Privacy Issues

• Privacy in the Wake of September 11
• The Privacy Fallacy, or... Thank You, Scott McNealy
New Pathways to Learning at Moritz Law

Those who follow in your steps at Moritz Law will have extraordinary new pathways to learning, as the college seizes opportunities provided by recent gifts and a large award (“Selective Investment”) from the university. Here are a few highlights of the additions to the learning environment, some expanded upon in this issue of the Law Record:

• Six extraordinary new faculty will come aboard this summer. We have just filled the new J. Gilbert Reese Chair with the hiring of Dale Oesterle, a preeminent corporate law scholar who has been on the law faculties at Cornell and Colorado. The Joseph S. Platt/Porter Wright Morris and Arthur Professorship allowed us to lure Peter Shane, a former law dean and a distinguished scholar in administrative law and cyber law, to head our Center for Law, Policy, and Social Science. We also have stunning new hires in commercial law, dispute resolution, civil litigation, evidence, and clinical programs—all with the field-specific expertise to provide students the highest quality of rigorous scholarship.

• Fifteen Moritz Law students are headed for Washington, D.C., to become interns in federal agencies and take classes on regulatory and policy topics. Professor Peter Swire leads the new program, drawing on his expertise in the area of privacy and regulatory law, and his experience as the Chief Counselor for Privacy in the U.S. Office of Management and Budget from 1999 to 2001.

• The new Ohio State Journal of Criminal Law prepares to publish its first issue, focused on the changes in criminal law since 9/11. A second issue, on the effects of Enron/WorldCom collapses on criminal law, is being prepared for next spring. This will be the college’s third law review.

• Moritz Law’s enhanced writing program continues to produce students who are honored nationally for their articles and briefs. One student, Franklin E. (Gene) Crawford, has won the prestigious new Burton Award, given in association with the U.S. Library of Congress and other co-sponsors for the best 10 legal writings by students on any subject. In addition, several Moritz Law students received honors for their briefs in national or regional moot court competitions.

• Many events have enhanced the learning environment for students and enticed a number of you to return to the college—the Conference for Senior Corporate Counsel, Judges’ Day, Public Service Day, a visit by Justice Sandra Day O’Connor co-sponsored with the Glenn Institute, a conference on retirement security, the Woodside series on law and poverty, and a steady stream of symposia on law-related current events. The gift from Michael E. Moritz ’61 has permitted us to continue to engage students outside as well as inside the classroom.

• A number of the faculty are eagerly using the four retro-fitted “smart” classrooms with podium control for presentation software, video clips, and the Internet. Their demand has already out-stripped supply, and we’ll renovate to create four more “smart” classrooms by fall and soon after hope to have the moot courtroom technologically enhanced.

Your example continues to inspire current students, and you continue to reach out to them as mentors. Over the last few months, the students have read about Moritz Law graduate Jeff Sutton’s ’90 Senate confirmation as a judge on the U.S. Court of Appeals for the Sixth Circuit. They have honored Robert M. Duncan ’52, as we celebrated the new Robert M. Duncan/Jones Day Designated Professorship. Both Moritz Law graduates who are U.S. Representatives—David L. Hobson ’63 (R-Ohio) and Michael G. Oxley ’69 (R-Ohio)—returned to the college this year to speak to students and alumni. Many students are taking advantage of the new computer-based access to alumni mentors through the Professional Development office via Monstertrak. You have been responsive to informal requests for help—Alan Briggs ’67 recently found three alumni to advise a student interested in a career as a Washington lobbyist. Twenty graduates returned to join me for coffees for small groups of students who asked questions about the practice and the profession and were spellbound as graduates told of their experiences.

In short, we continue to be proud of you, want to bring you back, and are grateful for your continuing interest in current students. You’re helping us build a great law school.
Privacy in the Wake of September 11  by Peter Swire

The Privacy Fallacy, or... Thank You, Scott McNealy  by Sol Bermann

Faculty News

New Faculty Named

PILF Auction Benefits Public Interest Fellowships

Summer in Washington: New Program Heats Up  by Mike Shriner

An Oxford Summer: Education and Experience  by Mike Shriner

A Supreme Visit: Justice O’Connor Comes to Campus

Ohio State Sponsors Estate Planning Seminar

Thank You, Class of 1987

In Memorium

2003 Alumnus Award Winners Announced

Sutton Confirmed for Sixth Circuit Court of Appeals

Keep the News Coming...

The Annual Alumni Return: It’s All about Friendship
To understand privacy law in the wake of September 11, we must understand the origins of much of that law, principally during the 1970s. By the middle of that decade, there was clear evidence of widespread lawlessness and surveillance by the FBI, CIA, and other federal agencies. As part of my study on how to think about September 11, I re-read a book from the period, *The Lawless State: The Crimes of the U.S. Intelligence Agencies* by Jerry Berman, Morton Halpern, and others. This copiously documented book, together with the famous hearings of the period led by Senator Frank Church, lets us see the history that shaped the legal regime that was in place by 2001.

One theme of this history is that the Executive Branch had expanded its surveillance activities enormously under both political parties. Attorney General Robert Kennedy, for instance, personally authorized comprehensive wiretaps of Martin Luther King Jr. for a period of two years. FBI agents leaked information from the surveillance to the press and even sent an anonymous death threat to Dr. King as part of a warning not to accept the Nobel Peace Prize. Under President Nixon, the FBI infiltration of political groups expanded in the well-known COINTELPRO and other programs. This infiltration and surveillance applied to what might be called “fringe groups,” such as the Ku Klux Klan and the Black Panthers. But it extended deep into the mainstream, so that a substantial fraction of the delegates to the 1972 Democratic National Convention were under direct FBI surveillance as well.

In this period of “The Lawless State,” secret dossiers and illegal operations expanded in numerous ways. Internal revenue files were scanned for political advantage. The FBI maintained files on political figures that could be used to blackmail potential critics into silence. The CIA, supposedly prohibited from acting within the United States, began doing operations in ports and then expanded into hundreds of other now-revealed domestic operations. Overseas, the CIA participated in the planned assassination of Chilean President Allende, gave secret funding for foreign elections, and did many other “black operations” that were hidden from Congressional and other oversight.

Few laws operated to check these ongoing abuses. Despite a federal statute governing wiretaps, the president and the U.S. attorney general claimed an unlimited ability to wiretap within the United States for “national security” purposes. State officials could wiretap without any federal limits until 1968. For many, the ongoing Communist threat justified extreme measures. For many, as demonstrators marched on campus and riots hit the cities, extreme measures were needed to maintain civil order at home.

In time, however, the criminal and unchecked actions of the U.S. law enforcement and intelligence agencies spurred a profound backlash. The Supreme Court aggressively applied the Fourth Amendment to wiretaps in cases...
such as Katz vs. United States and Berger v. New York. These decisions led to the landmark wiretap statute of 1968, enacted as “Title III” of that year’s crime bill. Title III established strict, national standards for judicial review of both federal and state wiretaps. The Privacy Act of 1974 barred the use of secret dossiers by federal agencies, assuring the right of individuals to see the files kept on them by government. The Freedom of Information Act amendments in 1975 were part of a broader “government in the sunshine” movement that flourished in the wake of the Watergate investigations.

The privacy legislation continued. In 1978, Congress enacted the Foreign Intelligence Surveillance Act (FISA), which stated that federal judges, in a special secret court, would oversee wiretaps done in the United States against agents of a foreign power. The claimed inherent power of the President to issue wiretaps was thus confined—Article III judges would instead have to approve even wiretaps against spies and other foreign agents in the United States. In 1984, Congress passed the Electronic Communications Privacy Act (ECPA), extending many of the protections in Title III to the burgeoning realm of e-mail and other online communications.

In short, the Congressional hearings and other investigations of the 1970s demonstrated a history of abuse of power and lack of accountability. Congress then enacted numerous, broad laws that extended well beyond the minimum provided by the Constitution to limit surveillance and protect personal privacy. At the same time, Congress enacted new laws to create openness in government, promote accountability, and assure that an “imperial presidency” would not once again seize unchecked power.

**September 11 and the USA-Patriot Act**

A central theme of my current work is that our decisions today, in the wake of September 11, must be made with full awareness of this documented history of abuses of executive power. It is my belief, based on my time in the federal government, that the statutory and institutional changes from the 1970s had indeed created a system where compliance with the law had become routine. In one private discussion with a long-time FBI lawyer, for instance, he stated candidly that agents didn’t worry much about following the laws in “the old days,” but that the culture had changed dramatically since the 1970s. The concern now is that we could see a change back, and surprisingly soon.

The week after the September 11 attacks, the Bush administration proposed legislation that was soon enacted as the USA-Patriot Act. This law contained a significant rollback but not an entire repeal of previous surveillance law. A number of the provisions were sensible ones that I supported from my experience in chairing the Clinton Administration’s proposal in 2000 to update wiretap and surveillance laws for the Internet. Roughly speaking, though, the USA-Patriot
Act doubled the number of new surveillance powers that we had proposed. The administration's proposal also contained none of the privacy-enhancing amendments that we thought were needed to update the 1984 ECPA.

The USA-Patriot Act, however, has become a prelude for additional attempts to repeal privacy protections. Last summer, the administration proposed the “TIPS” program, in which mail carriers, cable installers, and others would be encouraged to look around people’s homes and call a government toll free number if they found evidence of terrorist activity. A bipartisan coalition in Congress barred that program. In the fall, we learned of the “Total Information Awareness” system that was being spearheaded by Admiral Poindexter, an official who was convicted by a jury of lying to Congress in connection with Iran-Contra. This system, developed in the Defense Department, was designed as a sort of vacuum cleaner for medical, financial, and other private sector records about Americans. Despite efforts by the Bush Administration to save the system, a bipartisan coalition in Congress has stopped its funding. More recently, the details of a proposed “Patriot II” law have become public. This proposal is roughly as sweeping as the USA-Patriot Act. If enacted, it would accelerate the ability of law enforcement and intelligence agencies to perform surveillance in the United States and share the information as they deem fit, with few legal limits. Patriot II would also further implement the administration’s policy of limiting the Freedom of Information Act and other laws that provide government in the sunshine.

In my ongoing academic work, I am exploring the concepts that underlie the current administration’s push to repeal privacy protections and increase government secrecy. In its defense, the administration repeatedly has asserted that it is acting “consistent with the Constitution.” This assertion, however, offers surprisingly little comfort when it comes to wiretaps and surveillance more generally. Courts have been cautious in saying that individuals have a “reasonable expectation of privacy” that requires a judicial order under the Fourth Amendment. In our networked age, a very large portion of “private” records are instead held by third parties such as banks, hospitals, and Internet service providers. Consistent with current Constitutional law, these third parties are free to divulge the records to the government. It is only statutes—the statutes that the government is seeking to repeal—that provide any privacy protection for the many records held by other parties.

In closing, we should not let the anti-terrorism measures of today turn into the anti-Communist and other excesses of decades past. Just as the Communist threat lasted for decades, we are likely to face terrorist enemies for the long haul. A previous generation saw what abuses of power in the name of liberty looked like—a lack of accountability and institutionalized lawlessness. We should learn from that history so that it does not happen again.
Sol Bermann is a 1999 graduate of Moritz Law and is the Operations Manager of the Fisher College of Business Technology Policy Group at Ohio State.

The Privacy Fallacy, or... Thank You, Scott McNealy

“You have no privacy anyway, so get over it” — Scott McNealy

In 1993, Mosaic, the first browser to navigate the Web, was launched. The ease of access to personal information via the World Wide Web, thanks to these web browsers, has led to an increasing public awareness of issues surrounding privacy and the handling and use of personal data. For seven years, the focus of privacy debates circled around the use of consumer information by the corporate world. September 11, 2001, changed all of that. In the past two years, the debate about privacy has shifted from big business as Big Brother to more Orwellian notions of government as Big Brother.

National Security and Privacy

You walk into an airport; cameras follow you. They zoom in to scan the image of your face and deposit the data into a central repository. Inside, you go through metal detectors and past bomb-sniffing dogs. More cameras follow you at every turn. At the ticket counter, the agent asks for your ID and ticket information. A computer program reviews this information and checks it against other travel, recent credit card purchases, hospital stays, telephone calls, and more.

Sounds intrusive. Sounds like Big Brother. But what if the United States had had something like the proposed Total Information Awareness (TIA) system in place the morning of September 11? It would seem quite likely that the 19 hijackers would have been stopped at the airport gates, when they signed up for flight school, or even crossed the border into the United States.

In the post-September 11 world, shouldn’t the government use every means at its disposal to mitigate threats? In times of world crises and “Red Alerts” by the Office of Homeland Defense, isn’t safety and security more important than civil liberties?

The American people seem to think so. According to a June 2002 poll by ABC News, 79 percent say it’s more important right now to investigate terrorism, even if that means intruding on personal privacy. Just 18 percent say it’s more important not to intrude on privacy, even if that limits counterterrorism efforts.

Drilling deeper, the poll found that most Americans support expanded FBI surveillance even though most (62 percent) saw it as an encroachment on individual privacy rights. An even more telling statistic is that among those who viewed increased surveillance as an intrusion, 52 percent supported it anyway!

A separate ABC News/Washington Post poll found 64 percent of Americans support broader FBI authority to monitor public places such as libraries, places of worship, and Internet chat rooms—even though most see this as an intrusion on privacy rights.

What seems like a contradiction is actually a clear statement. From the USA-Patriot Act to poll numbers, given the tenor of the times, Americans prefer personal safety and national security to privacy and related civil liberties.

Consumer Data and Privacy

While September 11 slowed the debate surrounding consumer privacy issues and the free flow of information, the subject has certainly not completely disappeared. Federal legislation, such as the Gramm-Leach-Bliley Act and HIPAA, guide financial institutions and users of patient information on how to use and safeguard personal information. But outside these two areas, contention remains about the use of consumer data by everyday businesses.
It is ironic that storeowners may now see their customers as, somehow, intrusive. Don’t you like the feeling when a salesperson remembers your name from a previous visit? Don’t you wish that that same salesperson knew what sorts of products you liked and knew to either offer a selection of them each time you visited, or hold them so that you could pick them at your convenience? If you were treated this way, wouldn’t you be willing to reveal more personal information about yourself (phone number, address, e-mail) in order to assist the salesperson in notifying you about sales, special offers, and the like? Isn’t all of the above just good customer service?

Yet there are many who see these very activities, when applied to the Internet, as offensive and as violations of privacy.

Compiling the personal information of customers and consumers allows for greater business efficiency by allowing businesses to produce only products that people want. It reduces waste. By allowing companies to know what you really want, you will not receive catalogs, spam, and other junk mail in which you have no interest. Rather than seeing the giving of personal information as an intrusion, this level of customization through customer interaction is actually a win-win for both businesses and consumers.10

Conclusion

Scott McNealy’s quote is a bit hyperbolic. Americans do have significant privacy protections, and privacy is, indeed, part of the American tradition. The government has worked hard to safeguard how you are treated as a citizen and how your vital financial and medical information is treated. These protections can go hand-in-hand with increased citizen scrutiny (which leads to better national security and safety and saves lives) and enhanced sharing of consumer data (which leads to greater business efficiency and customer satisfaction). Americans must keep in mind that there is a difference between Big Brother and the flow of information that ensures our economic and physical well-being.

This article was written upon request. The views expressed here do not necessarily reflect those of the author.

Privacy 2003

The Moritz College of Law and the Fisher College of Business Technology Policy Group have been active in educating the private and public sectors on privacy and security issues. Join us for Privacy2003, the fifth annual conference in the Privacy2000 conference series, September 30–October 2, 2003, at the Blackwell on the Ohio State campus.

The Privacy2000 conference series is nationally renowned for its non-partisan approach to educating business, government, and citizens on the latest policies, ideas, and best practices from the privacy and security fronts.

Because Privacy2000’s only agenda is to drive home the importance of privacy and security for success in e-commerce and e-governance, it bridges the gap between the needs of business and government and the concerns of consumers and privacy advocates.

Each year the conference provides the unique opportunity for business, government, service providers, researchers, policy makers, academics, and the community to come together in the spirit of partnership, exchange cutting-edge ideas, and share best practice experiences.

The Privacy2000 conference series has played host to internationally known speakers on privacy and security issues and was the venue where FTC chair Timothy Muris first outlined President Bush’s privacy agenda.

Aside from its reputation as a conference “where work gets done,” Privacy2000 also hosts networking receptions at such exciting locales as the Rock and Roll Hall of Fame; Jacobs Field, home of the Cleveland Indians; and Ohio Stadium, home of the 2002 national football champion Ohio State Buckeyes.

For more information on Privacy2000, contact Sol Bermann, Operations Manager, Technology Policy Group; (614) 688-4578; sberman@cob.osu.edu; or see http://www.privacy2000.org.
Moritz Law faculty are committed to community service and outreach and are called upon frequently for their expertise, whether to speak at a symposium, write a brief, or comment as an expert to the media. Recent activity is noted in chronological order below.

Lectures etc...

Deborah Jones Merritt, keynote address, “Reconnecting Government and Citizens,” annual conference of the National Legislative Program Evaluation Society, a unit of the National Conference of State Legislatures (see the NCSL web site at http://www.ncsl.org/programs/nipes/training/fallconf/pdfs02/recongovt.htm), September 19

Sharon Davies, panelist, Evidence Workshop, Professional Education Systems Institute (PESI), Columbus, October 4

Nancy Rogers, keynote speaker and panelist, John A. Speziale Alternative Dispute Symposium, Connecticut Bar Foundation, Quinnipiac University School of Law, October 2


Katherine Wise, keynote speaker (via the Internet), “Partners in Access to Justice: Legal Aid Offices and Service Learning Programs, Ohio Campus Compact, Muskingum College, November 1

Allan J. Samansky, “Introduction to Accounting,” at Finance and Accounting for Attorneys, CLE sponsored by the Ohio State Bar Association, November 6

Katherine Wise, seminar for property owners and managers on lease agreements, Columbus, November 6

Deborah Jones Merritt, luncheon address, “States’ Rights, Responsibilities, and the New Federalism,” orientation for newly elected members of the Ohio General Assembly, November 7

Louis A. Jacobs, co- taught U.S. Constitutional Law with Capital University Law Professor Susan Gilles, Ohio Judicial College, Columbus and Cleveland, November 8 and 22

Peter Swire, “Legal Trustwrap: The Role of Law in Encouraging Privacy and E-Commerce,” Enforcing Privacy Rights Conference, University of California, Berkley, School of Law, San Francisco, November 15


Deborah Jones Merritt, ways to train and encourage young women to seek public leadership positions, Columbus Metropolitan Club, November 20

Ruth Colker, overview of legal issues facing gay, lesbian, and bisexual individuals in the workplace and society, “Marketing Leadership: Capturing the Gay Market,” Fisher College of Business, The Ohio State University, November 21


Edward B. (Ned) Foley, workshop speaker, “McCain-Feingold, Disclosure, and Corporate Electioneering,” Salmon P. Chase College of Law, Northern Kentucky University, Highland Heights, Kentucky, November 22

Sharon Davies, “Profiling Terror,” 16th International Conference of the International Society for the Reform of Criminal Law (ISRCL), Charleston, South Carolina, December 10


Mary Beth Beazley, “Better Writing, Better Thinking,” Section of Legal Writing, Reasoning, and Research, annual meeting of the Association of American Law Schools, Washington, D.C., January 2

Sarah Cole, workshop chair, “Arbitration Pedagogy,” workshop on Dispute Resolution: Raising the Bar and Enlarging the Canon, annual meeting of the Association of American Law Schools, Washington, D.C., January 3
Edward B. (Ned) Foley has been named the Robert M. Duncan/Jones Day Designated Professor of Law at the Moritz College of Law.

Foley has taught at Ohio State since 1991 and has been a full professor since 1997. From 1999–2000, he took a leave to serve as State Solicitor in the office of the Ohio Attorney General. An expert in constitutional law, election law, and education law, he was a clerk for U.S. Supreme Court Justice Harry A. Blackmun. He also clerked for Chief Judge Patricia M. Wald of the U.S. Court of Appeals for the D.C. Circuit.

A graduate of the Columbia University School of Law in New York, Foley was the writing and research editor for the prestigious Columbia Law Review and the recipient of numerous academic awards. He received a bachelor of arts degree magna cum laude from Yale University.

The Robert M. Duncan/Jones Day Designated Professorship of Law was approved by the Board of Trustees at Ohio State on March 5. The professorship was made possible by gifts from Moritz Law graduates at the international law firm of Jones Day. It recognizes the distinguished career of Duncan, a 1952 graduate of the college and university trustee who is a retired partner of Jones Day.

Foley began his career in general practice. He then served in succession as an assistant Attorney General for the State of Ohio, an Attorney Examiner for the Bureau of Workers’ Compensation, assistant City Attorney for the City of Columbus, the chief of the Workers’ Compensation section of the Ohio Attorney General’Office, and ultimately as the chief counsel to the Attorney General.

He began his judicial career when he became a judge in the Franklin County Municipal Court. In 1969, he was elected to the Supreme Court of Ohio where he served until his appointment as judge of the United States Court of Military Appeals in 1971. In 1974, he was named chief judge of that court, during which time the court heard the military appeal of Lt. William Calley Jr. Shortly thereafter, he was appointed to the United States District Court for the Southern District of Ohio. While in that position, he presided over the landmark order ending segregation in the Columbus Public Schools.

Since leaving the court, he has been a partner at Jones Day and served as vice president and general counsel in the office of Legal Affairs at Ohio State. He also serves Moritz Law as its Jurist in Residence.

Nancy Rogers, panelist, “Dispute System Design,” workshop on Dispute Resolution: Raising the Bar and Enlarging the Canon, annual meeting of the Association of American Law Schools, Washington, D.C., January 3

Joseph B. (Josh) Stulberg, chair, “Building Community,” workshop on Dispute Resolution: Raising the Bar and Enlarging the Canon, annual meeting of the Association of American Law Schools, Washington, D.C., January 3


Nancy Rogers, speaker, Women Deans’ Roundtable: Becoming and Being a Law School Dean, AALS Executive Committee Program, annual meeting of the Association of American Law Schools, Washington, D.C., January 5

Deborah Jones Merritt, “Building an Ethic of Citizenship,” Columbus Rotary Club, January 6

Gregory Travailo, presentation (with others), “A Critical Examination of CLE in Ohio,” Franklin Inns of Court, Columbus, January 8
Mary Ellen O’Connell, “Arresting Suspects in the War on Terrorism,” Frederick K. Cox International Law Center, War Crimes Research Symposium: “The Role of Justice in Building Peace,” Case Western Reserve University School of Law, Cleveland, February 28
Deborah Jones Merritt, presenter, “Who’s Right to Bear Arms?” a discussion of the second amendment and constitutional interpretation, Winter College, The Ohio State University, Naples, Florida, March 1
Donald Tobin, presenter, “Of Corporate Corruption and Congressional Correction,” Winter College, The Ohio State University, Naples, Florida, March 1
Deborah Jones Merritt, panel discussion on affirmative action and pending U.S. Supreme Court case, sponsored by undergraduate groups, The Ohio State University, March 4
David Goldberger, “Hate Crimes Statutes: Designing Laws for People We Hate,” symposium on Perspectives on Hate Speech and Hate Crimes, sponsored by Harvard Journal on Legislation, Harvard Law School, Cambridge, Massachusetts, March 6
Douglas Whaley, lecture, “The History of Gay Rights in Columbus,” Moritz Law Diversity Week, Columbus, March 11
Arthur F. Greenbaum, panel discussion on “Uncommon Law,” “The McDonald’s Obesity Case (March 6). She will serve as the convener of one of the four working groups growing out of this meeting and continue as a member of the overall conveners group.

Information about this effort is available at www.thenextsteps.org.

Mary Beth Beazley, chair, Host School Selection Committee, Legal Writing Institute. The chair is charged with drafting criteria for, advertising for, and presenting appropriate candidates for a new host school for the institute. (She is currently on its board and is its former president.)
Arthur F. Greenbaum, member, The Ohio State University College of Medicine’s Professionalism Task Force

Awards and recognition...
Sarah Cole received the “Quid Pro Quo” award for outstanding contributions to students at the March 1 Barristers Ball, which was sponsored by the Student Bar Association at the Moritz College of Law.
Louis Jacobs was roasted at a dinner in his honor by the Ohio Workplace Fairness Fund on February 28 in Columbus.
Deborah Jones Merritt, together with Saul Cornell, associate professor of history and fellow in the Center for Law, Policy, and Social Science, secured a $400,000 grant from the Joyce Foundation to support a Second Amendment Research Center. The center will be housed in the Glenn Institute and cosponsored by Moritz Law and the Department of History at Ohio State.

Elections...
Gregory Travallo, District 7 Council of Delegates, Ohio State Bar Association, February 2003
Arthur F. Greenbaum, vice-chair, Supreme Court of Ohio Commission on Certification of Attorneys as Specialists

Legal consultation or testimony...
Allan J. Samansky testified before the Select Committee on Tax Reform of the Ohio House of Representatives regarding the advantages of the Ohio Personal Income Tax, some of the problems with the sales tax, and recommendations for improving the income tax (Columbus, September 25).
Deborah Jones Merritt coauthored an amicus brief supporting the University of Michigan in the challenge to affirmative action pending before the United States Supreme Court. The brief was written on behalf of the American Sociological Association and several other social science associations (submitted February 18).
Deborah Jones Merritt, together with Supreme Court of Ohio Chief Justice Thomas J. Moyer ’64, the Ohio State Bar Association, the League of Women Voters of Ohio, and the Bliss Institute, convened a day-long meeting of state leaders interested in ways to reform Ohio’s method of selecting judges (March 6). She will serve as the convener of one of the four working groups growing out of this meeting and continue as a member of the overall conveners group. Information about this effort is available at www.thenextsteps.org.

Appointments...
Katherine Hunt Federle, co-chair, Child Welfare Subcommittee of the American Bar Association Litigation Section Children’s Law Committee
Mary Beth Beazley, member, appointed by the Supreme Court of Ohio, Supreme Court Commission on Legal Education Opportunity, 2003–2005
Joshua Dressler was quoted in Newsday (New York, New York) in “Old Crimes, New Homicides,” by Roccdo Parascondola, January 26. The story dealt with homicide prosecutions after the death of the victim, who had lingered for years in poor health, allegedly as the result of the defendant’s actions. He was also quoted on a similar case in the December 28, 2002, edition of the New York Daily News.

Creola Johnson was interviewed by Jon James on WSYX-TV (Channel 6, Columbus) regarding her research on student credit card debt on February 6. The story also aired on WTTE-TV (Channel 28).


Deborah Jones Merritt, commented on the upcoming visit to Ohio State of Justice Sandra Day O’Connor, WCMH-TV (Channel 4), March 7.

Mary Ellen O’Connell discussed pre-emptive war in “Attack on Iraq would step down an untrod path,” by Joe Hallett, Columbus Dispatch, March 15.

Gregory Travallo discussed terrorism, the United Nations, and the use of force, WBNS-TV (Channel 10), Columbus, October 23–24, 2002.

Deborah Jones Merritt, Columbus Dispatch, October 24, 2002 (speaking on gubernatorial debate)

Ruth Colker was quoted in an Associated Press story, “Supreme Court takes on another landmark disability case,” November 14.

Peter Swire was interviewed by Fred Francis regarding homeland security on NBC Nightly News, December 27. (To see the interview, go to http://www.msnbc.com/m/c/ctv_emailthis.asp?id=n_n_franic_dhs_021227&sub.)

Peter Swire discussed privacy rights and how they relate to homeland security, Buffalo News, New York, December 15.

Nancy Rogers and Edward B. (Ned) Foley talked with Columbus-area media about affirmative action and the Michigan Law School case currently before the U.S. Supreme Court. They were interviewed by reporters from WBNS-TV (Channel 10), WCMH-TV (Channel 4), Ohio News Network, WOSU-AM 820, WCBE-FM 90.5, and WSYX-TV (Channel 6), January 16.

Ruth Colker was a guest on Chicago Public Radio’s “Odyssey” program, which aired live on January 17. She discussed whether the Roe v. Wade decision was sub-optimal. (For more information, see http://www.wbez.org/index.htm.)
The Moritz College of Law welcomes six new faculty members next fall. They include:

**Ellen Deason** will leave the University of Illinois law faculty to join the Ohio State faculty in the fields of comparative dispute resolution and civil process. Professor Deason was editor-in-chief of the *Michigan Law Review* and served as a law clerk for U.S. Supreme Court Justice Harry Blackmun, as well as in the Court of Appeals for the District of Columbia Circuit and in the U.S.-Iran War Claims Tribunal in The Hague. She also practiced in the field of corporate law. Her publications in dispute resolution provide strong background for her leadership in building the new field of comparative dispute resolution, one that will seek constructive insights into the institutionalization of methods to resolve community-wide conflicts involving race, ethnicity, religion, and policy.

**Larry Garvin**, a rising star in the commercial law field, will join the college from Florida State University. A Yale Law graduate, Professor Garvin served as a federal law clerk and practiced law prior to beginning teaching. His groundbreaking work in a number of commercial law subjects has been published in a variety of leading law journals. He is also the coauthor of a new casebook on law and entrepreneurial finance. Last year, Professor Garvin visited at the University of Texas Law School.

**Dale Oesterle** will be the first holder of the J. Gilbert Reese Chair in Contract Law, leaving an endowed position and directorship of a center on entrepreneurial law at the University of Colorado School of Law. A graduate of the University of Michigan Law School, Professor Oesterle is a nationally recognized corporate law scholar with broad interests. He has a particular expertise in mergers and acquisitions and has authored a leading casebook on that subject. He practiced law and served as a federal law clerk before beginning teaching at Cornell Law School, where he taught for 13 years before moving to Colorado.

**Peter Shane** will be the Joseph S. Platt/Porter Wright Morris and Arthur Professor of Law and Director of the Center for Law, Policy, and Social Science, leaving Carnegie Mellon University this summer. A Yale Law graduate, Professor Shane is one of the nation’s leading scholars in the fields of administrative law and executive power, and is a coauthor of the leading casebook in both fields. As a professor, he has been a faculty member at the University of Iowa College of Law and dean at the University of Pittsburgh School of Law. In addition to his outstanding teaching and scholarship, Professor Shane will bring a National Science Foundation grant for an interdisciplinary study related to cyberspace and democracy, and strong leadership in interdisciplinary scholarship.

**Ric Simmons** will join the college as an assistant professor of law, teaching evidence and criminal litigation in the college’s clinical program. Following his graduation from Columbia Law School, Professor Simmons clerked for Federal District Judge Laughlin E. Waters in Los Angeles and then spent four years as a prosecutor in the New York County District Attorney’s Office. For the past three years, he has been acting assistant professor at New York University School of Law, where he was outstandingly successful teaching in their lawyering skills program and authored significant articles on criminal procedure that have been excerpted in leading casebooks.

**Dan Tokaji** will join the faculty as an assistant professor of law, with an expertise in civil litigation and constitutional/civil rights issues. A *summa cum laude* graduate of Harvard College and a graduate of Yale Law School, Professor Tokaji served as a law clerk to Judge Stephen Reinhardt of the Ninth Circuit Court of Appeals and then spent eight years litigating with the ACLU in California. While maintaining this demanding practice, he wrote three law review articles that were published in some of the nation’s leading law journals.

**New Faculty Named**
PILF Auction Benefits Public Interest Fellowships

A substantial number of Moritz Law students will benefit as the result of the annual Public Interest Law Foundation Auction on March 12. The auction raised more than $10,000 that will be used to fund summer fellowships to law students who take unpaid or low-paying public interest jobs. In addition, the Moritz College of Law contributed $5,000 to the event, bringing the total to more than $15,000.

More than 40 faculty, staff, alumni, and friends contributed items to be auctioned, ranging from a round of golf with a professor and lunch with a Supreme Court of Ohio Justice, to gourmet food baskets and bobbleheads. Auctioneers were professors Arthur Greenbaum and Mary Beth Beazley and second-year student, Curt Tuggle, who is a professional auctioneer.

Finalists in the annual Herman Moot Court Competition presented their final arguments on March 15 at the U.S. Federal Courthouse for the Southern District of Ohio. From left to right (front) are: Camille Miller, Jennifer Fuller, Jaclyn Bryk, and Justin Miller (winner, Best Oral Advocate); (back) Doug Cole, Ohio State Solicitor, the Honorable James L. Graham ’62, U.S. District Court, Southern District of Ohio, Associate Dean Robert Solomon II ‘88, and Dean Nancy H. Rogers. More than 70 students participated in the annual intrascholastic competition, which is named after professor emeritus and long-time moot court team coach Larry Herman.

Summer in Washington: New Program Heats Up

by Mike Shriner

From the White House to the U.S. Supreme Court to its various national landmarks, Washington, D.C., is renowned for its historic and legal atmosphere.

And now, Moritz Law students have the opportunity to expand their education and experience in this historic city. Beginning this year, approximately 15 students each summer will work in internships throughout the Washington area and participate in an academic program on regulatory and policy topics.

Led by Moritz Law professor Peter Swire, the program will draw on his expertise in the area of privacy and his experience as the Clinton Administration’s Chief Counselor for Privacy in the U.S. Office of Management and Budget from 1999 to early 2001.

“One great strength of the program is that I can help place 15 to 20 Moritz Law students in interesting, hands-on positions in our nation’s capital,” says Professor Swire. “My experience in the federal government helps me open doors for our students to get legal experience that will help them build their own careers.”

Professor Swire continues to combine his academic insight into regulatory issues with his real-life experiences gained as a White House official. It’s something he’s done since he returned to the Moritz Law classroom in 2001 while continuing to live in the Washington area. (He commutes to Columbus to teach in the fall semester.)

“This spring, I am participating in several task forces in Washington, D.C.,
on privacy and civil liberties issues,” he notes. “I can be more effective at helping on the debates of these issues if I’m in Washington.”

The Washington experience is the most recent addition to the Moritz Law summer offerings, augmenting the existing Oxford program. Both are designed to help give students a unique experience at either the national or international level.

Participants in the Washington program are required to complete two parts: a course on regulatory theory, policy, and practice, and an assigned internship for credit. Students will also attend classes that relate directly to the internship and write a paper analyzing the experience.

This year’s course, “Homeland Security and Cyber-Security,” will look at how government can and should interact with the private sector to improve security practices in a world of global computer networks against terrorist threats.

Professor Swire expects that the internships will be one of the most valuable aspects of the program. He says that a significant number of organizations have expressed interest in hiring an intern from Ohio State, and he promises to make a substantial effort to match students with suitable internships. Internships this summer include positions with an assistant secretary of commerce, a foundation focusing on District of Columbia issues, and an immigration rights group.

“These are internships that students quite possibly wouldn’t have discovered without the program’s help,” he says. “They will offer very good job experience and will have relevant course work alongside to put that experience in context.”

Professor Swire says that one advantage Moritz Law students have is the preparation they have already received prior to taking part in the program. Because all first-year students at the Moritz College of Law take required legislation and legal writing courses, the combination of those two elements makes students more valuable in D.C.

“I’ve taught at other law schools and I’ve found that the Moritz Law students are more knowledgeable about statutes and the legislative process than students at other schools,” Swire says. “Employers are attracted to that.”

Classes will meet at the George Washington University Law School, which is in the heart of Washington, D.C. Many government offices and national landmarks are just a few blocks from the campus, which is also conveniently located to many of the internships.

In addition, there will likely be tours, social events, gatherings with alumni, and other activities.

“And, whatever else happens, students will certainly have a chance to see how hot it gets during the long D.C. summers,” Swire says.

An Oxford Summer: Education and Experience

by Mike Shriner

“Travel in the younger sort is a part of education, in the elder a part of experience.” Those words spoken by 16th-century English Philosopher Francis Bacon still have relevance in the 21st century.

Traveling abroad not only fulfills an urge of discovery, but it is also a chance to escape to somewhere other than the same environment that one sees each day. It’s an opportunity to visit those places that were once read about in history books, pictured in magazines, and explored in dreams. Overall, the experience gained educates an individual on more than one level and is something that is not easily forgotten.

Following in that tradition, the Moritz Law Oxford Summer Program provides a truly unique learning experience.

“The Oxford Summer Program gives students an opportunity to study abroad and be exposed to different teaching styles, in that three of the five classes are taught by professors from Oxford,” says Moritz Law professor Camille Hébert, director of this year’s program. “Enrollment in the course gives students the opportunity to experience a foreign country over a more extended period of time than may otherwise be feasible.”

To read more about the Oxford Program, see http://moritzlaw.osu.edu/clpss/oxford/oxlaw03.html.
A Supreme Visit: Justice O’Connor Comes to Campus

Supreme Court Justice offers thoughts on the impact of law on society

Sandra Day O’Connor, the first woman appointed to the United States Supreme Court, visited campus on Friday, March 14, as a guest of the John Glenn Institute for Public Service and Public Policy and the Moritz College of Law.

Justice O’Connor met first with students, faculty, and alumni at Moritz Law, commenting on the ways in which lawyers and the law have made a difference in the world. Three Moritz Law faculty—Martha Chamallas, the Robert J. Lynn Chair in Law; John Powell, the Gregory H. Williams Chair in Civil Rights and Civil Liberties; and Christopher Fairman, assistant professor—initiated the discussion by describing the law’s impact on women’s rights, racism, and public service.

Students gathered with Justice O’Connor in the William B. Saxbe Auditorium as well as in “smart classrooms” throughout the building where they watched the discussion live through an internal broadcast. Participants in all rooms were able to transmit questions to Justice O’Connor and the faculty panel via an instant messaging system. The innovative set-up accommodated a large number of participants and showcased Moritz Law’s high-tech capabilities.

“The help of the John Glenn Institute and the institution-changing gift of the late Michael E. Moritz ’61 really made this day possible,” said Dean Nancy H. Rogers. Mr. Moritz gave $30 million to the school in 2001. In addition to supporting student scholarships and financing leadership awards, the donation provided funds that were used to fit classrooms with the latest in educational technology.

“Through the interactive discussion, Moritz Law students had an amazing opportunity to have a conversation about the legal profession with someone who has reached its pinnacle,” Rogers said.

Later the same afternoon, Justice O’Connor spoke at a campus-wide lecture sponsored by the Glenn Institute. Ohio State President Karen A. Holbrook, Provost Ed Ray, and Senator John Glenn appeared on stage with Justice O’Connor.

The Justice described the U.S. Supreme Court and its history to a diverse audience of students, faculty, legislators, judges, and community members. She then answered questions from students and recent alumni seated onstage with her. The students, drawn from both Glenn Institute programs and Moritz Law, explored Justice O’Connor’s views on gender bias in courtrooms, legal services for the poor, the relationship between judges and legislators, and the role of politics in selecting judges.

Deborah Merritt, director of the Glenn Institute and holder of the John Deaver Drinko/Baker and Hostetler Chair in Law, said that the two events were a great example of how the Glenn Institute cultivates civic engagement and understanding.

“The panels offered high school, college, and law students, as well as members of the campus community, a unique opportunity to learn directly about how our courts work and how judges decide cases,” she said.

Justice O’Connor visited Ohio State as Professor Merritt’s guest. Professor Merritt clerked for the Justice in 1981–82, her first year on the Supreme Court, and co-taught a course on comparative constitutional law with Justice O’Connor as part of a European summer program hosted by the Dickinson School of Law, now part of Penn State.

Justice O’Connor previously visited the college in 1992; six other Supreme Court Justices have visited the university during the last 20 years.
WHO TO CALL

Admissions, Scholarships, and Financial Aid
Robert L. Solomon, (614) 292-8810, e-mail: solomon.51@osu.edu

Alumni Information
Pam Lombardi, (614) 292-8809, e-mail: lombardi.2@osu.edu

Alumni Job/Student Placement Opportunities
Amee McKim, (614) 292-0087, e-mail: osulawplac@lists.acs.ohio-state.edu

Tickets for Athletic Events
Athletic Ticket Office, (614) 292-2624 or 1-800-GO-BUCKS

Class Reunions and Change of Address
Laura Landy Carr, (614) 292-2937, e-mail: carr.275@osu.edu

Alumni Events
Pam Lombardi, (614) 292-8809, e-mail: lombardi.2@osu.edu

Hiring a Student
Amee McKim, (614) 292-0087, e-mail: osulawplac@lists.acs.ohio-state.edu

Making a Contribution to Moritz Law
Lisa Ballmann, (614) 688-8104, e-mail: ballmann.7@osu.edu

Replacement Diploma
Board of Trustees, (614) 292-6359

The Law Library
Bruce Johnson, (614) 292-6691, e-mail: johnson.726@osu.edu

Transcripts
Kelly Bott, (614) 292-5992, fax (614) 292-1492

Other Questions?
Visit: http://moritzlaw.osu.edu/
HAVE A QUESTION?

Call the Moritz College of Law receptionist at (614) 292-2631 or write to the individuals on the front of this card at:

Moritz College of Law
55 West 12th Avenue
Columbus, OH 43210-1391

For additional information, see our web site:
http://moritzlaw.osu.edu/
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(Use separate sheet if needed. Photographs are welcome, but will not be returned. All submissions are edited for style and brevity.)

Please fold along score and tape before mailing.
Ohio State Sponsors Estate Planning Seminar

Two dynamic speakers will look at estate planning during the 5th Annual Charitable Estate Planning Seminar at the University Plaza Hotel and Conference Center on September 12, 2003. Stephen J. Krass will discuss charitable and tax planning with retirement plan assets, while Geoffrey Stern ’68 will look at ethics, substance abuse, and professionalism. Sponsored by Ohio State’s Office of Planned Giving, the seminar attracts attorneys, accountants, and financial planners from around Ohio.

Krass will lead the morning session. An Ohio State undergrad, he is a member of Krass, Snow, and Schmutter, P.C. in New York City. He is the author of The Pension Answer Book and numerous other publications and is a frequent national speaker on pension and retirement benefits.

Stern will guide the afternoon session. He was disciplinary counsel for the Supreme Court of Ohio from 1993–1997 and has given more than 300 presentations internationally, nationally, and throughout Ohio on professional liability/responsibility, appellate, and litigation management issues. A partner at Kegler, Brown, Hill and Ritter, he is a frequent speaker on professionalism.

By attending this program, one may earn up to 5.5 hours of Ohio continuing legal education credit, including the requisite 2.5 hours of ethics, substance abuse, and professionalism.

Please contact the Office of Planned Giving at (614) 292-2183 or 1-800 327-7907 or by e-mail at plangive@osu.edu for additional information about the seminar.

Thank You, Class of 1987

When Thomas Muth, a member of the Class of 1987, died suddenly in 1986, his classmates established a trust fund so his three young children could all receive a post high school education.

That has now been accomplished and the remainder of the trust was donated to Moritz Law to be used for financial assistance for nontraditional law students. Ann Light Hoke ’87, trustee of the fund, asked that the class be thanked via the Law Record.

“Thank you for so generously establishing the Thomas Muth Trust Fund upon his death, to enable his three children to receive post high school education,” wrote Hoke.

“Your kindness has enabled the Thomas Muth children to achieve their educational goals.

“Please know that your generosity continues, as the remaining trust assets will be used to provide financial assistance to the college’s nontraditional students,” she added.

“Thanks to you, they, too, can achieve their educational goals.”
The Moritz College of Law has received word of the deaths of these graduates. We express our sympathy to relatives and loved ones.

Long-time friend of the Moritz College of Law, Jacob E. (Jake) Davis died February 28, 2003, in Naples, Fla. He was 97. He was the father of Jacob E. (Jack) Davis II ’63, who created a professorship at Moritz Law in honor of his father in 2000. (Former Moritz Law dean James E. Meeks is the Jacob E. Davis Professor of Law.) An Ohio State undergrad and Harvard Law grad, he patterned a life of service. He was a former Ohio legislator, judge, and U.S. representative. He served on the Ohio State board of trustees from 1961 to 1967, including a one-year stint as president, and was president of the Ohio State Alumni Association from 1971 to 1975. When he retired as chair of the board of the Kroger Company, he helped establish the Cincinnati Foundation, then stayed on to help run it. In addition to his son Jacob E. Davis II, Columbus, he is survived by a daughter, Eleanor Davis E. Davis II, Columbus, three grandchildren; two great-grandchildren, and a sister, Mary Nancy Davis, Columbus.

Ralph Henry Klapp ’25 died on October 24. He was 105. He practiced law in Columbus and later served as Assistant Attorney General and chair of the Industrial Commission of Ohio. While engaged in these activities he was also dean and professor of law at Franklin University Law School, which later became Capital University Law School. In 1966 he retired from Capital University as dean emeritus. Both Franklin University and Capital University awarded him the honorary degree of Doctor of Law. He is survived by his wife of 71 years, Martha Taylor Klapp; son, Dr. Stuart Taylor Klapp; and grandson, Michael G. Klapp, all of Oakland, Calif.; nephew, James K. Putnam of Worthington; great and great-great nephews and nieces, and cousins.

John Lodwick Davies ’32 died January 22 at the age of 93. A Columbus native, he practiced law in the city for more than 50 years. He was a past president of the Columbus Bar Association and the Columbus Athletic Club. He is survived by his daughters, Kristen Lawrence, Lisa Kingsley, and Megan Davies; four grandchildren; a brother, Howard Davies; a sister, JoAnne Havekotte; and several nieces and nephews.

James Francis Hardgrove ’37, of Pottsgrove Township, Pa., died February 10 at his residence. He was 92. He practiced law with the firm of Cowan and Adams in Columbus prior to entering the U.S. Army during World War II. During his 42 months of active duty, he was assigned primarily to court martial proceedings. After the war, he was appointed to adjudicate disability and death claims by the Veteran’s Administration in Manila, Philippine Islands. He also served as attorney and member of the Philippine Loyalty Determination Board. Following his retirement from the Philadelphia Veteran’s Administration, he was the legal chair of the Disability Evaluation Board. He is survived by sons, Dana Hardgrove, Pottstown, Pa., and Timothy Hardgrove, Boyertown, Pa.; a sister, Margaret Oliva, Columbus; and three grandchildren.

Robert G. Tague ’40, New Lexington, died November 5. A lifelong resident of Perry County, he served for eight years as the county’s prosecuting attorney; for 22 years as judge of the court of common pleas; and for six years as judge of the juvenile and probate court. Following graduation from law school, he served for almost five years in military service in World War II, with part of that time in France. For 20 more years he was in the Army Reserves as an instructor of military law. He ended his career as a Colonel in the Judge Advocate Generals Corps. Surviving are his wife, Betty G. Waid Tague; three sons, Peter Tague, Philip Tague ’77, Atlanta, Ga., and Robert Tague Jr.; three grandchildren; a brother, Paul Tague ’51, Columbus; and two sisters, Dorothy (Frank) Racher and Rose Mary Mackin, both of Columbus.

Robert C. Coplan ’42 died January 29 at the age of 84 in Naples, Fla. A native of Cleveland, he was a founder and former managing partner of the law firm of Benesch, Friedlander, Coplan, and Aronoff. He served as a lieutenant in the U.S. Naval Air Corps during World War II. He was a lifelong champion of social justice and was committed to bettering the community, particularly in the area of education. He was founder and president emeritus of Cleveland Scholarship Programs, Inc., a nonprofit public charity which enabled more than 110,000 inner city Cleveland youths to attend universities, colleges, and training programs. He was also the founder, past trustee, and past president of the Ohio Law Opportunity Fund, which made it possible for minority and low-income students to attend law school. A member of the Moritz Law National Alumni Council, he received the Alumni Citizenship Award from the university in 1979. He is survived by his wife of 59 years, Shirley Solomon Coplan; daughters, Marianne Schapiro, Evanston, Ill., and Eliz-
IN MEMORIAM

William Ammer ’46 died January 30 in Circleville. He served in the U.S. Army during World War II prior to receiving his law degree. In 1957, he was appointed by then-Governor William O’Neill to the position of common pleas judge in Pickaway County. He was then elected for six terms, serving continuously until December 31, 1994, when he retired. During that time, he presided over more than 30,000 cases.

John C. Graham ’50 died January 5 at the age of 76. He began the practice of law in 1950 with the Zanesville law firm of Graham and Graham, founded in 1923 by his father, Ernest B. Graham Sr. and uncle, Clarence A. Graham. The Supreme Court of Ohio appointed him to a five-year term on the Ohio Board of Bar Examiners in 1967 and appointed him chair for 1971–72. In 1972, he was appointed to a five-year term on the Ohio Supreme Court Special Committee for Admission to the Law School. He is survived by his wife of 53 years, Hazel J. Spencer Graham; their three children, Barbara J. Saunders, Zanesville; Richard Graham, Worthington; and Susan L. Graham, Davie, Fla; a sister, Mary Louise Snider, Lancaster; a brother, Charles Graham, Marysville; and two grandchildren.

Joseph T. Ryan ’56 died February 28 at the age of 74. He served two stints as Vermilion Municipal Court judge, elected first in 1965, then later returning in 1984 and serving until July 2000. He was a trial attorney for the New York Central Railroad and had served as president of the Central Security National Bank of Lorain County. He is survived by his wife of 49 years, Margaret; daughters Sue Brown and Jane Ryan, both of Vermilion, and Marcella Thompson, Fairport, N.Y.; sons, Steve Ryan and Patrick Ryan, both of Cleveland, and Timothy ’91, Columbus; and 11 grandchildren.

James Donald MacAulay ’60 died December 4, 2002, at his Columbus home, at age 70. He was an attorney and partner at McGuire and MacAulay, retiring in 2000, and had been a captain in the U.S. Air Force. He is survived by his daughters, Lynn McCreedy and Ann Baldwin; son, Rob MacAulay; and five grandchildren.

Robert Edwin Stebens ’60, Columbus, died on October 27, 2001, after a long illness. He was 69. Robert practiced patent prosecution for 41 years and was a retired Air Force Reserve Lt. Colonel with 28 years of service. He is survived by his wife of 46 years, Carol; three children: Lynne Phillips, Reston, Va.; Robert Jr., Columbus, and Julie Stern, Walnut Creek, Calif.; and six grandchildren. He was buried at Arlington National Cemetery with full military honors.

Robert F. “Bob” Chaffin ’64 died on September 26, 2002, at home in Glenwood Springs, Col. He was 63. Bob practiced law in Columbus and in Glenwood Springs, Col., where he relocated in 1975. He is survived by his wife of 41 years, Joan; son, David, Englewood, Colo.; daughter, Courtney, New York, N.Y.; mother, Alice Chaffin, Columbus; sister, Shirlyn Chaffin, Reynoldsburg; brother, Richard Chaffin, Croton; one grandson; and many aunts, uncles, and cousins.

Edward Louis Clark Jr. ’73 died December 10 at the age of 54. A former captain in the U.S. Army Reserve and an Eagle Scout, he was a founding partner of the law firm of Clark, Perdue, Roberts, and Scott, Columbus. He was instrumental in creating new and favorable law for consumers in insurance bad faith in Ohio. A superb courtroom trial lawyer, he forged new paths for plaintiffs in the area of workplace intentional torts. “He was always a dogged and tireless fighter for his clients,” recalls his partner, Dale Perdue ’80. Clark is survived by his wife of 12 years, Regan; sisters, Kathleen Hartmann, Calif.; and Jeanne Desy, Columbus; niece Cassandra Rideour and nephew Otto Rideour, both of Newark; and numerous relatives and law partners.

Andrew Joseph Barone ’83, Toledo, died unexpectedly on March 11 at the age of 44. He had worked at the Division of Securities for the State of Ohio in Columbus and in the prosecutor’s office in Toledo before joining his father, John ’36, in forming the firm of Barone and Barone in 1998. In addition to his legal career, he had numerous business interests and was active in real estate law and commercial realty development. He is survived by his mother, Rose Marie Barone; his wife and lifelong friend, Sandra Jean Bennett Barone, and three sons, John Andrew, 13, Andrew Joseph II, 11, and Anthony Burgess, 9; four brothers, Frank Emidio Barone, John Joseph Barone II, Michael Barone, and Philip Mario Barone. His father, John, died in 1999.

Matthew Lige Epling ’85, of Vienna, Austria, died December 19 in University Hospital, Vienna. He was 45. An attorney, before moving into the telecommunications field, he was an international management consultant, assisting American companies doing business in Russia and Europe. He is survived by his wife of 21 years, Kay (Arlen) Epling; son, John M., and daughters, Joanna L. and Muriel E., all of Vienna; father and stepmother, Dr. John Epling ’57 and Martha (Kent) Epling, Cincinnati; and sisters: Mari C. Chamberlain of Big Lake, Alaska, Susan Z. Epling Counce of Hawley, Pa., and Kathleen E. Madden of Marlton, N.J.

Other reported deaths:
Ivan Leslie Smith ’38, 85, Sagamore Hills, January 29, 1998
Howard Chester Walker Jr. ’56, 70, Akron, December 4, 2001

www.moritzlaw.osu.edu
The awards subcommittee of the Moritz Law National Alumni Counsel has selected John W. (Jack) Creighton ’57 as the recipient of the Outstanding Alumnus Award and Brian E. Burns ’97 as Outstanding Recent Alumnus. Both will be recognized at ceremonies this fall.

Jack will be honored at the Moritz Law annual return for 20th through 50th reunion classes on Friday, September 12, in the Grand Ballroom of the Westin Great Southern Hotel in downtown Columbus. Dean Nancy H. Rogers will preside at the recognition ceremony that begins at 7 p.m.

Brian will be honored at the Moritz Law annual return for 5th through 15th reunion classes at the Saturday, November 8, tailgate on the Moritz Law portico before the Michigan State game.

John W. (Jack) Creighton

Jack Creighton has a long and distinguished career as one of the nation’s top executives, according to co-nominator Ivor Young ’58. He served as president and chief executive officer of Weyerhaeuser Company from 1991 to 1997 and on the board of directors from 1988 to 1998. Weyerhaeuser is an international forest products company with annual sales of $18.5 billion employing 58,000 people in 18 countries. The company has ranked in the Fortune 200 since 1956 and been number one in the forest products industry in social responsibility in Fortune magazine’s annual corporate reputation survey for seven years.

Upon retiring from Weyerhaeuser, Creighton joined the United Airlines board of directors. Co-nominator Dave Ward ’58 says that Jack was so well thought of by his fellow directors that they elected him chair and chief executive officer of the airline in 2001. At the time, United Airlines employed 90,000 people and generated $19.35 billion in annual revenues. Jack led the company through extremely difficult union negotiations and the tragedy of the September 11 terrorist attacks and the tumultuous aftermath. His dedication was such that he refused to accept a salary. He stepped down in 2002.

Jack has remained active in the life of Moritz Law. He has returned in recent years to speak to incoming Moritz scholars on the qualities of leadership and to address alumni attending the Conference of Senior Corporate Counsel on corporate governance issues. He also serves also on the board of The Ohio State University Foundation.

Jack earned both his B.S.B.A. and J.D. at Ohio State. He also holds a master’s degree in business administration from the University of Miami and is a certified public accountant.

Brian E. Burns

Proving himself a skilled attorney during difficult times and demonstrating an extraordinary commitment to the college, Brian Burns has earned recognition as the Moritz Law Outstanding Recent Alumnus in his sixth year of practice.

Brian’s commitment to the school began with service as editor-in-chief of the Ohio State Law Journal. Following graduation and a Sixth Circuit Court of Appeals clerkship with the Honorable R. Guy Cole, he accepted a position with Cleary, Gottlieb, Steen, and Hamilton in the highly competitive New York legal market. Brian convinced the firm to begin recruiting at Ohio State and became an informal mentor for Buckeyes who completed summer clerkships and ultimately joined the firm. He successfully encouraged other New York Moritz Law alumni to add the school to their recruiting schedules thus expanding opportunities for alumni in the New York legal job market. Anne English French ’03, one of those mentored by Brian, says, “All Brian
Jeffrey S. Sutton ’90, former Moritz Law Alumni Society president and winner of the 1997 Outstanding Recent Alumnus Award, recently won Senate confirmation to the U.S. Sixth Circuit Court of Appeals. An accomplished litigator and teacher, he has remained active in the life of the college.

For the past seven years Sutton has held the post of adjunct professor at Moritz Law, teaching courses in constitutional law, state constitutional law, and U.S. Supreme Court practice. He currently serves on the college’s National Alumni Council and frequently returns to campus to meet with and mentor students.

Sutton has argued nine cases and filed more than 50 merit and amicus curiae briefs before the U.S. Supreme Court, both as a private attorney and as Solicitor for the State of Ohio. He has argued 13 cases in state supreme courts, eight cases before the Federal Court of Appeals, and dozens of cases in state and federal trial courts.

Prior to his swearing in, Sutton was a partner in the Columbus office of Jones Day. He graduated first in his class at Moritz Law in 1990. Immediately following graduation he clerked for the Honorable Thomas Meskill, United States Court of Appeals for the Second Circuit. The next year he clerked for United States Supreme Court Justice Lewis F. Powell Jr. (retired) and Justice Antonin Scalia.

Serving as Ohio Solicitor between 1995 and 1998, he oversaw all appellate litigation on behalf of the Ohio Attorney General, as well as substantial constitutional litigation at the trial level. He is a four-time recipient of the Best Briefs award by the National Association of Attorneys General. Moritz Law professor Edward (Ned) Foley, who followed Sutton as Ohio Solicitor, says, “Jeff’s intellect and character are of the highest possible order. It is no accident that he has become one of the nation’s leading appellate advocates, and this experience perfectly prepares him for a seat on the Court of Appeals."

In addition to his service on the college’s National Council, Sutton serves on the board of directors for the Equal Justice Foundation in Columbus. The foundation provides legal services to disadvantaged individuals and groups.
Network with your classmates and friends by letting us know what is happening in your life, personally and professionally. We’ll include it in a future issue of the Law Record.

Submit news items to Liz Cutler Gates, Law Record editor, Moritz College of Law, The Ohio State University, 55 West 12th Avenue, Columbus, OH 43210, or via fax (614) 247-7079. Photos are welcome, but will not be returned. You may also e-mail news to gates.68@osu.edu.

Because of the volume of class notes received, we regret we cannot confirm all information. If an item is printed incorrectly, please let us know and we will correct the error in the next issue.

1950s
Richard Heer Oman ’51 has been included in The Best Lawyers in America, 2003–2004 edition. He is an attorney with Vorys, Sater, Seymour, and Pease, Columbus.

In September 2002, the Columbus Bar Association honored Robert E. Boyd Jr. ’52, Charles E. Brown ’52, Bernard Cohen ’52, Robert M. Duncan ’52, Blaine B. Hunkins ’52, Bruce Jenkins ’52, Charles D. Minor ’52, Peter M. Pencheff ’52, Robert R. Reed ’52, Clayton W. Rose ’52, and Norton R. Webster ’52 for 50 years of service to the bar and to the community.

In April, the Ohio State Bar Association District 7 recognized individuals who have practiced law for 50 years. Among those recognized were William E. Arthur ’53, Gordon K. Bolon ’53, George V. Fisher ’53, Richard G. Ison ’53, Scott M. Knisley ’53, Keith McNamara ’53, and Samuel H. Porter ’53.

William E. Arthur ’53 was included in the 2003–2004 The Best Lawyers in America in the area of corporate law. He is of counsel with Porter Wright Morris and Arthur, Columbus.

Samuel H. Porter ’53 was included in the 2003–2004 The Best Lawyers in America in the area of public utility law. He practices in utility, regulatory, litigation, and dispute resolution matters with Porter Wright Morris and Arthur, Columbus.

Irvin H. Harlamert ’55, Dayton, completed 24 years of judicial service at the Oakwood Municipal Court, Montgomery County, Ohio. He also served five years as a member of the Ohio Board of Bar Examiners including one year as its chair. More recently he spent half of each of five years sailing his yacht around the world gathering observations of legal systems (“or lack thereof,” he says) in various countries. He continues to practice law in Dayton.

Donald L. Beckett ’57 joined the Columbus firm of Porter Wright Morris and Arthur as counsel. He focuses on estate planning, post-mortem planning, estate and trust administration, guardianship administration, asset planning, and decedents’ estates.

Charles F. Kurfess ’57, Bowling Green, retired in December 2002 at the age of 72 after serving 12 years as the Wood County Common Pleas Court. Through the years, he has also served as a state legislator, speaker of the Ohio House, and attorney. (He was first elected state representative while in law school.) In 1978, he made an unsuccessful primary bid for governor against three-term Ohio Governor James Rhodes.

David A. Ward ’58 received the Robert A. Kelb Distinguished Service Award from the Toledo Bar Association for his community activities and service to the association. The award is presented annually in memory of Kelb, who consistently devoted time and talents to the Toledo Bar Association.

1960s
Kenneth R. Millisor ’60 has been listed in The Best Lawyers in America for the 10th consecutive year. He is a founding partner in the Cleveland firm of Millisor and Nobil.

John C. McDonald ’61 is a member of the National Trial Competition Committee and the Ohio State Committee for the American College of Trial Lawyers. He focuses his practice on complex litigation, patent and commercial litigation, and construction law for Schottenstein Zox and Dunn, Columbus. He was also listed in the 2003–2004 edition of The Best Lawyers in America.

Josiah H. Blackmore II ’62, Columbus, has been recognized by the Ohio State Bar Foundation with the Honorary Life Fellowship Award.
Donald A. Davies ’62, Columbus, has been included in *The Best Lawyers in America*, 2003–2004 edition. He is an attorney with the Columbus office of Arter and Hadden, where he practices in the area of health care law.

Benjamin L. Zox ’62, Columbus, has been included in *The Best Lawyers in America*, 2003–2004 edition. He is chair of the board of Schottenstein Zox and Dunn.

David Hobson ’63 has been named chair of the House Energy and Water Appropriations Subcommittee for the 108th Congress. The subcommittee directs and allocates federal spending for most of the operations of the U.S. Department of Energy, including nuclear weapons research and development, nuclear site cleanup, scientific research and 16 national laboratories. The Republican from Springfield represents Ohio’s 7th Congressional District.

E. James Hopple ’63, Columbus, has been included in *The Best Lawyers in America*, 2003–2004 edition. He is a partner with Schottenstein Zox and Dunn.

John Z. Fargo ’64 has retired from the full-time practice of law and the firm Strip, Fargo, Hoppers, and Leithart, Columbus. Upon his departure, the firm was renamed Strip, Hoppers, Leithart, McGrath, and Terlecky Co., LPA, recognizing, in part, the contributions of Timothy J. McGrath ’69, whose practice focuses on real estate matters.

Thomas J. Moyer ’64. Chief Justice of the Supreme Court of Ohio, was recognized by the CPR Institute for Dispute Resolution with the James F. Henry Award. The award, named in honor of the CPR Institute’s founder, was presented to the chief justice for his exemplary alternative dispute resolution leadership in the state judiciary.

Robert W. Werth ’65 has been included in *The Best Lawyers in America*, 2003–2004 edition. He is a partner with Vorys, Sater, Seymour, and Pease, Columbus.

Joel H. Mirman ’66 has been named to the 2003–2004 edition of *The Best Lawyers in America*. The partner at Buckingham, Doolittle, and Burroughs, Columbus, is involved with business and personal injury litigation, where he is also part of a new entertainment and sports law team.

G. Jack Davis ’67 was elected as judge in the Montgomery County Common Pleas Court. He resides in Dayton with his wife, Arnette.

Ronald J. Zeller ’67 has been reappointed to the Long-Range Planning Committee of the Florida Bar Association. He is a business lawyer and litigator with a practice in West Palm Beach, Florida. He and his wife, Lucille Bell Zeller, a former Ohio State faculty member, reside in Wellington, Florida.

Sally Bloomfield ’69 has been included in the 2003–2004 edition of *The Best Lawyers in America*. She is a partner at the law firm of Bricker and Eckler LLP, Columbus, where she practices public utility law.

Jeff McNealey ’69 has been included in the 2003–2004 edition of *The Best Lawyers in America* in the area of environmental law. He is a partner with Porter Wright Morris and Arthur, Columbus.

William S. Newcomb Jr. ’69 has been included in the 2003–2004 edition of *The Best Lawyers in America*. He is an attorney with Vorys, Sater, Seymour, and Pease, Columbus.

John B. Rohyans ’69, Columbus, has been included in the 2003–2004 *The Best Lawyers in America* in the area of real estate law. A partner with Porter Wright Morris and Arthur, he leads the firm’s real estate department.

A faculty member at the American University Kogod School of Business for more than 45 years, **Donald R. Brenner ’49** was awarded the University Faculty Award for Outstanding Service to the University Community for the second time in his 46-year tenure.

Because of Brenner’s extended commitment and service to the university, Kogod’s annual award for undergraduate teaching excellence will now be named in his honor as the Donald R. Brenner Outstanding Undergraduate Teacher of the Year Award.

Brenner started teaching at the business school in 1957 and has taught every spring, fall, and summer session since. In that period, he has served on almost every committee that American University offers and has many times filled in as acting dean when needed. On the day his retirement was announced, he also added that he would continue to teach until the end of August 2003, and whenever needed.

—Mike Shriner
1970s

John E. Brady ’70, Westerville, has been included in the 2003–2004 *The Best Lawyers in America* in the area of real estate law. A partner with the Columbus office of Porter Wright Morris and Arthur, his experience includes representing corporations in commercial real estate transactions, including representation of major corporations in the acquisition, sale, leasing, construction, and financing of projects.

Robin Phelan ’70, a partner in the business reorganization and bankruptcy practice group of the Dallas firm of Haynes and Boone, has been named to the board of directors of the International Insolvency Institute. The institute is a nonprofit organization that focuses on the advancement and promotion of insolvency as a respected discipline in the international field.

Susan E. Brown ’71 has been selected for inclusion in the 2003–2004 edition of *The Best Lawyers in America*. She is a partner with Vorys, Sater, Seymour, and Pease, Columbus.

Harry D. Cornett Jr. ’71 has been included in the 2003–2004 edition of *The Best Lawyers in America* for business litigation and legal malpractice law. He is with the Cleveland office of Arter and Hadden.

David J. DeVries ’71 is executive deputy general counsel in the Office of General Counsel for the Commonwealth of Pennsylvania.

Stephen J. Smith ’71 has been elected the 2002–2003 sixth circuit regional vice president of the International Municipal Lawyers Association. He is a principal at Schottenstein Zox and Dunn, Columbus, where he manages the firm’s public law practice.

John P. Beavers ’72 has been selected for inclusion in the 2003–2004 *The Best Lawyers in America*. He is chair of the Corporate Department at the law firm of Bricker and Eckler LLP, Columbus, where he practices corporate, mergers and acquisitions, and securities law.

Charlotte Coleman Eufinger ’72 was elected as a judge in the Union County (Ohio) Probate/Juvenile Court.

Steven M. Nobil ’72 has been listed in *The Best Lawyers in America* for the 10th consecutive year. In addition, he was included among a listing of “the brightest and best attorneys in the region” in *Inside Business* magazine. He is a founding partner of the Cleveland law firm of Millisor and Nobil.

Alan T. Radnor ’72 has been selected for inclusion in the 2003–2004 edition of *The Best Lawyers in America*. He is an attorney with Vorys, Sater, Seymour, and Pease, Columbus.

Ronald L. Rowland ’72 has been included in *The Best Lawyers in America*, 2003–2004 edition. He is a partner with Vorys, Sater, Seymour, and Pease, Columbus.

Nick V. Cavalieri ’73, Westerville, has been included in *The Best Lawyers in America*, 2003–2004 edition. He is an attorney with the Columbus office of Arter and Hadden, where he practices in the area of bankruptcy and creditor-debtor rights law.

William J. McGraw III ’73 was elected a fellow of the American College of Trust and Estate Counsel. A partner of the Troy, Ohio, law firm of Dungan and LeFevre, McGraw practices trust and estate planning, wealth transfer planning, small business representation, and business succession planning. He resides in the Troy area with his wife, Donna, and has two grown children and one grandchild.

LeRoy Pernell ’74 has been appointed for a second term as dean of the Northern Illinois University College of Law, DeKalb, Ill. He joined the NIU law faculty as dean in 1997 after 23 years as a law faculty member at Ohio State.

Robert A. “Buz” Minor ’75 has been included in *The Best Lawyers in America*, 2003–2004 edition. He is a partner with Vorys, Sater, Seymour, and Pease, Columbus.

Karen M. Moore ’75 has been included in the 2003–2004 edition of *The Best Lawyers in America*. She is a partner at the law firm of Bricker and Eckler LLP, Columbus, where she practices in trusts and estates.

Gary W. Auman ’76 was awarded the Distinguished Service to Safety Award by the National Safety Council, given in recognition of outstanding service to the field of workplace safety. He is a partner with Donlevy, Mahan, and Furry in Dayton, where his practice centers on occupational safety and health administration and workers’ compensation matters.

John Chernoski ’76 retired as a senior deputy attorney general with the New Jersey Attorney General’s office. During the 2002 autumn term, he taught insurance law at the Vytautas Magnus University School of Law in Kaunas, Lithuania.

Steven R. Kerber ’76, a partner with Bricker and Eckler, Columbus, has been appointed chair of the board of directors of National Church Residences, one of the nation’s leading nonprofit providers of limited-income senior housing, affordable family housing, and health care.

Adele E. O’Conner ’76, Columbus, has been included in the 2003–2004 *The Best Lawyers in America* in the area of labor and employment law and workers’ compensation law. A partner with Porter Wright Morris and Arthur, she focuses in the fields of workers’ compensation, employment discrimination, litigation, wrongful discharge litigation, and OSHA matters.

Robert C. Tucker ’76 has been included in the 2003–2004 *The Best Lawyers in America* in personal injury litigation. He is an attorney in the Cleveland office of Arter and Hadden.
Stephen E. Chappelear ’77, Hahn Loeser and Parks LLP, Columbus, has been included in the 2003–2004 The Best Lawyers in America. He practices in the area of business litigation and is also the president of the Ohio State Bar Association.

Kevin R. McDermott ’77, Columbus, has been included in The Best Lawyers in America, 2003–2004 edition. He is a partner with Schottenstein Zox and Dunn, Columbus.

Charles H. Waterman III ’77 has been included in the 2003–2004 edition of The Best Lawyers in America. He is a partner at the law firm of Bricker and Eckler LLP, Columbus, where he practices environmental law.

Dan A. Bailey ’78, New Albany, has been included in The Best Lawyers in America, 2003–2004 edition. He is an attorney with the Columbus office of Arter and Hadden and practices in the areas of corporate, mergers and acquisitions, and securities law.

John P. Garland ’78 was named partner at Vorys, Sater, Seymour, and Pease, Columbus. He was also selected for inclusion in the 2003–2004 edition of The Best Lawyers in America. His practice includes representing clients on environmental regulatory and litigation matters.

Thomas J. Sigmund ’78 has joined the Columbus firm of Buckingham, Doolittle, and Burroughs as a shareholder. He will serve in the firm’s trusts and estates practice group and is also part of a new entertainment and sports law team. He was also named to the 2003–2004 edition of The Best Lawyers in America.

David A. Swift ’78 has been included in The Best Lawyers in America, 2003–2004 edition. He is a partner with Vorys, Sater, Seymour, and Pease, Columbus.

Jordan L. Bleznick ’79 is vice president and senior tax counsel with Icahn Associates, New York. Previously he was in private practice, most recently as a tax partner at Piper Rudnick.


Joni R. Kerr ’79 has been elected to serve a three-year term on the Washington State Bar Association’s Board of Governors. She is a solo practitioner in Vancouver, Wa., where she represents public school districts in the state.

K. Neal Snyder ’79 has been appointed to the directorate of operations command and control at the Air Force Reserve Command Headquarters in Warner Robins, Ga.

John P. Wellner ’79 has been included in The Best Lawyers in America 2003–2004 edition. He is a partner with Vorys, Sater, Seymour, and Pease, Columbus.

1980s

David K. Conrad ’80 has been included in the 2003–2004 edition of The Best Lawyers in America. He is a partner at the Columbus law firm of Bricker and Eckler LLP, where he practices real estate law.

Glenn S. Krassen ’80 has been included in the 2003–2004 edition of The Best Lawyers in America in public utility law and natural resource law. He is an attorney in the Cleveland office of Arter and Hadden.

Steven Pecinovsky ’80 has been appointed the deputy chief of employment litigation for the Department of Justice, Civil Rights Division. He recently retired after 22 years in the Air Force, serving most recently as an appellate judge on the Air Force Court of Criminal Appeals.

David A. Wormser ’80, a member of Pepper Hamilton LLP’s intellectual property practice group, was named to the executive committee, the firm’s governing body. He is also the partner in charge of the firm’s Washington, D.C., office.

Thomas R. Allen ’81 has been listed in the 2003–2004 edition of The Best Lawyers in America. He is an attorney with Thompson Hine LLP, Columbus, and is the leader of the firm’s bankruptcy practice group.

Jacquelin F. Drucker ’81 has been elected chair of the labor and employment law section of the New York State Bar Association. She is an arbitrator in New York City.

Paul J. Hess Jr. ’81 is part of a new entertainment and sports law team at the Columbus firm of Buckingham, Doolittle, and Burroughs.

Brett L. Miller ’81 has been named to the 2003–2004 edition of The Best Lawyers in America. He practices workers’ compensation law at Buckingham, Doolittle, and Burroughs, Columbus, where he is also part of a new entertainment and sports law team.

Diane M. Signoracci ’81 has been included in the 2003–2004 edition of The Best Lawyers in America. She is a partner at the Columbus law firm of Bricker and Eckler LLP, Columbus, where she practices health care law.

Benita A. Kahn ’82 has been selected for inclusion in the 2003–2004 edition of The Best Lawyers in America. She is a partner with Vorys, Sater, Seymour, and Pease, Columbus.

Donald B. Leach ’82 has been named to the 2003–2004 edition of The Best Lawyers in America. He practices construction law at Buckingham, Doolittle, and Burroughs, Columbus, where he is also part of a new entertainment and sports law team.
Douglas S. Morgan ’82 has been named managing partner at the Columbus office of Calfee, Halter, and Griswold, where he concentrates his practice on corporate finance and mergers and acquisitions.

Carolyn N. (Bell) Phillips ’82 is the director of the Child Care Law Project for Public Counsel in Los Angeles. She resides in Manhattan Beach, Calif.

Michael W. Currie ’83 has been listed in the 2003–2004 edition of The Best Lawyers in America. He is an attorney with Thompson Hine LLP, Columbus.

John S. Marshall ’83 and Joshua J. Morrow ’98 have formed the Columbus firm of Marshall and Morrow LLC. The practice is devoted to representing employees in employment discrimination and wrongful termination cases.

Brent D. Rosenthal ’84 has been named an assistant district governor for Rotary District 6690, with responsibility for serving Delaware, Mount Vernon, Sunbury-Galena, and Worthington morning Rotary Clubs in Ohio. He is also part of a newly formed entertainment and sports law team at the Columbus firm of Buckingham, Doolittle, and Burroughs.

Patricia A. Shlonsky ’84 has been included in the 2003–2004 edition of The Best Lawyers in America. An attorney with the Cleveland office of Ulmer and Berne LLP, she practices in the areas of employee benefits, tax, trust and estates, health care, and employment and labor law.

Gordon F. Litt ’85 has been included in the 10th edition of The Best Lawyers in America, for the 2003–2004 year. He is a partner at the law firm of Bricker and Eckler LLP, Columbus, where he practices tax law and trusts and estates.

James G. Ryan ’85, Westerville, has been included in The Best Lawyers in America, 2003–2004 edition. He is an attorney with the Columbus office of Arter and Hadden, where he practices in the area of banking law, as well as corporate, mergers and acquisitions, and securities law.

Kenneth A. Golonka ’86 has been included in The Best Lawyers in America, 2003–2004 edition. He is a partner with Vorys, Sater, Seymour, and Pease, Columbus.

Daren K. Draves ’87, Newark, Calif., was promoted into the executive ranks of the U.S. Postal Service, as deputy managing counsel. She is second in charge in the Pacific area’s law department, which covers California, Hawaii, the Pacific Islands, Arizona, and Nevada.

Thomas M. Schneider ’87 is deputy general counsel at Wycliffe Bible Translators, Inc., an organization devoted to translating the Bible into many languages that have been without a Bible. They also help develop written forms of oral languages for indigenous peoples and concentrate on literacy, as well. Previously, he served in the corporate law department of State Farm Insurance. He resides in Orlando, Fla., with his wife, Nancy.

Robert J. Tannous ’87, Hilliard, has been included in The Best Lawyers in America, 2003–2004 edition, in the area of corporate law. An attorney with the Columbus office of Porter Wright Morris and Arthur, he represents public companies in federal securities, mergers and acquisitions, and corporate law issues along with representing clients on general corporate matters and business transactions.

Peter D. Welin ’88 has been listed in the 2003–2004 edition of The Best Lawyers in America. He is a partner in the construction practice group of Thompson Hine LLP, Columbus.
Sylvia L. Gillis ’89 and Jack Rosati Jr. ’89, both of Bricker and Eckler LLP, Columbus, were speakers at the 47th annual Ohio School Boards Association Capital Conference in November 2002. They provided school officials with legal information in the areas of special education rules, public school construction, and school boards as library taxing authorities. Gillis has also been elected as a partner at Bricker and Eckler.

Richard J. Helmreich ’89 joined the Columbus firm of Porter Wright Morris and Arthur as a partner in the business and tax department. He practices in the areas of employee benefits and executive compensation.

Michael Rambert ’89 joined the Princeton, N.J., law firm of Archer and Greiner, PC as special counsel. He was previously senior advisor to the State of New Jersey for Venture Capital and Technology Investments.

1990s
In 2001, Daniel A. Klein ’90 joined the Chicago litigation firm of Kurasch and Klein, Ltd., as a partner, focusing on personal injury and medical malpractice. (He has tried more than 40 cases to jury verdict since graduation in 1990.) He and his wife, Stephanie, and their family reside in Chicago.

Fred Seward ’90, Columbus, was honored by the Ohio State Bar Foundation with the Community Service by Lawyers 40 and Under Award for District 7 (Columbus area).


Lorelei J. Van Wey ’91 is a partner at Lash and Goldberg LLP in Miami, Fla., which specializes in commercial and health care litigation. A resident of Key Biscayne, Fla., she is the mother of Lynn, five, who was adopted from Hunan, China.

Kent Wellington ’91, partner at Graydon, Head, and Ritchey LLP, Cincinnati, was given the John E. Pepper Education Award from the Cincinatus Association for demonstrated commitment, compassion, and perseverance as a volunteer on behalf of public education.

Robert A. Zimmerman ’91 has been named a principal in the Cleveland law firm of Kahn Kleinman. As a member of the firm’s litigation and labor and employment practice groups, he focuses his practice in the areas of employment law, litigation and business, commercial, and real estate counseling. He represents private and public companies, governmental entities, and individuals and has served as special counsel appointed by the Cuyahoga County Prosecuting Attorney.

Michael R. Gladman ’92, Columbus, is the recipient of the 2002 Professionalism Award from the Ohio Attorney General’s Office, where he is an assistant attorney general.

Russell A. Cohen ’82 appeared on the PBS Emmy Award-winning home gardening show The Victory Garden, where he and host Michael Weishan found and gathered over a dozen species of edible wild plants from two organic farms in Massachusetts, around the Boston area. The six-minute segment aired on the November 2, 2002, season finale episode as part of a foraging-for-food-in-nature section. In addition, two of Cohen’s recipes for wild garden salad and faux gumbo soup were featured on the show. The recipes can be found on The Victory Garden web site at www.victorygarden.org/recipes.

—Mike Schriner
David M. McCarty ’92, Bexley, and Erika L. Haupt ’94, Upper Arlington, were promoted to directors of the Columbus-based firm of Kegler, Brown, Hill, and Bitter. McCarty assists clients with issues involving workers’ compensation defense, representing Ohio employers throughout the state. Haupt practices in the area of estate planning and probate and tax law, and assists clients in estate tax and business succession planning.

Ginger Fuller Mlakar ’92 has been certified by the Ohio State Bar Association as a specialist in estate planning, trust, and probate law. She is of counsel in the estate planning and probate practice group at Benesch, Friedlander, Coplan, and Aronoff LLP, Cleveland.

James G. Petrie ’92 has been elected to partnership at the Columbus law firm of Bricker and Eckler. He is a member of the employment relations department, defending private and public sector clients in employment-related litigation.

Michael P. Shuster ’92 was named partner at the Cleveland office of Hahn Loeser and Parks LLP, focusing his practice on bankruptcy, creditors’ rights, and commercial law matters. He resides in Sagamore Hills.

Daniel M. Haymond ’93 has been elected as a partner in the law firm of Thompson Hine in the construction practice group at its Columbus office.

Stuart Larsen ’93 has been named as a principal in the bankruptcy practice group of the Cleveland law firm of Kahn Kleinman. He focuses his practice in the areas of creditors’ rights, restructuring, and bankruptcy and counsels secured lenders and unsecured creditors and creditors’ committees. He also devotes significant time handling all aspects of complex commercial and business litigation in state, federal, and appellate courts.

John K. Stipanich ’93 is vice president, general counsel, and secretary at Evenflo Co., Inc., Vandalia. He resides in Springboro with his wife, Amy.

Mary Pelini Grillo ’94 was elected to serve on the board of trustees of the Central Ohio Chapter of the Leukemia and Lymphoma Society. She is a business lawyer and partner at the law firm of Baker and Hostetler LLP, Columbus, practicing in business planning, commercial transactions, mergers and acquisitions, and information technology.

Steven J. Kokensparger ’94, Columbus, has been appointed to the National Child Endangerment Panel of the National Office of Mothers Against Drunk Driving. The panel was created with funding from the U.S. Department of Justice Bureau of Justice Affairs to develop practical policy solutions for preventing child endangerment from alcohol-related automobile crashes. He is with the Solove Law Office.

Robert J. Ringel ‘94 has been elected as a partner to the law firm Thompson Hine in the firm’s employee benefits and executive compensation practice group at its Cincinnati office.

Michael Sanders ’94 was elected the prosecutor of Jackson County, Missouri. He oversees one of the Midwest’s largest prosecutor offices, with a staff of more than 250 people and a budget of $19 million.

Carol G. Stovisky ’94 and James L. Kwak ’96 were named partners of Stanfley and Gilcrest LLP, in Dublin, Ohio.

Jon C. Walden ’94 joined the law firm of Arter and Hadden LLP as an associate in the director and officer liability group in the firm’s Columbus office.

Lisa M. Zarlenza ’94 was named partner of Steptoe and Johnson LLP, Washington, D.C. She is a member of the firm’s federal tax group with emphasis on corporate transactional and planning matters.

Dean R. Brackenridge ’95 has been named partner at the Indianapolis law firm of Locke Reynolds LLP, concentrating his practice in the representation of construction companies, financial institutions, and other business clients in litigation.

Stephen R. Kleinman ’95 has joined the Columbus firm of Schottenstein Zox and Dunn in the firm’s health law practice group. He specializes in health care and commercial litigation.

Amy Mass ’95 joined Isaac, Brant, Ledman, and Teetor in the firm’s litigation department, focusing in trial and appellate practice.

Maria Collins Warren ’95 and her husband, Christopher, welcomed a son, Nicholas Edgeworth Warren, on January 5, 2003. The family resides in Wilmington, N.C.

Megan Devoe Foley ’96 has joined the Columbus firm of Cloppert, Latanick, Sauter, and Washburn as an associate. She practices family law.

Lori A. Maite ’96 has been promoted to senior manager in the tax consulting practice at Ernst and Young, Columbus.

Jason D. Warner ’96 has been appointed to the position of first assistant law director and chief city prosecutor with the City of Marion’s law director’s office in his hometown of Marion, Ohio. He and his wife, Julie, live in Delaware with their sons, Joshua, four, and Ethan, two.

Brian E. Burns ’97 joined Sullivan and Cromwell LLP in March 2003 as a corporate associate in their general practice group. He will spend the balance of this year in Sullivan and Cromwell’s New York office before relocating with his wife, Kelli, an Australian native, and three daughters to Sullivan and Cromwell’s Melbourne, Australia, office for a long-term
assignment. Previously, Brian served as vice president and deputy general counsel of Martha Stewart Living Omnimedia, Inc., a NYSE-listed company.

Lawrence H. Cohen ’97, with David J. Demers, formed the firm of Demers and Cohen LLC. The firm, located in New Albany, Ohio, focuses on business and tax law and civil litigation.

Shawn Dominy ’97 and wife Lara welcomed the birth of their new daughter, Natalie, on April 22, 2002. The family resides in Powell.

Casey Lide ’97 has joined the Washington, D.C., offices of Baller and Herbst as an associate. His work focuses on telecommunications and municipal broadband deployment.

Mark E. Owens ’97 has joined the Cleveland law firm of Kahn Kleinman as an associate in the firm’s bankruptcy practice group. He has significant experience representing unsecured trade creditors, commercial landlords, and asset purchasers in both Chapter 7 liquidation and Chapter 11 reorganization cases. He also devotes substantial time handling all aspects of commercial and business litigation in state, federal, and appellate courts.

Elizabeth M. Strautz ’97 joined Ferron and Associates as an associate, concentrating in the areas of labor and employment law.

Peter M. Ellis ’98 is an associate at Piper Rudnick in Chicago.

David T. Graham ’98, Grove City, has joined the Columbus law office of Kegler, Brown, Hill, and Ritter as an associate. His practice focuses on real estate and financing law.


Stuart A. Laven Jr. ’99 joined the Cleveland firm of Benesich, Friedlander, Copland, and Aroff LLP in its business reorganization practice group, focusing on bankruptcy, workouts, and debtor-creditor litigation.

Toby Williams ’99 joined the New York office of Holland and Knight as an associate in the corporate finance group, working on mergers and acquisitions and corporate finance transactions. He resides in Brooklyn, N.Y.

2000s

Bryan Faller ’00 became an associate in Porter Wright Morris and Arthur’s Columbus litigation department. Before his employment, he served two years as law clerk to the

A Chilly Fiesta: Mark Davis ’99 Celebrates the Fiesta Bowl in Antarctica

Mark A. Davis ’99, Toledo, was headed toward Antarctica in January as the Ohio State Buckeyes battled for the national championship in the Tostitos Fiesta Bowl. A loyal Buckeye fan, Mark relied on the cruise ship’s Internet connection to “watch” the first three quarters of the game (which began at 10 p.m. local time).

“I could not find a site that provided streaming video,” he recalls. “Our satellite connection seemed to fade in and out, but both Yahoo and ABC provided a play-by-play breakdown as the game unfolded.”

As the fourth quarter began, the game seemed to stop, he says: “After fiddling with the mouse, the keyboard, the monitor, rebooting my machine, and even rebooting the ship’s server, at 1:30 a.m. Antarctica time, I was cut off from the Internet world as the ship steamed towards the bottom of the world.”

It was not until the ship docked in Ushuaia, Argentina, six days later that he found an Internet café where he could log on to learn the score. “What a glorious connection it was to find that Ohio State had done the impossible and won the national championship!” he recalls.


Jennifer Horowitz '01 joined the Boston office of Palmer and Dodge as an associate in its private client department, practicing in trusts and estates. Before her employment, she completed a one-year clerkship with the Honorable John D. Holschuh, U.S. District Court, Southern District of Ohio.

Dominic P. Marco Jr. '01, Langhorne, Pennsylvania, has joined the Philadelphia law firm of Spector, Gadom, and Rosen, PC. As an associate in the business services department, he focuses on securities and general corporate practice.

James A. Slater Jr. '01 joined the law firm of Baker and Hostetler LLP at its Cleveland office.

Fidelis I. Agbapuruonwu '02 and Lisa R. Knickerbocker '02 have joined the law firm of Baker and Hostetler LLP at its Columbus office.

Kathryn Baltes '02 has joined the Portland, Ore., law firm of Miller Nash in the business department. She focuses on general business matters and international law.

Jeffery Braun '02 has joined the Columbus law office of Roetzel and Andress in the firm's business services law group.

Kimberly C. Brunner '02 has joined the law firm of Baker and Hostetler LLP at its Cleveland office.

Abby R. Dritz '02 won her first jury trial in February when a federal court jury in the Southern District of Florida determined that the word “yachtmaster” is generic and not a valid service mark. She was part of a team from the Miami law firm of Lott and Friedland who represented Maritime Professional Training, Master, Mates, and Engineers, Inc., in a dispute over the use of the term.

Rasheeda Z. Khan '02 has joined the Columbus law office of Kegler, Brown, Hill, and Ritter as an associate in the area of general litigation.

Kevin M. Mueller '02 has joined the firm of Buckingham, Doolittle, and Burroughs as an associate in the business practice group.

Emily A. Smith '02 joined the Columbus firm of Chappano Wood as an associate, practicing in the areas of trademark, copyright, computer, and business law.

Stephanie N. Smith '02 joined the Holland, Michigan, office of Warner Norcross and Judd LLP as an associate.

John J. Stark '02 has joined the Grand Rapids, Michigan, office of Warner Norcross and Judd LLP as an associate.

Law Record extras—we couldn’t fit it all in!

So many good things are happening at Moritz Law that we couldn’t print it all. Check our web site at http://moritzlaw.osu.edu/ for more information about the Oxford Program, to learn about students, alumni, and others who were involved with Operation Iraqi Freedom, and the most up-to-date information about upcoming reunions.

Numerous Moritz Law graduates attended the wedding of Stacey Wojciechowski '01 and Seth Gilbert on August 3, 2002, in Columbus. Among the Ohio State law grads and current students who participated in the wedding were maid of honor Terracina Pavkov '01, bridesmaids Brandi Marzec '03 and Jessica Aerni '03, and eucharistic minister Melanie Meyer '00. The couple resides in Westerville. Stacey is a staff attorney to the Honorable David W. Fais, Franklin County Court of Common Pleas.
It’s never too soon to begin planning the best party of the year! Already, dates are set for the 2003 Alumni Return. Because of a change in the university’s football ticket allocation system, we have been assigned two weekends for reunion festivities.

The classes of 1953, 1963, 1968, 1973, 1978, and 1983 will go first: on Friday, September 12, and Saturday, September 13. We’ll take advantage of the milder weather, which should be perfect for the North Carolina State game on Saturday. The Friday night activities will be more relaxed this year. As we ease into the weekend with a reception at the Westin Great Southern Hotel, we’ll pose for group photos in the Grand Ballroom and present the Distinguished Alumnus Award to John W. (Jack) Creighton ’57. We’ve lengthened our time at dinner, so we can have as much time as possible to visit with one another without hurrying to the next activity. In addition, committee chair Frank Bazler ’53 has special dinner, tailgate, and brunch plans for the class of 1953 on Friday, September 12, and Saturday, September 13. If you haven’t received your class of 1953 mailing yet, please contact us.

The classes of 1986, 1993, and 1998 will have their reunion on Friday, November 7, and Saturday, November 8—the weekend of the Michigan State game. We’ll gather on Friday evening for a reception, dinner, and visiting with one another at the Buckeye Hall of Fame Café, featuring the latest in electronic games for the technologically gifted among us. Late Friday evening is free for visiting old haunts and favorite nightspots. Saturday’s tailgate will include recognition of the 2003 Outstanding Recent Alumnus, Brian Burns ’97.

If you’d like to help with planning activities for your class, or help with calling classmates to encourage them to attend, please let us know by contacting Laura Landy Carr at carr.275@osu.edu or (614) 292-2937.

More details will follow in future issues of the Law Record and on our web site. Check out our reunion web page at www.moritzlaw.osu.edu/alumni/events/reunion.html for details as they become available. And please stay tuned, as we create some great opportunities for you to reconnect with fellow Moritz Law friends and faculty.
Remember When?

Senator Joseph R. Biden (D-Delaware), the speaker at the 1985 Hooding Ceremony, congratulates an unidentified student as Dean James E. Meeks (center) looks on.

Upcoming Events

Unless otherwise indicated, all programs are held at John Deaver Drinko Hall, 55 West 12th Avenue, Columbus, Ohio. If you plan to attend, please call (614) 292-2631.

The Moritz College of Law will provide reasonable accommodations to seminar, workshop, or symposium participants with disabilities. Individuals who desire accommodations should call the telephone number above or send an e-mail to moritzlaw@osu.edu no later than two weeks before the event.

July 31
Noon: After the Bar Party. Call Pam Lombardi at (614) 292-8809 for more information.

August 7
Save the date for a Washington, D.C., alumni event.

August 18
First day of classes

August 29
Save the date for a Toledo alumni event.

September 12–13
Reunions for the classes of 1953, 1963, 1968, 1973, 1978, and 1983 and presentation of the Distinguished Alumnus Award, Westin Great Southern Hotel, Columbus. Contact Laura Landy Carr at (614) 292-2937 or carr.275@osu.edu for more information. A Saturday tailgate will be held at the college and 120 tickets to the North Carolina State game will be allocated to reunion attendees.

November 7–8
Reunions for the classes of 1986, 1993, and 1998 at the Buckeye Hall of Fame Café, Columbus. Contact Laura Landy Carr at (614) 292-2937 or carr.275@osu.edu for more information. Saturday’s tailgate will include presentation of the 2003 Outstanding Recent Alumnus Award, and 100 tickets to the Michigan State game will be allocated to reunion attendees.

For up-to-date information on Moritz Law events, visit http://moritzlaw.osu.edu/events/.