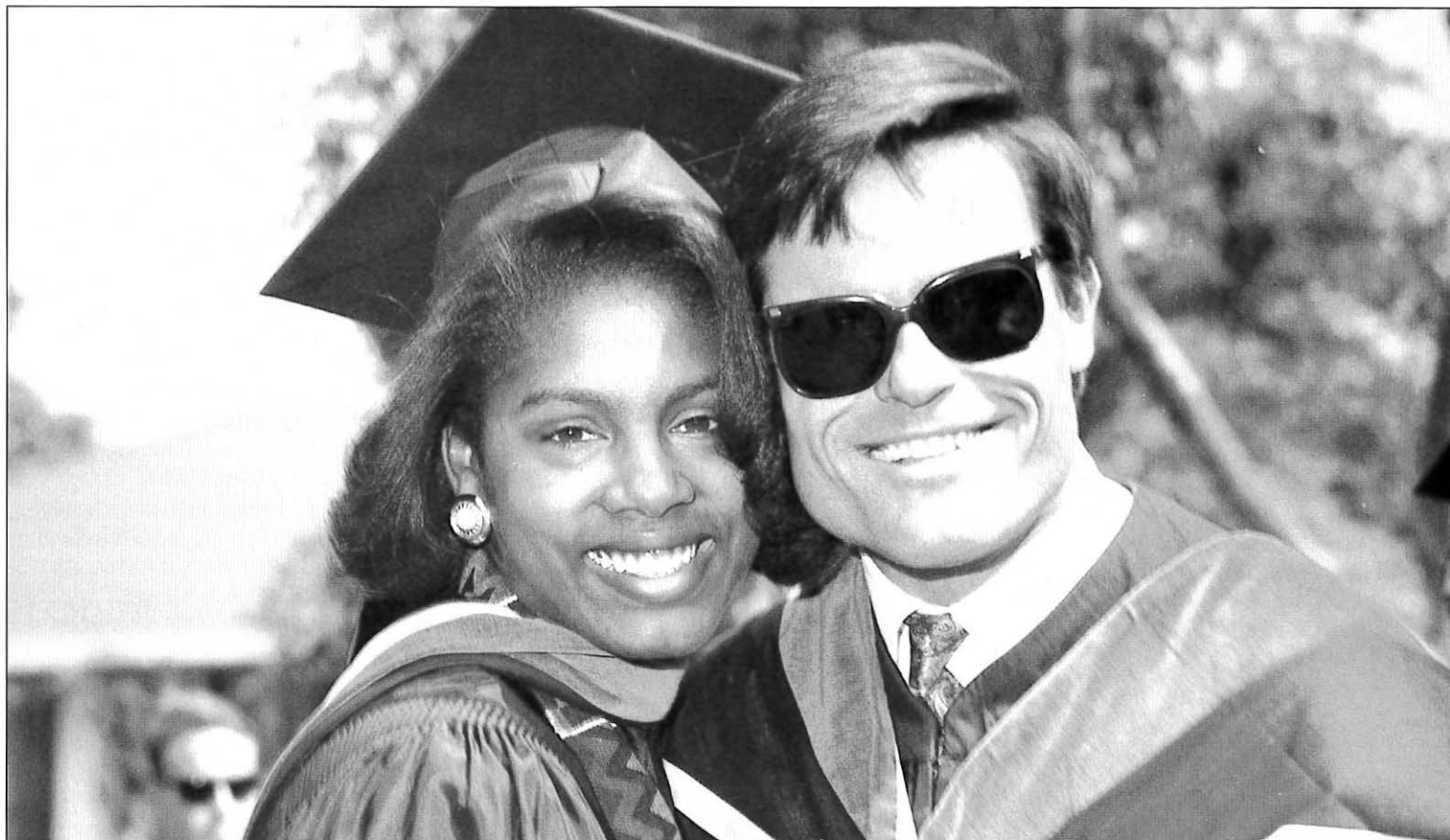
**Gia Le Vin-Honnen** joined the San Diego office of Sheppard, Mullin, Richter & Hampton as a junior associate in the labor department.

## IN MEMORIAM

*The School of Law community extends deepest sympathy to the families and friends of the deceased.*

**Tom Calverly '68**, age 52, died of cancer on Feb. 4. He served as San Diego deputy city attorney for the past 24 years.

**Jim Stacy '73**, age 49, died of a heart attack Feb. 10.



Angela Moore '93, who works for Davis Wright Tremaine in Seattle, and Luke Ryan '93, currently employed at McInnis, Fitzgerald, Rees & Sharkey in San Diego, share a friendly moment at the 1993 commencement ceremonies.

## Career Services

Listed in this chart are preliminary highlights of the Class of 1993 employment report and salary survey.

### CLASS OF 1993

(Of Students Reporting;  
Percentages Are Approximate)

### EMPLOYMENT RATE

(All Employer Types)

89%

### AREAS OF PRACTICE

Private Law Firm

64%

Government

15%

Business

12%

Judicial Clerkships

4%

Public Interest

2%

Other

3%

### GEOGRAPHIC LOCATION

Pacific

79%

Southwest

11%

Midwest

2%

Northeast

5%

Southeast

3%

### SALARY RANGE

(All Job Types)

\$34,000-\$75,000



# 1994 Graduation Awards

## CENTER FOR PUBLIC INTEREST LAW/CHILDREN'S ADVOCACY INSTITUTE

**Outstanding Contributor to the  
*California Regulatory Law Reporter*:**

Ronaldo Espinoza,  
Arne Rovell (co-recipients)

**Outstanding Public Interest Advocate:**

Diane de Kervor

**Outstanding Child Advocate:**

Nieva van Leer

## LEGAL CLINIC AWARDS

**Outstanding Civil Clinic Intern:**

Cynthia Sage

**Outstanding Criminal Clinic Interns:**

William Daniels, Theresa Eckberg

**Outstanding Environmental Clinic Intern:**

Kevin Kemper

**Outstanding Immigration Clinic Intern:**

Douglas Nelson

**Outstanding Patient Advocacy Clinic Interns:**

Adrienne Kusmier, Richard Prager

## BISHOP BUDDY AWARD

Michèle Brown

## INTERNATIONAL ACADEMY OF TRIAL LAWYERS AWARD

Christine Graves

## MOCK TRIAL PROGRAM

Wendy Angus, John Callahan,  
Sabin Celatka Jr., Geoffrey Graves,  
Adrienne Kusmier, Stephen McGreevy,  
Stephen Polapink, Robin Segal,  
Courtney Wheeler, Susan Woods

## AMERICAN BOARD OF TRIAL ADVOCATES

**Outstanding Trial Competition Team:**

Wendy Angus, Stephen McGreevy

## THORSNES, BARTOLOTTA, MCGUIRE AND PADILLA AWARD

**Excellence in Trial Advocacy:**

Wendy Angus, Stephen McGreevy

## MOOT COURT PROGRAM

**Board Members:**

Anastacia Adamson, Vincent Brunkow,  
Robert Cocchia, Corinne Coleman,  
Catherine Cottis, Denise Draper,  
Timothy Earl, Katherine Flaherty,  
Christine Graves, Kathryn Meola,  
Geoffrey Morrison, Peter Salmon,  
Quisteen Shum, Jack Yeh

**Statue of Justice:**

Christine Graves

## PRACTISING LAW INSTITUTE AWARDS

**Excellence in Moot Court Competition:**

Anastacia Adamson, John Callahan,  
Corinne Coleman, Katherine Flaherty,  
Christine Graves, Geoffrey Graves,  
Adrienne Kusmier, Geoffrey Morrison,  
Susan Woods

## ORDER OF BARRISTERS AWARD

Wendy Angus, Vincent Brunkow,  
Sabin Celatka Jr., Robert Cocchia,  
Catherine Cottis, Timothy Earl,  
Stephen McGreevy, Stephen Polapink,  
Robin Segal, Courtney Wheeler

## LAW REVIEW AWARDS

**Members:**

Sarah Barone, Dustin Branch,  
Marc Carpenter, Michael Churchill,  
Christine Dabrowski, Daniela Davidian,  
Suzanne Evans, Bradley Fields,  
Brenden Griffin, Duane Horning,  
Christopher Ivey, Clare Kelsey,  
Kevin Kemper, Nathan Longenecker,  
James Markum, Michael Morehead,  
Geoffrey Morrison, John Nagashima,  
Scott Patterson, Mathias Samuel,  
Quinn Scallon, Jeanine-Gigi Scatena,  
Steven Wellington

**Editors:**

Francis Bottini Jr., Kathleen Brennan de  
Jesus, John Callahan, Kristen Harkness,  
Christian Humphreys, David Johnson,  
Kelly Morehead, Charles Nutley, Larry  
Oliver, Edward Pernal, Jr., Arne Rovell,  
Marjeta Six, Timothy Tatro, Sandra Turner,  
Julie Vogelzang, Matthew Wakefield

**Editor-in-Chief:**

Christian Humphreys

## MASTER OF COMPARATIVE LAW AWARD

**M.C.L. Student with Highest Grade Point  
Average:**

Peter Vetter

**COMMUNITY DEFENDERS INC.  
AWARD****A Demonstrated Commitment to Indigent  
Criminal Defense:**

Laurie Brenner

**JOSEPH P. BUSCH JR.  
CRIMINAL JUSTICE AWARD****Outstanding Student in Criminal Justice:**

Kathryn Meola

**LAW ALUMNI ASSOCIATION  
SERVICE AWARD****Outstanding Service to the Law School:**

Bradley Fields

**MATTHEW MADNICK  
INSURANCE LAW AWARD****Excellence in Insurance Law:**

Christine Dabrowski

**PETER DURBIN MEMORIAL  
AWARD****Greatest Increase in Grade Point Average,  
1st to 3rd Year:**

Adrienne Kusmier

**IRVIN J. KAHN AWARD****Excellence in Real Property Courses:**

Steven Wellington

**RANDOLPH A. READ LAW  
AND PSYCHIATRY AWARD****Outstanding Contribution  
to Law and Psychiatry:**Adrienne Kusmier and  
Diane Lance (1993 co-recipients),  
Troy Wright (1994 recipient)**JAMES R. WEBB  
ENVIRONMENTAL LAW AWARD****Outstanding Student in Environmental Law:**

Dorian Greene

**BRUNDAGE AND  
ZELLMANN AWARD****Excellence in Labor Law:**

Matthew Wakefield

**GENERAL GEORGE W.  
HICKMAN JR. AWARD****Outstanding Student in Constitutional Law:**

Kristen Joy Parker

**BUREAU OF NATIONAL  
AFFAIRS AWARD****Greatest Increase in Grade Point Average,  
Final Year:**

Erinn Madden

**GRADUATE TAX AWARD****Excellence in Federal Tax Policy:**Francis Bottini Jr., Kristin DeCato,  
Susan Shafi**RESEARCH INSTITUTE OF  
AMERICA INC. TAX AWARDS****J.D. Excellence in Taxation Law:**

Paul Sandberg

**LL.M. Excellence in Taxation Law:**

Amy Vaughn

**RALPH GANO MILLER  
TAX AWARD****Excellence in Taxation Law:**

Paul Sandberg

**DISTINGUISHED  
SERVICE AWARDS**Anastacia Adamson, Bradley Fields,  
Christine Graves, Denise Hickey,  
William Nelson III, Peter Salmon**DEAN'S AWARDS FOR  
LEGAL SCHOLARSHIP***West Publishing Awards Program***Highest Cumulative Grade Point Average,  
Evening Division:**

Duane Horning

**Highest Cumulative Grade Point Average,  
Day Division:**

Scott Patterson

**Aug. 22**

First day of law school classes.

**Aug. 27**

SBA-sponsored fall picnic.

**Sept. 13 - Oct. 14**

ON CAMPUS INTERVIEWS

Contact Susan Benson,  
Career Services, (619) 260-4771.

**Sept. 16, 17 & 18**

LAW ALUMNI WEEKEND '94

\*Reunions for the Classes of 1958-62, 1964,  
1969, 1974, 1979, 1984 and 1989.

\*Michael Mohr Memorial Golf Tournament.

\*Distinguished Alumni Award Luncheon  
1994 Recipient: Mary E. Harvey '59.

\*MCLE classes for all alumni.

\*All-alumni reception at Gorilla Tropics  
exhibit at the San Diego Zoo.

Contact Linda Sweet (619) 260-4692.

**Sept. 21 - 23**

ALUMNI TORT COMPETITION

Contact Robert Beal (619) 260-4600, ext. 4530.

**Oct. 19**

SHARON SIEGAN MEMORIAL LECTURE

Lecturer: The Honorable Antonin Scalia.

Contact Linda Sweet (619) 260-4692.

**Oct. 26 - 30**

TOURNAMENT OF CHAMPIONS

National Mock Trial Competition.

Contact Professor Richard Wharton (619) 260-2348.

**Oct. 27**

MINORITY MENTORING  
PROGRAM RECEPTION

Hahn University Center.

Contact Professor Janet Madden '84  
(619) 260-4600, ext. 2293.

**Nov. 10**

CHICAGO ALUMNI RECEPTION

Contact Kathleen Quinn (619) 260-4692.

**Nov. 9 - 13**

SAN DIEGO DEFENSE LAWYERS  
MOCK TRIAL COMPETITION

Contact Professor Richard Wharton (619) 260-2348.

# On The Docket



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