Cloud storage raises more legal questions than answers

INSIDE
National security starts at Ohio State
Celebrating the student experience
The Moritz Corporate Fellowship Program
Exposure

No longer students, the Class of 2017 officially joins Moritz’s esteemed alumni community.
World-class instruction

One of the great assets at the Moritz College of Law is the instruction from our dedicated and accomplished faculty. When I talk to alumni, many of the stories they recount about their experiences in law school revolve around their former professors—the one who pushed them, the one who helped them find a passion for a particular area of law, the one who wrote a recommendation for that important first job, or the one who just listened when the student was struggling personally. The Moritz community is truly special and unique among law schools, and the tone is set by how our faculty interacts with students and its strong dedication to both teaching and scholarship.

The University’s Alumni Award for Distinguished Teaching is given to just 10 of Ohio State’s 4,000-plus faculty each year. The Moritz faculty has won eight times in the past 11 years alone. My math puts the odds of that happening by chance at roughly 1 in 2 million. Of course, it is not due to chance. Such an accomplishment is a testament to the extraordinary talent and dedication of our teachers, and to their impact on students and alumni, who in turn participate in crafting compelling and persuasive endorsements to the University’s Award Committee.

The prominence of the Moritz faculty in legal education is a national phenomenon. At least with regard to the leading publisher of casebooks and hornbooks, the Moritz faculty is the best-selling in the country. This reflects the choice that law professors throughout the nation make to assign or recommend books authored by Moritz faculty as the best tools for instruction. And, our faculty is not resting on its laurels. A faculty-led Teaching Innovation Group meets regularly throughout the year to exchange ideas and approaches in pedagogy, to bring the latest research in learning into our classrooms, and to find ways to improve and inspire. The result is that the quest for teaching excellence permeates our culture.

Our faculty’s cutting-edge research also makes its way into the classroom. For example, our cover story in this issue of All Rise—The Digital Frontier—features many of the faculty in our Program on Data and Governance. This new program—part of Ohio State’s university-wide Translational Data Analytics Initiative—is only in its first year, but is already receiving national recognition in the emerging field of legal regulation of big data. For students, this means exposure to new classes and research opportunities, hearing from invited speakers, participating through journal symposia, and, in the long run, job opportunities. Another article in this issue describes our national security simulation—a genuinely unique offering—and showcases another area in which faculty expertise in a growing field (in this case, national security law) translates into exciting instructional opportunities.

One result of all of these efforts: Students are finding great success in launching their careers. Despite recent nationwide declines in bar passage rates, Ohio State law graduates continue to succeed, leading the state by growing margins and, in the most recent year of results, reaching 100 percent success among first-time J.D. takers on bar exams outside of Ohio. The employment rate of our graduates for the Classes of 2014 and 2015 each placed Moritz 16th nationally and among the top five public law schools in the country. Recently published figures for the Class of 2016 are even stronger.

All of this success starts in the classroom. I encourage alumni to reach out to the professors who influenced them most, submit a class note to All Rise, or swing by an event this fall. Our faculty love to hear from former students.
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It’s been more than a century since the College’s very first classes were held in the Franklin County Courthouse in 1891. We assembled a collection of historical tidbits, photos, and interesting anecdotes about Moritz and the thousands of students who have come and gone through Drinko Hall over the years.
The Class of 1966 recognizes and honors the distinguished public service of our classmate Paul Pfeifer ’66 as an Associate Justice of the Ohio Supreme Court for 24 years and, prior to the Court, two years in the House and 16 years in the Senate of the Ohio Legislature.
Chamallas plays key role in Fair Calculations in Civil Damages Act

Just days after Professor Martha Chamallas was quoted in an article in The Washington Post detailing how women and minorities are often awarded considerably less compensation in civil suits, she received phone calls from the offices of Sen. Cory Booker (D-N.J.) and Sen. Kirsten Gillibrand (D-N.Y.). They sought her legal expertise.

The resulting Fair Calculations in Civil Damages Act of 2016, introduced in December, aims to curtail the use of race and gender-based statistical averages to determine compensation in civil suits. The bill, which has bipartisan support, is co-sponsored by Sen. Booker and Sen. Gillibrand, as well as Rep. Joe Kennedy (D-Mass.) and Rep. Mia Love (R-Utah). Chamallas, a leading scholar on torts and employment discrimination law, provided her expertise on certain aspects of the proposed legislation.

Forensic experts frequently use gender and race-based tables to predict how much money victims would have earned over their lifetime had they not been injured. When these projections rely on gender and race-based demographic averages (such as average earnings for women and men), white male victims typically receive higher compensation than women of all races and minority men. “In one case, when a 6-year-old girl and a male fetus were killed in the same car crash, the settlement for the fetus was calculated to be up to 84 percent higher than the girl’s, according to court records,” The Washington Post reported.

“The use of gender and race-based tables sends the message that as a society we expect less and we will give less to certain groups of people. It perpetuates the kind of thinking that may make an employer decide to give a smaller raise to a woman,” Chamallas said. “It’s like having two children and saying, ‘I expect a lot from the boy but not as much from the girl.’”

If passed, the Fair Calculations Act would prohibit federal courts from awarding damages based on race, ethnicity, gender, religion, or sexual orientation. The legislation would also require the secretary of labor to issue guidance to forensic economists to develop inclusive future earnings tables that do not rely on race or gender. The bill also provides for the issuance of guidance to state courts to enable them to devise methods to make damage calculations free of bias.

“It’s another step to make this issue more visible and generate a thoughtful consideration of the problem,” Chamallas said. “This is an instance where there is much common ground. Women of all races and minority men stand to receive more in damages, and more importantly, a fair measure of damages.” – Madeleine Thomas

Walker wins national award, works with Senate Judiciary Committee

Professor Christopher J. Walker won the Association of American Law Schools (AALS) 2017 Scholarly Papers Competition for law school faculty members who have been teaching for five years or less. Walker presented his paper, “Legislating in the Shadows” at the AALS Annual Meeting in San Francisco in January 2017 (Legislating in the Shadows, 165 University of Pennsylvania Law Review (forthcoming 2017)).

The prestigious competition is more than 30 years old. The majority of Walker’s research looks at the interactions between federal agencies and Congress. Walker also accepted a temporary appointment with the United States Judiciary Committee working on the Hon. Neil Gorsuch’s Supreme Court nomination. Walker assisted in vetting Gorsuch and preparing him for more than 20 hours of recorded testimony.

“It has been really exciting to see how the process works behind the scenes,” said Walker, who worked primarily for Sen. Orrin Hatch (R-Utah). “It was fascinating to see both parties’ respective strategies during testimony to try to flush out the nominee’s qualifications and judicial philosophy.”

– Barbara Peck
Moritz moot court teams compete at prestigious national competitions

Moot court teams from the Moritz College of Law recently competed in two of the most prestigious moot court competitions in the country: the National Moot Court Competition in New York City and the Andrews Kurth Kenyon Moot Court Championship in Houston. Both teams delivered outstanding performances.

The 3L team of Arlene Boruchowitz, Sara Coulter, and Audry Klossner were named runners-up in the National Moot Court Competition. Approximately 185 teams from 120 law schools competed across 14 regions, with the top 28 teams meeting in New York for a battle between the best of the best. In addition to being named runners-up of the entire competition, the team also took home the Honorable Mention Best Brief award as well.

The 3L team of Shalini Goyal, Michael Mayer, and Chelsea Weaver traveled to Houston as one of just 16 teams invited to compete at the Andrews Kurth Kenyon Moot Court Championship. They won three out of their four oral argument rounds in the preliminary stages. – Kelsey Givens

Kelly receives Alumni Award for Distinguished Teaching

In February, Professor Katherine Silver Kelly was surprised in her classroom by Vice Provost Kay Wolf, as well as Kelly’s husband, father, stepmother, and two sisters with news that she won the Alumni Award for Distinguished Teaching.

Of the more than 4,000 Ohio State faculty eligible for the award, just 10 are granted each year. Kelly’s award marks the eighth time in 11 years that a Moritz faculty member has been a recipient.

Moritz faculty, staff, and student members of the Administration Committee—led by Professor Mary Beth Beazley—nominated Kelly unanimously for the esteemed award. As their recommendation letter to the Committee on Alumni Awards for Distinguished Teaching notes, Kelly’s passion for teaching and her exceptional ability to champion the work of her students exemplifies the virtues extolled in the award.

Year after year, Kelly’s students praise her commitment to high standards, her dedicated mentorship, and her unwavering encouragement to help her students succeed. For example, Kelly’s work prepping students who are at greater risk for failing the bar exam typically results in a pass rate exceeding 90 percent each year. Since 2012, her course evaluations (in which students rate their instructors based on how well they help their students and encourage critical thinking) have averaged a 4.8 out of 5, as well.

“All in all, Professor Kelly is a consummate professional who uses her teaching and leadership skills to the benefit of her community, her university, and her profession,” the Administration Committee’s recommendation letter states. “Ohio State can be proud of her work.” – MT
Merritt awarded a President and Provost’s Award for Distinguished Faculty Service

In March, Professor Deborah Merritt was awarded the President and Provost's Award for Distinguished Faculty Service. This prestigious award honors Ohio State faculty members who, in addition to remaining dedicated teachers and scholars, go above and beyond in their commitments to develop university policies and programs that improve the overall quality of Ohio State.

Recipients of the award are nominated by members of the University community and selected by a committee of faculty, administrators, and prior recipients. Merritt’s own history of impressive University service—toward issues like diversity enhancement and education reform—spans more than two decades.

As convener of the Advisory Subcommittee to the Board of Trustees Presidential Search Committee from 2013-2014, Merritt quickly assumed the role as a dedicated and trusted leader. While the work required extreme secrecy and exemplary leadership skills, Merritt proved to work seamlessly across the University community, according to a recommendation letter written by Associate Professor Leslie Alexander from the College of Arts and Sciences, who served as chair of the Faculty Council at the time.

Throughout the search for a new university president, Merritt met with faculty, staff, students, alumni, donors, the Council of Deans, and other members of the University community to coordinate their input. She also organized forums at each of Ohio State's five regional campuses, served as a primary author on a 64-page portrait of the University to help recruit potential candidates for the position, and supervised the subcommittee in evaluating those candidates, as well.

Merritt’s distinguished history of service also includes serving on the ad hoc committee that ultimately led to the creation of the Kirwan Institute for the Study of Race and Ethnicity, as associate director for the Center for Higher Education Enterprise, and on the Evaluation of Central Administrators (EOCA) for the University Senate—among many other notable roles. – MT

Kaminski awarded Fulbright-Schuman Innovation Grant

Professor Margot Kaminski was awarded a prestigious Fulbright-Schuman Innovation Grant for the Spring 2018 semester. The grant is designed to support work that can create better transatlantic understanding of issues at the heart of the relationship between the U.S. and the EU, particularly at the intersection of policy and technology.

This year’s grants were awarded with preference given to proposals focused on EU or U.S.-EU approaches to the issues of data privacy and protection. Kaminski plans to study approaches to sensor privacy, including privacy laws governing drones, robotics, and the Internet of Things.

Next year, Kaminski will travel to the University of Amsterdam in the Netherlands to conduct comparative and transatlantic research from January to March. From there, she will spend the next three months at Scuola Superiore Sant’Anna in Pisa, Italy. – KG
Spindelman testifies before Ohio House

Professor Marc Spindelman appeared before the Ohio House of Representatives Community and Family Advancement Committee in February to give interested party testimony on the constitutionality of House Bill 36—referred to by sponsor Rep. A. Nino Vitale (R-Urbana) as the “Pastor Protection Act.”

Among its key provisions, H.B. 36 would permit ordained and licensed ministers and religious societies statewide to refuse to solemnize same-sex civil marriages when doing so would conflict with their sincerely held religious beliefs. In addition, the act also would authorize religious societies not to host marriage ceremonies on their property in accordance with their faith. Importantly, the act creates various immunity provisions to ensure that those who exercise the prerogatives that it supplies will not be held legally liable, either civilly or criminally, for their acts.

While some opponents of H.B. 36 argued that there is no need for this law, its central protections for clergy already being safeguarded by the U.S. and Ohio Constitutions, Spindelman maintained that it is not totally wrong to think that the United States Supreme Court’s landmark 2015 decision in Obergefell v. Hodges may have opened the door for potential liability for members of the clergy who refuse to solemnize same-sex civil marriages under state law. These actions could be seen as constituting a form of state discrimination against lesbians, gay men, and same-sex couples. This being so, H.B. 36 raises critical constitutional questions that, in the right case, will be for the U.S. Supreme Court to resolve, he said.

“The state cannot constitutionally transfer to its agents authority that it itself constitutionally lacks,” Spindelman testified, adding that allowing religious officials to refuse to perform civil marriages based on religious grounds, while granting civil and criminal immunity, attempts a transfer of power that the state legislature is not constitutionally authorized to do. “As a form of state action itself, it permits the clergy—here, the state’s agents—to do what the state, their principal for civil marriage purposes, concretely must not: discriminate against lesbians, gay men, and same-sex couples by not marrying them on a religious scruple,” he said.

A close look at Obergefell suggests how the issues raised in the Pastor Protection Act are to be resolved: not in the political arena, but by the Supreme Court. And, according to Spindelman, there is very good reason to think that the Court, given the right case, would afford constitutional protections to the religious liberties of clergy who refuse to perform same-sex civil marriages. Although Spindelman’s testimony argues that H.B. 36 is unconstitutional, it also underscores that the legislation raises many critically important questions regarding the resolution of conflicts between civil rights and religious liberties when they collide.

“For now, the pastor protections contemplated by H.B. 36 are to be referred to the courts, including the Supreme Court, for final resolution,” Spindelman testified. “But the political debate that the measure has opened up, not dispositive of the constitutional question that H.B. 36 seeks to settle, and the community of political action and engagement and conversation it has inspired as reflections of our democratic processes of deliberation working mean that the measure, whatever its constitutional flaws, is scarcely for naught.” — MT

Hoffer awarded Fulbright U.S. Scholar Grant

Professor Stephanie Hoffer was awarded a prestigious Fulbright Scholar Grant for the Spring 2018 semester. Hoffer will travel to the Vienna University of Economics and Business where she will join the Institute for Austrian and International Tax Law.

Hoffer will conduct research on the comparative ways in which tax laws in European countries and the United States work toward or against integration of individuals with disabilities into the workforce. She plans to present her findings in Vienna, as well as to audiences at other universities across Europe. In addition to her research, Hoffer will also teach a course on international tax policy. — KG
Moritz Federalist Society named National Student Chapter of the Year

The Moritz College of Law Federalist Society student chapter was awarded the 2016-2017 James Madison Award for Student Chapter of the Year at The Federalist Society for Law and Public Policy Studies’ national student symposium in March.

There are more than 200 student chapters across the country. Finalists for the award this year included the law school student chapters at the University of Chicago, Harvard University, University of Pennsylvania, University of Texas, University of Virginia, and Yale University.

“The Federalist Society’s student chapters exist to enrich the debate and discussion on law school campuses on the most critical issues of law and policy,” said Austin Lipari, deputy director of the National Student Division of the Federalist Society, who was involved in the selection process. “Under 3L Jedidiah Bressman’s determined leadership, the Ohio State chapter has proven to be the very model of what civic discourse over contested ideas and issues should look like.”

In addition to Bressman as chapter president, the Moritz Federalist Society is led by 2L Jay Payne as vice-president; 3L Tara Workman as secretary; 2L Andy Hopkins as treasurer; and 3L Tom Lampman and 2L Amanda Morris as co-marketing chairs. Professor Christopher J. Walker is the chapter’s faculty adviser.

“This award would never have happened without the help from the law school chapter of the American Constitution Society, led by 3L Melissa Wasser, The Ohio State University Democracy Studies Program, and the Moritz Admissions Office, which all cosponsored a number of our events this year,” Bressman said in response to the award. “Dean Alan C. Michaels and the rest of the law school administration have also provided critical support and have helped create an atmosphere at the law school that encourages an open exchange of ideas and diversity in viewpoints.” – KG

Merritt’s research on gender disparities in the law school pipeline featured in The New York Times

New research co-authored by Professor Deborah Merritt about gender disparities in the law school pipeline was featured in The New York Times. According to Merritt’s report, “The Leaky Pipeline for Women Entering the Legal Profession,” women are more concentrated at less prestigious law schools than their male counterparts.

Throughout the 2015-16 academic year, women made up about 47 percent of the student body at the country’s most prestigious law schools. Lower-ranked or unranked institutions enrolled 53.5 percent female students, however.

The repercussions of attending lower-ranked schools are considerable, according to Merritt’s study. Female law students are “less likely than men to attend the schools that send a high percentage of graduates into the profession,” Merritt said. Female graduates at lower-ranked law schools are also less likely to land a legal job after graduation that provides higher wages and long-term security. – MT

Tokaji elected to American Law Institute

Professor Daniel P. Tokaji was recently elected as a Member of the American Law Institute (ALI), which was established in 1923 to promote the clarification and simplification of United States common law. ALI drafts, approves, and publishes treatises, restatements of law, model codes, and proposals for law reform. Membership is limited to 3,000 elected members, which include law professors, attorneys, judges, and other professionals in the legal industry.

Tokaji joins professors Martha Chamallas, Albert L. Clovis, Joshua Dressler, Edward B. Foley, Larry T. Garvin, Steven F. Huefner, James E. Meeks, Alan C. Michaels, Dale Oesterle, Peter Shane, and Marc Spindelman as an ALI member. – BP
Justice for Children Clinic earns asylum for client

After almost two years of tireless and dedicated work, the Justice for Children Clinic learned in February that one of its clients was granted asylum—a remarkable triumph. The Justice for Children Clinic’s dedicated efforts on the asylum case were led by a team of students under the guidance of Professor Kimberly Jordan, director of the Justice for Children Project and an associate clinical professor of law.

Prior to escaping his home country of Honduras, the clinic’s client experienced several harrowing and traumatic crises, including finding the body of his uncle in a river, having a best friend killed in front of his home, and escaping not only an attacker brandishing a machete, but gunfire from gang members as well. He was placed in immigration removal proceedings upon entering the United States, yet was permitted to live with a relative in Ohio while he pursued asylum relief.

Unable to form an asylum claim on his own, the Justice for Children Clinic discerned after multiple interviews with their client that the machete-wielding man who had threatened him in Honduras had also likely killed his uncle. The client’s uncle was killed, the clinic believes, because of his involvement with political campaigning. The client had been active in political canvassing as well, leading the clinic to believe that he was a candidate for asylum on the grounds of political persecution.

Starting in spring 2015, Liliana Vasquez ’15 initially interviewed the client and researched how to apply for asylum. Miriah Lee ’16 and Sierra Cooper ’16 then filed an affirmative asylum petition in November 2015, backed by affidavits, government reports, and news articles chronicling the instability and dangers of Honduras’ political climate. Sarah Spector ’16 began preparing the client for his asylum interview. She graduated before the interview was scheduled, however, so 3L Megan Gokey picked up where Spector left off.

Last November, Gokey and Jordan accompanied their client to his asylum interview at the U.S. Citizenship and Immigration Services Chicago Asylum Office. Before meeting with an asylum officer, Gokey led several practice interviews with the client and prepared her oral and closing arguments in support of his petition. It was the first asylum case for both Gokey and Jordan, yet they knew the odds were stacked against them. As few as 15 percent of the asylum cases heard before the Chicago Asylum Office are granted annually.

“I thought we had a strong claim, but sometimes strong claims aren’t enough,” Gokey said. “When I found out, I was astonished.” With his newfound asylum status, the client can now work legally in the U.S., earn his driver’s license (which he has been eagerly awaiting, Jordan said), and is newly entitled to benefits like English language training and job placement assistance from the U.S. Department of Health & Human Services Office of Refugee Resettlement. Moving forward, the Justice for Children Clinic will start him on the road toward applying for legal permanent resident status sometime next year. – MT

Evidence moot court team wins Prince Competition

The Moritz College of Law’s Evidence Moot Court team brought home the first place trophy from the Dean Jerome Prince Memorial Evidence Moot Court Competition.

2L Lydia Bolander Reback, 3L Shane Wiegert, and 2L John Bullock faced 31 other teams who traveled to Brooklyn for the competition. Reback won Best Oralist in the final round, which was argued before two federal appeals court judges and a federal district court judge.

The Prince Competition is hosted by Brooklyn Law School and is in its 32nd year. This year’s problem focused on three distinct, complex evidentiary issues, two of which involved the intersection of the Federal Rules of Evidence and the United States Constitution. – MT
Steptoe & Johnson PLLC sponsors energy moot court team

Beginning next year, Moritz law students will have the opportunity gain additional experience in the area of energy and sustainability law thanks to a new moot court team founded with the generous support of Steptoe & Johnson PLLC.

The Steptoe & Johnson Energy Moot Court Team will travel to the National Energy & Sustainability Moot Court Competition, held each spring at the West Virginia University College of Law. The competition exposes students to important issues in energy and sustainability law and provides opportunities to practice litigating those issues before a panel of judges.

The partnership will not only give students interested in this particular area of law the opportunity to gain experience in the subject matter, but it will also allow them to network with professionals already practicing in the field. Steptoe & Johnson PLLC attorneys Lyle B. Brown ’98, Jason Lucas ’05, Melanie Morgan Norris ’00, and Timothy M. McKeen have volunteered to coach the team. A panel of judges from the firm will also join them for an honorary moot session before the national competition each year.

This opportunity additionally gives members of Steptoe & Johnson PLLC the chance to interact with students in a more informal setting, allowing them to see some of the College's outstanding students develop real-world skills in the firm's area of expertise. This new partnership is a win-win for both a firm looking to influence and mentor the next generation of energy lawyers, as well as future attorneys looking to gain experience in energy and sustainability law. – KG

Davies named Spelman College provost and vice president of academic affairs

Effective in June, Professor Sharon Davies will join Spelman College as provost and vice president of academic affairs.

Davies is currently vice provost for diversity and inclusion as well as chief diversity officer at The Ohio State University. She also directs the Kirwan Institute for the Study of Race and Ethnicity. She has spent 22 years as a faculty member of the Moritz College of Law and currently serves as the Gregory H. Williams Chair in Civil Rights and Civil Liberties. “Ms. Davies’ distinguished record of scholarship and leadership in higher education and beyond will further advance the college,” Spelman President Mary Schmidt Campbell said in a press release. “As we seek to heighten the intellectual experience, global impact of Spelman women, and career horizons for our students, her experiences will allow her to effectively lead the college’s academic functions with insight, creativity, and innovation in the dynamic and rapidly changing higher education environment.” – MT
“I don’t think the entire Obama legacy is going to be undone in a month, but there’s a chance for some pretty substantial chipping away of his hallmark legislation. A fair amount of these rules could be unwound pretty quickly.”

– Professor Christopher J. Walker, to Bloomberg, about Obama-era policies and court cases related to health care, the environment, and the financial industry that could be reversed in the Trump administration.

“Nobody has come up with a standard to measure constitutionality—how to distinguish between malevolent, evil partisanship that’s manipulative, versus the natural advantage one party might have as a result of where voters happened to live.”

– Professor Edward Foley, in The New York Times, in response to a ruling that the Wisconsin Legislature acted unconstitutionally by redrawing State Assembly districts in favor of Republicans in 2011.

“There’s fairly significant evidence to back the idea that when you think you’re being watched you tend to conform, in large part because humans are fairly conformist animals, and we like making sure that our neighbors don’t hate us. This is the reason the Stasi established its version of a surveillance state in East Germany, because if people think they’re being watched all the time, they’re more likely to move toward the mean, which means less dissent.”

– Professor Margot Kaminski, to Salon, about President Donald Trump’s surveillance powers.
– Professor Martha Chamallas, to The Washington Post, describing the use of demographic averages to determine how much compensation victims or their families receive after injuries or accidents.

“This is anti-Muslim bias plain and simple, no matter what gift wrap the Administration tries to put on it. It’s heartening to see courts exercising judicial review in a manner that recognizes that there is no neutral intent in President Trump’s executive orders.”
– Professor Amna Akbar, in Colorlines, on President Donald Trump’s second executive order pertaining to travel and refugees.

“What litigants would do is bring their claims according to which court they think is likely to be more favorable to them. If you’re a Democratic lawyer and you’re in a jurisdiction with an unfriendly state supreme court you could try to head towards the circuit court by framing a claim under federal law. And vice versa for Republican lawyers.”
– Professor Dan Tokaji told POLITICO, in an article regarding the ability of the Supreme Court (still short one justice at the time) to resolve a disputed election.

“This case involved dash-cams, but increasingly, localities in Ohio are adopting body-cams, and I don’t see any distinction there. The precedent here would likely hold for body-cams in the same way that it applies to cameras on the dashboard.”
– Professor Dennis Hirsch, in The Christian Science Monitor, on an Ohio Supreme Court ruling that police dash-cam videos are public records.

“Our position at the ACLU was he has a First Amendment right, so we basically represented him in getting the permit. [After he was arrested for marching,] we represented him in criminal proceedings. He was acquitted because it was pretty clear to the judge—who had the guts to do it, I must say—that it was classic First Amendment activity.”
– Professor David Goldberger told Chicago magazine, in a Q&A about Nazi ideology in America and his experience working for the American Civil Liberties Union (ACLU). Goldberger argued on behalf of Frank Collin, head of the National Socialist Party of America (NSPA). Collin and the NSPA, an outgrowth of the American Nazi Party, fought for the right to protest in Chicago.

“In high-profile elections ... people who are going to vote are going to vote. And they’ll do that whether it’s voting by mail from their kitchen table or going to the polling place on the designated Election Day.”
– Professor Steven Huefner, to YES! Magazine, on whether vote by mail systems have a measureable effect on voter turnout.
Launching new careers in business

Mortiz Corporate Fellowship Program benefits companies, graduates

BY EMILY LEHMKUHL

Starting a career is an exciting transition for law school graduates, yet since the economic collapse of 2008, the legal job market has changed. While traditionally many young lawyers flocked to firms to gain experience and exposure in different areas of law, in recent years only about 40 percent of new law graduates head to a law firm.

Pioneering a response to an evolving legal job market, The Ohio State University Moritz College of Law established the Moritz Corporate Fellowship Program in 2010. This revolutionary program mirrors the idea of a judicial clerkship, only with a major corporation as the backdrop instead.

“As the legal market changed, there was pressure for more practical training from law schools. But, when I looked at other professions, what they have is a lot more post-graduate training, like a medical residency,” said Alan C. Michaels, dean and Edwin M. Cooperman Chair in Law. “My projection was that as companies were not willing to be billed for the work of first-year associates because they lacked experience, some sort of bridge would develop. Looking where that could be was our approach. Seeing our graduates that were general counsel and seeing what they did, that seemed like a great, logical place to build one of those bridges.”

Through the Moritz Corporate Fellowship Program, partner corporations hire recent graduates for year-long positions designed to launch the legal career of the graduate while providing needed, affordable talent to in-house departments. Each paid fellowship provides extensive in-house experience as well as valuable mentorship. Nearly 70 graduates have served as corporate fellows in the seven years since the program began. American Electric Power Company, Scotts, and Nationwide Insurance were among Moritz’s first partners.

DSW, a longtime participant in the corporate fellowship program, has guided six fellows through its legal department under the supervision of Bill Jordan, executive vice president and chief administrative officer. At DSW, fellows act as associates and become completely immersed in the company’s legal team. Moritz fellows consistently bring a fresh, young perspective into practicing law throughout the course of their fellowships, which is a great benefit for the company, Jordan said.

“I would be a much better lawyer today if the first year of my practice I went through the fellowship program,” he said. “Our fellows provide good legal

“Our fellows provide good legal service and help create positive morale and something to build around. It excites people who work in our business to be around somebody new and eager to learn the law.” – Bill Jordan, executive vice president and chief administrative officer, DSW
service and help create positive morale and something to build around. It excites people who work in our business to be around somebody new and eager to learn the law.”

Jordan and his legal team make it a priority to help their fellows secure employment once their rotations are complete by arranging key introductions with prospective employers as they embark upon the job market. The fellowship program consistently builds on its success, and Jordan notes, it is increasingly easy to secure full-time employment for his fellows each year as the program’s reputation continues to spread throughout the legal community.

“It also makes the folks in my legal department become better lawyers and paralegals. Every year they have to train somebody, which makes them think about the particulars of any one thing they are doing,” he said. “They have to think down to the basics and explain why we do what we do, which I think makes my existing team even better.”

The Moritz Corporate Fellowship Program has been used as a model for programs at other top law schools around the country. The goal is, and always has been, to develop the careers of young attorneys. After completing their fellowship, nearly every graduate is able to step into full-time, permanent legal work. All Rise recently caught up with several former fellows to learn more about how their experience as a corporate fellow influenced their own budding careers.

Megan Whited ’13

From the onset of her fellowship in DSW’s General Counsel’s office, Megan Whited ’13 immersed herself in opportunities that she may have never experienced had she started her career in a traditional law firm setting.

Whited participated in meetings with the New York Stock Exchange; helped execute complicated corporate transactions, such as stock splits; and aided in DSW’s acquisition of a majority interest in a foreign corporation.

“One thing that I didn’t realize in law school is that you don’t have these opportunities to network with people immediately after graduation like you do after you’ve been practicing for 20 or 30 years,” Whited said. “There I was, my first year out of law school, able to piggyback on all of the relationships Bill Jordan had built over the last 20 years.”

Connections Whited made throughout the course of her corporate fellowship opened the doors that led to her current role as an associate at Porter Wright. Now working as outside counsel, Whited has valuable insight into how companies consume her legal advice, thanks to her fellowship with DSW.

Amanda Parker ’13

As a corporate fellow at Goodyear, Amanda Parker ’13 was free to pursue two passions: business and law. She earned both her MBA and her J.D. as a student at Ohio State.

Parker gained valuable experience in Goodyear’s legal department, where she helped with strategies related to compliance, licensing products, and intellectual property. Her responsibilities included conducting research, drafting memos, preparing corporate strategy, and developing policy and training materials.

She also worked on potential contract disputes, helped uphold the company’s compliance policies with the U.S. Equal Employment Opportunity Commission (EEOC), and had a hand in developing trademark protection strategies and the implementation of compliance and ethics policy changes.

David Hodapp ’13

David Hodapp ’13 kick-started his law career with a corporate fellowship at Huntington National Bank, where he quickly became an asset during a crucial time of change in the banking industry.

Hodapp immersed himself in the inner workings of Huntington’s legal department, initially researching legal matters for senior attorneys across each of the divisions. He often says that joining Huntington was like receiving an on-the-job banking MBA in addition to completing a rigorous legal fellowship.

“Starting out in-house is very different from how most people start their law careers,” Hodapp said. “It gave me a chance to learn the business from the inside. And now that I am at a firm, I can draw upon my experience of being a consumer of outside legal advice, as well as better understand the practical challenges.

“...
associated with executing legal advice within a large complex organization. At Huntington, I was often in the position of being a client, so I now have a better understanding of the challenges clients experience.”

Hodapp was offered a permanent position with Huntington as result of his fellowship. For two years, his work revolved around regulatory issues arising from recent federal legislation, like the Dodd-Frank Wall Street Reform and Consumer Protection Act—one of the most in-depth financial regulation changes since the Great Depression. Hodapp assisted in the interpretation of those regulations and the implementation of compliance programs.

Following the advice of his mentors at Huntington, Hodapp decided to join a law firm in order to broaden his legal experience. Because of his in-house experience, it didn’t take long for Hodapp to land his current position at Squire Patton Boggs, where he continues to draw upon his time at the bank by advocating for clients in complex transactions and regulatory matters.

**Vanessa Roig ’14**

Within six months of starting her corporate fellowship, **Vanessa Roig ’14** was hired as legal counsel with DHL Supply Chain, where she continues to work today.

She started her career with DHL as the company’s first corporate fellow. She accredits the high level of mentorship from her manager, **Aaron Granger ’96**, associate general counsel; Mark Smolik, vice president, general counsel, and compliance officer; and the extensive opportunities fostered by her corporate fellowship as the key drivers for joining DHL as a full-time associate.

“From the beginning, I was representing the company in key areas of labor and employment law and providing guidance to our business partners. I was also immediately immersed in our operations, walking the warehouse floors, learning about our industry, and gaining insight to help develop sustainable solutions for the issues impacting our business partners,” Roig said.

Joining DHL—America’s leader in contract logistics and supply-chain management—fresh out of law school gave Roig keen insight into what a company requires of its counsel and an opportunity to engage with the business world early on in her career.

“I am not just a lawyer, I am also a business professional, so the expectations are that I offer not just legal advice, but practical business solutions that are compliant with the law,” Roig said.

**Scott Mayland ’14**

**Scott Mayland ’14** didn’t have to travel far for his corporate fellowship. He simply moved across High Street, to the Ohio State Office of Legal Affairs. Mayland—who took classes on employee benefits at Moritz—was interested in exploring how a large employer like Ohio State complies with the law.

As a tax and employee benefits fellow, he handled an array of university administrative issues, from employee benefit plans to payroll issues and tax issues. To implement the Affordable Care Act at a large employer such as Ohio State, Mayland helped to ensure that benefits were offered to all of the university’s full-time employees.

“It was really interesting to work on something that was on the cutting edge and a new development in the legal world,” Mayland said. “When I was looking for a permanent job, having an experience in which I was already specializing in employee benefits was helpful.”

Mayland currently works at Groom Law Group in Washington, D.C., a benefits law boutique, in the firm’s fiduciary responsibility practice group.

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National security
starts at Ohio State

How a two-day simulation is preparing the next generation of national security professionals

BY KELSEY GIVENS
“O” shaped table, a handful of individuals type furiously away at their computers. Some are conversing in small groups, others flip quickly between a series of windows on their laptops before uploading a breaking news announcement that appears behind them on a large screen. At the front of this ad hoc control room, Dakota Rudesill, professor at The Ohio State University Moritz College of Law, stands at a large mahogany block of his laptop in front of him. After a quick glance down at his notes, he turns his gaze to the rest of the room and casually asks the group, “Who wants to play the president of Russia?”

While the question may seem slightly odd, it fits neatly within the role playing capacity of The Ohio State University National Security Simulation, a two-day intensive exercise that gives students from Ohio State’s Moritz College of Law, John Glenn College of Public Affairs, Mershon Center for International Security Studies, and School of Communication, along with many other graduate, military, and international studies students, the opportunity to experience what working in the national security field is like in the real world.

For some, including the students in Rudesill’s National Security Law and Process course, the simulation serves as the final exam, testing students on everything they’ve learned that semester and throughout law school. For others, it simply offers the chance to gain real world experience in the relative safety of an academic setting.

“Students learn best when they learn experientially, when they need to step into the shoes of people doing the jobs that they’ve been learning about in the classroom,” Rudesill, who created the simulation, said. “We are providing an opportunity for them to do that and to do so working in concert with senior practitioners.”

Close to 100 students and nearly 50 professors and practitioners, including high-ranking retired members of the military, former federal and state legislators, federal judges, policy officials, intelligence analysts, attorneys, report- ers, alumni, and other Ohio State staff, immerse themselves for two days in an alternative world where their decisions determine the fate of the United States of America.

Law students are tasked with writing memos, advising clients, drafting bills, and assessing the legality of particular issues that arise during the simulation—all things they would do as professionals in any area of law. It’s the kind of experience many employers want every student to receive in law school.

“I wish all young professionals before they go into government could have the benefit of this remarkable simulation Ohio State has built,” said former U.S. Senator Kent Conrad after witnessing the simulation firsthand while playing the role of U.S. Senate majority leader in this year’s exercise. “You will not find a more intensive or realistic experience, short of doing the real thing.”

How the national security simulation came to be

As a young professional on Capitol Hill, Rudesill quickly realized that while his education had provided him with a wealth of knowledge about the law, what it hadn’t given him was the professional training that could have benefitted him in the first few steps of his career. That experience would later inspire him as a law professor to find a way to provide his students with more practical training before they graduated, setting them up for success from day one.

“I think back to my own professional experience and reflect on the fact that so many times I wish the first time that I would have had to do something professionally challenging, such as brief a big personality on a complicated issue in two minutes, that I would have had the opportunity to practice doing that during my education and not have been doing that for the first time as an adviser to a U.S. senator,” Rudesill said. “All of us as professionals have those experiences, especially early in our careers, where we’re being challenged. What I’m trying to do with this simulation is provide an opportunity for students to have some of those very challenging professional experiences here in a relatively safe environment so they can make their rookie mistakes before they graduate.”

Rudesill’s first experience with running a simulated real world experience for lawyers came at Yale Law School, where he was asked to head a national security simulation for policy students under the school’s Grand Strategy Program. Later, as a visiting scholar at Georgetown University, Rudesill and two colleagues built a two-day simulation focused entirely on law in government.

When he joined the faculty at Ohio State, Rudesill realized he had the opportunity to create a truly comprehensive program, thanks in part to the breadth of disciplines that call the university home.
"At Ohio State, we have the opportunity to leverage the fact that we are a major research university with so many different programs, which cover the full range of actors in government and national security decision making in particular," Rudesill said. "Professionals from law, policy, military, intelligence, and communications, in all three branches of the federal government, plus state and local government, interact to produce decisions. Thanks to all that this amazing university offers, the Ohio State National Security Simulation is unique in the country in providing a full depiction of how national security decision making operates."

**Putting plans into action**

Rudesill may be the mastermind behind the project here at Ohio State, but the simulation requires months of preparation by a whole team of individuals to come together. “There’s that phrase, it takes a village, and it certainly takes a village to put this together,” he said.

There are three main stages to planning and executing a successful national security simulation, Rudesill explained. The first step is to establish educational or pedagogical objectives. From there the team sorts out the logistics of such a large undertaking, which includes assessing question like, what facilities will they use? Where will they recruit their participants from? Where will the funding come from to cover food and VIP travel? Once those questions are answered they can move onto the last but most enjoyable step of the planning process: crafting the story lines that will play out over the two-day simulation. The team starts by thinking about basic issues, decisions, and dilemmas they want participants to encounter as the exercise moves along. Then they formulate a more than 150-page, 6-column, 8-point font document with hundreds of injects—planned media posts, intelligence updates, and in-person appearances—that students will have to process, analyze, and react to over the course of the two-day simulation.

With all the puzzle pieces firmly in place, the simulation begins. Students and players are assigned roles that coincide with their area of study or expertise in the executive, judicial, or legislative branches of the federal government, in state or local government, or in the press. Players from various disciplines staff each organization, just as it is in real life. For example, within the Defense Department, the secretary of defense is played by a graduate student with a policy background; the chairman of the Joint Chiefs of Staff is played by a graduate student who is a veteran; the general counsel is played by a law student; and the director of the National Security Agency (NSA) is a security and intelligence studies student. Keeping an eye on the public relations angle of the Pentagon’s work is a communications department student. To get their issues on the agenda for the president, the Defense Department team works with the president’s national security advisor, Lala Qadir, a guest practitioner who in real life is a national security lawyer at Covington & Burling LLP in Washington. Working with her is another team of student law, policy, intelligence, and communications advisors in the simulation’s West Wing. Together, they run the multi-agency National Security Council (NSC).

Play starts with the world as it is that day. This allows the students to draw on everything they know about the real world. As time passes the control team begins driving the players toward particular dilemmas using the injects, forcing them to spot issues and use government processes to make hard decisions. Like parts of a well-oiled machine, the
members of the control team go back and forth, analyzing player decisions and deciding where to lead them next. Will they send them a helpful piece of information? Or will they push the envelope and send players down a more difficult path? Either way, play moves forward like a musical crescendo, the urgency of issues increasing with every passing moment, ending in one momentous plot twist that requires players to use their collective knowledge to consider the moral, ethical, and consequential outcomes of their final moves in the simulation.

The constantly changing nature of the exercise keeps both players and the control team on their toes. No one knows how the simulation will end—it's all up to the decisions made by the players in real time.

“"The number of injects at the start of the simulation is relatively heavy because we are starting to seed them with facts and inputs, which are going to tee-up these issues and decisions. As the simulation goes on, we use fewer and fewer pre-written injects, and more injects written on the spot, because at that point we’re responding to what the players are doing,” Rudesill explained.

In recent years, participants have been faced with fallout from a nuclear explosion, cyber attacks, and a widespread public health crisis. While the scenarios differ from year to year, students are always tasked with the same responsibilities: gather and analyze information on the issue, dissect its impact at the national and local levels, and advise senior leaders in the simulation on how they should proceed given the information at hand.

“The sheer size and scope of the simulation is just impressive,” said Trenton Weaver ’16, who came back to Ohio State to volunteer during the last simulation as general counsel to a U.S. senator. “It also struck me how everybody that was involved had their own motives in their individual roles, and yet, this machine still operated sort of like a ‘choose your own adventure.’ It could have gone many ways, but the whole simulation just went smoothly with all of these different personalities making decisions about how they were going to proceed.”

The art of a successful performance
A large part of the Ohio State National Security Simulation’s success hangs on the role playing abilities of its participants, from the real practitioners slipping into roles they may have or have not filled before and delivering an authentic performance, to the students taking on the obligations and responsibilities of real professionals in the field. The more committed each individual is to their specific role, the more realistic the simulation becomes.

One of the main lessons Rudesill said he hopes participants take away from this experience is the foundational skill of role assumption. “This means thinking about their professional identity—what is their job, what are its obligations, ethical commitments, and responsibilities. It also means thinking about what is not their role, and not trying to do someone else’s job.”

Practitioners who volunteer to role play the most senior officials in the exercise are highly respected and qualified individuals revered as experts in their respective fields. Involving such seasoned figures gives students the opportunity to not only build their confidence in interacting with big personalities, but to do so in a hard-hitting professional setting, teaching them the nuances of communicating with people at all levels of business and government.

Many volunteers come back again and again to resume their roles across multiple simulations. Many have said they enjoy having a hand in preparing the next generation of government and national security professionals to enter the profession.

“Ohio State did a great job of pulling this together, and it was a terrific learning experience for all of the students involved,” said former U.S. Rep. Zack Space ’86, who played a U.S. Senator in the simulation. “The students were engaged, respectful, and a delight to be around. I would hire the student who advised me in a second. He conducted himself professionally, hit all the right notes, and performed at a very high level. What a rich and rewarding experience.”

Possibly one of the most memorable characters in the simulation over the last several years has been the president of "I wish all young professionals before they go into government could have the benefit of this remarkable simulation Ohio State has built.”

– Kent Conrad, former U.S. Senator

the United States. Played by Peter Mansoor, the General Raymond E. Mason, Jr. Chair of Military History at Ohio State, he challenges student participants to explain their reasoning for certain recommendations, asking hard hitting follow up questions, and generally advancing the plot line through his actions and requests.

“As president you have to give guidance and energize the inter-agency team to produce policy to react to what's going on in the world. It’s a very stressful time, given that Dakota has created a very challenging scenario, but it’s really great for the students to go through that,” Mansoor said.

When asked how he prepares to take on one of the leading roles in the simulation, Mansoor said he simply relies on his extensive knowledge of the national security field. In addition to being an Ohio State history professor, he commanded a U.S. Army brigade in Baghdad during the Iraq War and was a senior aide to General David Petraeus, commander of Multi-National Force-Iraq. In this latter role, Mansoor was able to sit in on the margins of the weekly National Security Council meetings concerning the Iraq War, giving him an appreciation for the workings of government in crisis mode. As far as his mannerisms and the delivery of his speeches are concerned, Mansoor playfully said he takes his cues from reruns of television shows like The West Wing and House of Cards.

While he never envisioned himself becoming president, Mansoor said he has enjoyed his role, and feels the simulation is a true benefit to all of the students involved.

Students who have participated in the simulation reported back that it was great professional training, whether they go on to national security work in Washington, or civil litigation in a small town. “I think that’s high praise for the way we prepare them to face issues that they might have to deal with in real life,” Mansoor said.

Why it matters

Both students and practitioners agree the Ohio State National Security Simulation provides invaluable experience for everyone involved. Like the real world, future lawyers and leaders have to interact and work together with people from many different backgrounds and skill sets.

“Participation in the sim builds two very important traits that I think are important to all lawyers,” said Christopher Ballard ’15, who participated in the simulation during his time at Moritz and came back as a volunteer. “The first is being able to concisely brief non-lawyers on a legal issue. By bringing in practitioners of all different disciplines, Prof. Rudesill created an environment where this is imperative. While it’s easy to talk to another lawyer at length about the nuances of a legal question, at the end of the day most of our clients will be non-lawyers needing condensed guidance. The second is building nerves. No matter our practice area, all lawyers are going to face tough ethical calls at one point or another in our career.”

Aside from the skill building and networking aspects of the simulation, the exercise also highlights the magnitude of hard work that goes into crafting national security policy.

“Beyond the experience, what I hope everyone takes away is the sheer complexity of national security and what the government has to deal with,” Mansoor said. “This two-day scenario is just focused on national security; there aren’t any competing demands from domestic policy or politics or any of the other things that the president or the administration has to deal with on a daily basis. I think it’s a good model of just how complex our government is and the fact that we need good people in Washington to run it.”

Keynote Participants:

• U.S. Senator Kent Conrad (D-ND, Ret.)
• Chief Judge Colleen McMahon, U.S. District Court for the Southern District of New York

Other Practitioner Guests:

• Philip Axt, Yale Law School & veteran of U.S. Intelligence Community and U.S. Army
• Ya’ara Barmoon, Associate, Hughes Hubbard & Reed LLP
• Lt. Gen. Greg Bliscone (USAF, Ret.)
• Andy Chow, Reporter, WOSU Public Media
• Bob Friedman, Manager, Radiation Safety, Battelle
• Jo Ingles, Reporter, Ohio Public Radio and Television
• Ben Johnson, Director of Media and Public Relations, Ohio State
• Bob Kendrick, Anchor, ABC 6 News & Fox 28 News
• Taylor Kline, Attorney Advisor, Office of General Counsel, U.S. Department of Homeland Security
• Shaun Lyons, Associate, Carlile Patchen & Murphy LLP
• Maj. Gen. Tim McMahon (USA, Ret.)
• Joe Meyer, Meyer Media LLC
• William Moss, Attorney, Abercrombie & Fitch
• Brian Perera, Assistant Vice President, Ohio State
• Bill Pohlmian, Pohlmian Mediation Services LLC
• Ben Presson, Battelle
• Lala Qadir, Associate, Covington & Burling LLP
• Justin Scharadin, Director, Financial Regulatory Reform Initiative, Bipartisan Policy Center
• Col. Rick Sinnreich (U.S. Army, Ret.)
• U.S. Rep. Zach Space (D-OH, Ret.), Principal, Voris Advisors LLC
• Capt. Jon Spaner (USCG, Ret.), McKinsey & Associates
• Lucas Sullivan, Reporter, The Columbus Dispatch
• Col. Frank Titus (USAF, Ret.)
• Travis Tritten, Reporter, Stars & Stripes
• Mike Wagner, Reporter, The Columbus Dispatch
• Ohio Senator Mark Wagoner ’97 (R, Ret.), Partner, Shumaker, Loop & Kendrick LLP

Recent Law Alumni Participants:

• Christopher Ballard ’15
• James Mee ’15
• Meagan Van Brocklin ’16
• Trenton Weaver ’16
“Too many politicians don’t see the human suffering outside of the social class of their own friends and family.”

–Sen. Sherrod Brown (D-Ohio), Congressional Conversations

“We have a [criminal justice] system that has lost sight of humanity. It has awakened us to the fact that there are people in this country who are seen as less valued.”

–Jonathan Rapping, President/Founder, Gideon’s Promise, Bodiker Lecture

“We did a study at CMU and found that the more annoyed people were about having to change their password, the weaker their password was. You don’t want to have people in a bad mood or annoyed when they have to change their password, and people who have to change their password on a regular basis get really annoyed about it.”

–Lorrie Cranor, professor of computer science, engineering, and public policy at Carnegie Mellon University, Data Points: Ideas on Data, Law and Society

“People on the left and the right can always get to ‘no.’ But, getting to ‘yes’ takes compromise.”

–Rep. Pat Tiberi (R-Ohio), Congressional Conversations

“Because we’re focusing on the law, I do want to state in advance one perhaps obvious, but easily overlooked, premise, which is that legal and illegal are not synonyms for good and bad. The legality of a government policy doesn’t prove its wisdom.”

–Professor Peter Shane, President’s Executive Orders on Immigration Panel

[Isaac Asimov] raised a question that is very near and dear to lawyers. What do we or the robots themselves do when the laws are unclear or don’t fit? By creating these laws, Asimov moved our imagination about robots from threats, to objects of interpretation and objects of regulation. And thus irony and thus conflict.”

–Jack Balkin, Knight Professor of Constitutional Law and the First Amendment at Yale Law School, the Sidley Austin Distinguished Lecture on Big Data Law and Policy

“Overheard in Saxbe”

Moritz College of Law | Spring 2017 25
Office Hours

Q&A with Professor Efthimios Parasidis

From the day it was signed into law by former president Barack Obama, the Affordable Care Act (ACA) has been the subject of controversial chants of “repeal and replace” at political rallies nationwide. In January, after Donald Trump was sworn in as the 45th president of the United States and Republicans took control of Congress, some expected just that—a swift repeal of the ACA followed by its replacement. The task, however, is proving more challenging than anticipated. Professor Efthimios Parasidis explains why.

“Studies estimate a repeal of the ACA will lead to a significant increase in the uninsured, less access to health care, higher costs, and negative health outcomes.”

–Efthimios Parasidis, professor of law
Q How did the ACA change the health care delivery system? How would a repeal effect those changes?

A Embedded in the ACA are scores of carrots and sticks aimed at improving the health care delivery system. These include financial incentives to establish more efficient and effective systems of health care delivery, and financial penalties (through reduced reimbursement rates) should, for example, a hospital have a significant number of patients who manifest hospital-acquired illnesses (such as staph infections). One core feature of the ACA centers on accountable care organizations, which are groups of doctors and other health care providers who work together to coordinate care for patients. Accountable care organizations endeavor to eliminate duplicative tests and reduce medical errors, all while increasing the efficiency and decreasing the cost of health care delivery. A repeal of the ACA would have a catastrophic impact on these programs and the investments made by providers, hospitals, and the government.

Q When it comes to paying for health care, many are surprised to learn of the limited amount of comparative effectiveness data available. What legal and policy hurdles stand in the way of further developing this field?

A Comparative effectiveness research involves a comparison of risks and benefits of health care treatment options. The goal is to provide patients and physicians with meaningful information that will inform health care decisions. The ACA provides funding for comparative effectiveness research, yet for patients it is still quite difficult to obtain comparative effectiveness data that is readily understandable (i.e., not written solely for medical experts). The lack of data is not so much caused by legal or policy hurdles, but rather is linked to a dearth of funding for translational research, which is research that takes results from clinical studies and translates the findings into information that can be utilized by the public. The lack of public access to comparative effectiveness research is representative of the information asymmetries that plague the health care industry. While there has been a push for shared decision-making, whereby patients and physicians work together to decide on an appropriate course of treatment, patients typically remain at the mercy of their physician when it comes to access to medical information. While information technology has, to a certain extent, helped bridge the gap, patients often are unable to validate the information they read on websites or on social media.

Q Why were the recent changes to human subject research laws needed and how could they improve the quality of health care and medical research?

A The federal framework governing protections for human subject research—often referred to as the Common Rule—was established in 1991. Since that time, the nature of scientific research has changed dramatically, particularly in areas such as genetics, neuroscience, and nanotechnology. At the same time, the big data revolution—when coupled with massive investments in electronic health records and health information technology—has revolutionized the practice of medicine and medical research. The revisions to the Common Rule, which were released on Jan. 19, 2017, are extensive. Some key features include a requirement that informed consent forms be simplified, yet include information that a “reasonable person” would want to know. The new regulations also provide for increased flexibility in the use of unidentified biospecimens (i.e., left over samples of blood that are not linked to a person). Scientific breakthroughs and high quality health care stem directly from a system that balances the progress of science with comprehensive protections for research participants.
The day Beth (Deer) Walker ’90 was sworn in as justice of the Supreme Court of Appeals of West Virginia—the state’s highest and only appellate court—she broke two milestones. Not only did she become the court’s first nonpartisan justice after she was elected in May 2016, she also joined fellow Justices Margaret L. Workman and Robin Jean Davis on the bench. For the first time in history, the court has a female majority.

“Whether we’re in West Virginia or anywhere else, I think it’s significant whenever a traditionally historically male-dominated office starts to shift,” Walker said. “During the robing ceremony, a couple of my nieces and a couple of other young women who were there told me that they looked up to what I was doing. If a young woman or a little girl looks at me and says, ‘I could do something like that,’ then I feel like I’ve accomplished something.”
Walker, who hails from Huron, Ohio, is a self-described “lifelong, bleeding scarlet and gray Buckeye.” As one of five other justices, Walker will hear appeals of decisions from the state’s circuit courts, family courts, and administrative agencies including workers’ compensation throughout her 12-year term. Tracy Webb ’90, one of her fellow classmates during law school, is one of her four law clerks.

“It’s hard to describe how tremendous it was for me personally,” Walker said of her robing ceremony in December. “I felt really honored and I think the enormity of my responsibilities probably hit home. It was a tremendous day.”

Walker ran for the same office once before in 2008, but lost by less than 1 percentage point. She also ran as a Republican. Judicial elections in West Virginia became nonpartisan in March 2015 following the passage of HB 2010, which was signed into law by former Gov. Earl Ray Tomblin. The legislation requires elections of justices to the West Virginia Supreme Court of Appeals as well as magistrates, circuit court, and family court judges to be nonpartisan and by division. Following passage of the legislation, judicial elections also now fall on the day of the primary, instead of on the general election.

Despite losing by such a narrow margin in 2008, the opportunity to campaign as a nonpartisan candidate was a driving factor in Walker’s decision to run for office again. She said she has long believed that the commitment to remain a fair and unbiased justice isn’t a partisan issue. “It’s even an idea that she brought up during her first campaign in 2008, at a time when not many expected the law to change. Although Walker technically ran without a party label last year, voters were still aware, for the most part, of her previous affiliation as a Republican. She is hopeful that the consideration of party labels for judges in West Virginia will drop out completely within the coming years.

“West Virginia is in a bit of a challenging time as are many parts of the country,” Walker said. “Everyone is rolling up their sleeves and figuring out how we move forward. I think my role in that is being a fair and impartial justice and contributing to a judiciary that folks can trust.”

Walker’s law career spans more than 25 years. She is a former partner at Bowles Rice LLP, where she spent more than two decades from 1990 to 2011 practicing labor and employment law and mediation across West Virginia. In 2012, she became associate general counsel for the West Virginia University Health System (WVUHS), the state’s largest private employer, where she spent five years advising WVUHS’ hospitals and working closely with WVUHS’ general counsel, Robert J. O’Neill ’81.

Walker began honing her leadership skills long before she could even drive. A devoted Girl Scout, she earned the most distinguished award in Girl Scouting—the Gold Award—and served until she graduated from high school. If it weren’t for the self-assurance the program instilled in her from a young age, Walker said it is unlikely that she would have so confidently enrolled at the Moritz College of Law or left her home state of Ohio to practice law in West Virginia.

“The most important thing is your reputation. It’s a very precious thing.”

Hon. Beth (Deer) Walker ’90

Walker is also a 1999 graduate of Leadership West Virginia, an eight-month training program for budding leaders with experience in civil engagement and public affairs. She later served as a member and as chair of the organization’s board of directors. Following her election to the Supreme Court of Appeals of West Virginia, she was recognized as a distinguished alumnus of the program.

“Whether you’re looking at public office or other kinds of political service, the way you conduct yourself as a lawyer really matters and is really the foundation you can use to move forward if you decide to pursue something like a statewide office,” Walker said. “The most important thing is your reputation. It’s a very precious thing.”

Girl Scouts—and the organization’s commitment to leadership—also instilled a lasting passion within Walker to give back to her own community. She serves on the board of the Girl Scouts of Black Diamond Council and is past president of the board of the Kanawha Pastoral Counseling Center, a faith-based therapy group in Charleston, West Virginia.

“Sometimes as lawyers we don’t appreciate the opportunity to be leaders, whether it’s as leaders in our law firm, leaders in our communities, or on nonprofits,” she said. “I would hope that young lawyers and law students think about our responsibility to serve our communities, whether it is with pro bono work, or on nonprofit boards, or on clinics. We get to do really amazing work and I think we have a little responsibility to give back. Now I have the amazing responsibility and opportunity to give back as a supreme court justice.”
On board lawyering

Leadership, community service, and networking are all values of board service

BY MADELEINE THOMAS
ne of the many privileges of being a lawyer is the power to become a community leader. Serving on the board of a nonprofit organization is one way for lawyers fully engaged in the private sector to embrace their passions and strengthen their communities.

How effectively an organization delivers vital services to a community or supports a worthy cause depends largely on the cohesiveness, involvement, and strength of its board. Successful boards and their contributions to society have the power to bolster neighborhoods, cities, and states, and to elevate important causes for years to come.

An organization’s credibility is reinforced by the diverse skillsets, community contacts, and business skills of its board members. As such, board members face the ethical requirements of acting as trustful stewards of an organization. They may also be obligated to help with fundraising, board recruitment, and developing potential donors throughout their service.

Most organizations value having at least one attorney serve on their board of directors, owing to their keen approaches to problem solving, strategic thinking, and the connections that their law practice has to the community at large.

There are many professional benefits for lawyers who decide to serve on a board. Boards present valuable networking opportunities, for one. Observing, shaping, and participating in the kinds of conversations through which organizations are led teaches lawyers to be better leaders in their own practices as well. Bearing witness to strong and effective governance molds the next generation of leaders—in law firms and beyond.

“So much of leadership is done in teams and being a member of a board is being a member of a leadership team,” said Nancy Rogers, professor emeritus of law. “Being on a board also allows you to help others to contribute. And helping others contribute is at the heart of leadership.”

Rogers has extensive board experience herself, having served on the board of the Legal Services Corporation—an organization that distributes federal funding for civil legal services for low-income persons—from 1993 to 2003. (The organization’s board members are nominated by the president and confirmed by the United States Senate. Rogers was nominated by former President Bill Clinton.)

Since 2009, Rogers has also served on the board of the Law and Leadership Institute, an Ohio-based nonprofit with programs at Moritz and seven other law schools throughout the state. Its mission is to prepare high school students from underserved neighborhoods for their post-second-

“Being on a board also allows you to help others to contribute. And helping others contribute is at the heart of leadership.”

- Professor Nancy Rogers

Christopher Hammond ’12, an associate at Dinmore & Shohl LLP in Columbus, urges young attorneys to join the boards of smaller organizations whose missions they feel passionately about. In his practice, Hammond assists nonprofits with everything from formation, to compliance, to governance and income tax reporting. He has also served on the board of Legacy: Women Helping Women for the last two years. Hammond’s advice: The best way to learn about being on a board is to join a board.

“Primarily, just try to become involved with that organization. Try to network and rub elbows with the people who are on the board and get advice from them,” Hammond said. “Ultimately, a lot of people who make it to the board of directors of very sophisticated organizations aren’t just really smart and incredibly committed; they’re people who have the connections and have the ability to grow the organization, probably not exclusively through operations, but through contributions.”

Depending on the nature, work, or size of the organization, there are precautions and responsibilities that lawyers should consider before joining a board, according to Professor Arthur Greenbaum. One of the greatest difficulties for lawyers is deciding whether they want to serve their organization strictly as a board member, or if they want to provide legal counsel as well.

“If you are simply a board member, you could be a school teacher, you could be a doctor, you could be anybody, the extent to which you have to worry about lawyer professional conduct rules is comparatively small,” Greenbaum said. “If you
take on—consciously or unconsciously—a lawyer’s role to a client, which could be the organization or it could be the directors, numerous additional duties apply.”

Lawyers considering serving their board in a legal capacity should weigh what types of legal services the board might expect of them and their firms—and how frequently those services will be required. As a safety measure, they should delineate the scope of the legal services they are willing to provide in writing to the organization and their fellow board members. It is also important to make clear to all concerned whom the lawyer represents, which is usually the organization—and not individual board members. In addition, it would be wise during board meetings and other exchanges to clearly differentiate any remarks that are offered as legal counsel from advice the lawyer is providing simply as a board member.

“At some point you have to put on your lawyer hat and ask, ‘What would you say if this person was calling you and wanting your legal opinion?’” Hammond said. “Other times you’ve got to take off that hat and take a stand on what might be a less-than-straightforward issue, keeping in mind the best interest of the organization while weighing all the costs and benefits.”

Lawyers who choose not to serve their board in a legal capacity need to be firm, direct, and clear about their intentions to their fellow board members. Offering legal advice on any bylaws, tax-free exempt status applications, employment agreements, or the like can unintentionally establish a lawyer-client relationship.

As a precaution, the American Bar Association (ABA) recommends that attorneys acting as board members should periodically remind their fellow members of their role. Establishing ground rules in an annual letter to the board is one measure to take. It is also prudent to comment when the board should retain outside counsel in any meeting minutes as well.

“I think it’s really tempting for others on the board who know you are a lawyer to want to rely on you like you are their lawyer,” Greenbaum said. “If you are seen as acting in a lawyer-client capacity role, opine on some matter, and low and behold it turns out you really got it wrong, you may well be seen to have violated your duty of competency. Carefully managing the expectations of fellow board members and the organization as to your role is a must.”

It is also important for lawyers serving on boards of foundations or nonprofits with sizable budgets or finances to double-check that they have some sort of coverage, be it malpractice coverage or directors and liabilities coverage provided by their organization, Greenbaum advises. Lawyers should also be aware of whether their professional liability coverage includes pro bono legal services for nonprofits, in addition to whether there are any coverage limitations should a lawyer become a board director.

Other conflicts of interest may also arise should a lawyer’s firm represent a client who is a grant recipient of the nonprofit, if the board is taking an action that affects the lawyer’s law firm, or if a lawyer or their firm represents the organization in litigation, according to the ABA. As a precaution, lawyers should enter all board activity into their firm’s conflicts of interest database, regardless of whether they serve the board in a legal capacity.

When all legal and ethical considerations are taken into account, board service can be incredibly rewarding. One value of board service, according to Michael Stinziano ’07, city councilmember for the City of Columbus, is that it presents attorneys opportunities to vastly expand their networks, especially if they are new to practicing law.

Stinziano—who has previously served on the boards of the Franklinton Development Association, Gladden Community House, and The Boys and Girls Clubs of Columbus, among others—touts his board experience as being well worth the time, talent, and commitment it required.

“I always appreciated that I was able to meet new faces and interact with folks that were in fields or industries that weren’t what I would see every day or in my own circle,” Stinziano said. “It’s an honor to be a board member and to play a small part in seeing results and impact. There is always that benefit of the greater good that board service provides. It’s great to have a hand in directing it, but seeing how appreciative people are with the programming or the true impact it has on their lives, is pretty special.”
Inside Moritz’s Board Fellows Program

A stint as a corps member for Teach for America helped Benjamin Jewell ‘17 discover a passion for education and a dream of eventually serving on either a nonprofit board or a school board someday. A deciding factor in his decision to go to law school was his understanding of the influence lawyers have on their communities outside of their regular day-to-day duties. When Jewell learned about the Board Fellows Program—provided by the career services office and the Program on Law and Leadership—he signed up immediately.

“I thought, ‘What better way to get involved and to learn how to give back to the community than by being able to take part as a junior member of a nonprofit board?’” Jewell said.

Jewell shadows the Ronald McDonald House Charities of Central Ohio board, which strives to provide a home away from home for families with seriously ill children. Since starting the program, he has been present for almost every board meeting, which meets every other month. The experience has offered a behind the scenes dive into the inner workings of maintaining a nonprofit, from budgeting, to new programming, to hearing families talk about their own experiences with the Ronald McDonald House.

“I have gained so much from it,” he said. “The board experience isn’t just about learning and helping the community; it’s also a way lawyers network with other professionals around the area and make connections with people. They are not just helping people; they are also helping themselves by networking with high-profile professionals in other sectors of the business community.”

Although Moritz students cannot serve as voting members of the board they pair with, they are encouraged to take part in committees, to attend board meetings, and to network with other board members as much as possible. The work isn’t always glamorous, but even stuffing envelopes or assisting fundraising initiatives keeps the wheels of a successful nonprofit turning. Applications are open to any 2L and 3L students. In the two years that the Board Fellows Program has been offered, previous placements include boards of the James Cancer Center, the Better Business Bureau, and the Columbus Children’s Theatre.

“Successful members of the legal profession are involved in their work, their own organizations, their legal communities, and also in their communities at large,” said Trish Tweel ‘78, a J.D. career advisor with the career services office. “Our office works with students throughout their time at Moritz to make a solid transition to the profession, and the Moritz Board Fellows Program is one way they can begin to join the community in a professional capacity. They observe how nonprofit boards work, they learn how to integrate this participation into a personal career, and they gain important networking connections. The more they are out there meeting people, the more they can personally benefit. And, we hope, the program helps participating nonprofits and the community as well.”

Of the more than 20 people that serve on the board of the Ronald McDonald House—including a gamut of professionals from vice presidents to those serving in hospital administration—three members are attorneys. Jewell acts as their de facto understudy and typically assists with pro bono legal research for any issues that may arise on the board, like fundraising initiatives that must comply with heavily regulated state statutes.

“The last thing you want to do is violate the law when you’re trying to raise money for a good cause,” he said.

Shadowing the board of the Ronald McDonald House also pairs seamlessly with Jewell’s interests in intellectual property law. Lately, he’s been researching trademark right issues for a game the Ronald McDonald House created to use at fundraising events. The organization hopes to market the tool to other nonprofit entities and to protect its trademark rights as well.

“The board really embraced me,” Jewell said. “Once I showed some initiative to take care of things, they were very willing to give me projects. I thought I would be that fly on the wall and just soak in the experience, but it’s been much more interactive.”
Lawyering After Hooding

5, 10, 15, 20 years after hooding

Alumni share what they learned through the years about being an attorney

BY KELSEY GIVENS

Law school prepares students for many things: to read and comprehend complex documents, to spot issues of liability, to negotiate with confidence, and to write eloquently and succinctly, whether in a court document or in a note to a potential client.

What cannot be taught, however, are those unique and individual lessons that only follow years of experience, like learning to believe in oneself and one’s abilities, or mastering the subtle nuances of a particular area of practice. Experience is a great teacher. Several members of the classes of 1997, 2002, 2007, and 2012 offered to share what they have learned since graduating from law school. Continue reading to learn more about the lessons they have mastered five, 10, 15, and 20 years into their careers.

“Tell me and I forget, teach me and I may remember, involve me and I learn.”
- Benjamin Franklin
Brandon Mitchell '12
Senior Counsel, Nationwide Insurance

What is the most important lesson you’ve learned since hooding?
I’ve learned it is OK to not know the answer to a question a client asks. In fact, I’ve learned responding to a question I don’t know the answer to by saying, “I’m not sure, let me do some research and get back to you,” gives my clients more confidence in my ability. In law school, I felt I needed to have an answer to every question a professor asked. When I did not have an answer, I would try to ramble along and read the professor’s body language to see if I was even close. As an in-house attorney, my clients often ask questions that are very nuanced and require the research of multiple regulations. Instead of giving myself a negative self-talk or thinking I should know the answer, I’ve learned there is no way I will ever know all of the regulations that affect the banking industry. My clients understand that while I am the “legal expert” in the room, that does not make me a walking treatise or casebook. I have been able to earn their trust by providing high-level legal service, even if it means that they may not get their response in that very moment. I have found my clients are more than happy to receive an accurate answer at a later time as opposed to a broader, and potentially less accurate, answer in the moment.

What is something you have learned that you feel you could have only learned through experience?
I’ve learned to stay curious. Oftentimes practicing law can be monotonous and you can fall into a routine of giving the same advice or assuming a new problem has the same solution as a somewhat similar problem you’ve seen before. In today’s regulatory climate, it is important to continue to learn about your practice area and the regulations that affect your clients. It is also important to ask your clients more questions about the issues they may face and how the strategy of the business is changing. These questions could affect the advice given to the client and would allow you to do some additional research to anticipate future issues.

Jaci L. Overmann ’12
Assistant Vice President and Senior Counsel, Fifth Third Bank

What is the most important lesson you’ve learned since hooding?
To pay attention to details, to act with integrity, and to positively engage with other people are among the traits most attorneys learn that are needed to be successful in their careers. I came across what has been a more important lesson for me while I was sitting in traffic on my way home from work one day. I saw a bumper sticker that said, “One Life. Live It.” To me, the hard part of being a lawyer is building and maintaining a successful legal career when it isn’t the only important priority in life. The need to periodically reflect on work demands and career trajectory, to be honest with myself and my values, and to commit to making necessary adjustments while setting boundaries so that my life is intentional and fulfilling, have been important lessons.

What is something you have learned that you feel you could have only learned through experience?
While the case summaries in law school are often limited to a few pages of facts and the universe of the law applicable to the outcome, I could not have imagined the amount of advocacy that could go into cases until I became a complex commercial litigator. It did not take long to learn that activities like business development and pitching, legal arguments not ultimately pursued, intense fact investigation and knowledge management, and settlement negotiations are a large part of a litigator’s practice. Specifically, the ability to manage large volumes of information is invaluable to large cases and teams, and the propensity to think creatively and garner support for settlement early in cases is often a desired outcome for clients—despite the absence of discussion of these activities in case summaries focused on in law school.
If you could go back and give your younger self any insight into what your career would be like this far out, what would you say?

Your career path may be a little unpredictable, but hang on for the ride. Be ready for opportunities. Sometimes it is about being in the right place at the right time, sometimes it is preparing for years for a certain opportunity. Be open to those possibilities.

What is the most important lesson you have learned since hooding?

Find a good mentor. There will probably be more than one along the way. Watch how they conduct themselves as lawyers and as people, and how they interact with clients and fellow attorneys. Listen when they talk about their own career paths and mentors. Be open to their advice. I’ve met so many brilliant, trustworthy, and kind lawyers within my first 10 years of practice who have provided me with invaluable guidance, whether intentional or accidental. I am so grateful for it.

Larysa Simms ’07
Senior Attorney, Bureau of Alcohol, Tobacco, Firearms, and Explosives

What is the most important lesson you have learned since hooding?

I generally approach every endeavor as an opportunity to learn. It’s difficult to choose the “most important” lesson, but there is a recurring lesson underlying almost every experience—the big stuff and the small things—both inside and outside of work. And that is to trust and believe in myself.

That could mean trusting my research skills on an issue critical to a case; trusting I have what it takes to handle what my toddler is throwing down at a given moment; trusting that I can obtain crucial consensus on an agency position from a very intimidating, very high-level, and very antagonistic audience; or trusting that I have the right instincts on what to do for my infant when she has a screaming, scary fever at three in the morning. Any time I stand on a solid foundation of self-trust, I know that translates to self-confidence. Often that self-confidence is what (in part) inspires those around me to have confidence in me and what I represent. Beyond dedicating myself to hard work and amassing the tools and knowledge to be good at what I do, I believe that self-trust is the kernel of what it takes to be a successful and adaptable attorney and mother, serving as an advocate and advisor.

If you could go back and give your younger self any insight into what your career would be like this far out, what would you say?

I would reinforce and encourage my focus on what I want to do with my career, and not be concerned to even the smallest degree about the surrounding currents and expectations that seem to permeate the classroom and dictate what to do after law school. I recall Professor Dale Oesterle offering advice to this effect one day in Business Associations. I am so glad he did because his words colorfully captured this point for me and became my go-to when I was considering the Attorney General’s Honors Program. Professor Oesterle basically explained that there are many different types of attorneys and that we should consider our own unique personality, interests, and aptitudes in making career decisions. If we do not “then every day (at work) will be like chewing glass.” My thoughts on intellectual and career fulfillment and success drove me through the Attorney General’s Honors Program to my career in federal law enforcement. I serve a critical mission, and that fortifies me on those days when I feel discouraged or overwhelmed. I practice in an area of law that is not taught in a discrete law school class and it presents exciting challenges and a surprising amount of variety every day. Nearly 10 years later, I can confirm that my career is as rewarding and thrilling as it was on my first day, whether I am working within a degree of separation from our nation’s leaders, or doing my part to protect the public.
Peter J. Georgiton ’02
Partner, Dinsmore & Shohl LLP

What is the most important lesson you have learned since graduating from law school?
The most important lesson I’ve learned is that, ultimately, no challenge is insurmountable. Every problem has a solution—some may take more effort and creativity to resolve than others, but the solutions are out there; they just need to be found. This provides a tremendous sense of empowerment to know that I can help guide my clients through the most complex of challenges. My time at Moritz was invaluable for providing me the tools necessary to tackle the tasks I encounter on a daily basis in my career.

What has surprised you most about your career?
The most surprising aspect of my career is how much I’ve learned (and continue to learn) about non-legal subjects. As a litigator, I am required to master the issues that my clients are dealing with and understand their businesses inside and out. Over time, I’ve acquired knowledge regarding disparate subject matters, such as metallurgy, chemistry, welding, medicine, manufacturing, and accounting, to name a few. Every case is unique and there are numerous opportunities to learn about new things that I have never learned about before. This is one of the best features of my career. It ensures my work is continually interesting and engaging.

Gregory J. Lestini ’02
Partner, Bricker & Eckler LLP

What has surprised you most about your career?
I am most surprised that my career does not look like what I imagined it to be in law school. As graduation approached, I considered not taking the bar, because I never really planned on practicing traditional law. Had I not made the decision to go forward and get my license, I would not have been hired at Bricker & Eckler and would not be doing something I truly love. That being said, my career today is anything but a “traditional” legal career at a larger law firm. I work with lawmakers, lawyers, and other lobbyists every day, and feel like I’m truly making a difference for our clients. It is immensely gratifying when you can see and share in your clients’ successes because of the work you’ve done for them.

If you could go back and give your younger self any insight into what your career would be like this far out, what would you say?
I would certainly encourage that young, scared law student to be confident in both career decisions and the ability to service clients. I believe it’s natural to question yourself, particularly in a high intensity career like law. We all bring our own strengths and abilities to this profession, however, and I have found that working in a collegial environment like Bricker allows me to use my strengths to the fullest, while relying on my colleagues in areas where I am not as proficient. That applies equally to soft skills as much at technical legal expertise.

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Marc S. Blubaugh ’97
Partner, Benesch, Friedlander, Coplan & Aronoff LLP

What has surprised you most about your career?
I would never have imagined in law school that I would ultimately practice in the area of transportation and logistics, let alone that I would help create and co-chair a nationally recognized practice group devoted to that industry. I did not even appreciate that transportation and logistics was a legal discipline until I happened to get involved in an international shipping case early in my practice. It is stunning how one case can have such an impact on the trajectory of one’s legal career.

What is the most important lesson you have learned since graduating from law school?
I think that the key lesson is appreciating the critical importance of having a deep understanding of a client’s business and industry, and being a genuine problem solver rather than a mere legal technician or issue spotter.

Mark D. Wagoner ’97
Partner, Shumaker, Loop & Kendrick, LLP

What is something you have learned since hooding that you feel you could have only learned through experience?
I have learned that your career is a marathon, not a sprint. Patience is the key to success; you need to plant a hundred seeds to get one tree. Relationships and experiences that might seem inconsequential at one point in time can have a profound impact on the direction of your career.

If you could go back and give your younger self any insight into what your career would be like this far out, what would you say?
Stay the course, but don’t be afraid to take risks. There will be ups and downs—don’t get too up for ups or, conversely, too down for the downs. Judgment is honed by experience and you can often learn more from your failures than your successes. Don’t be afraid to take risks by being paralyzed by the consequences of failure. Each day of experience will make you a better attorney.
Remember the person who gave you your start?

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Whether you are looking to hire or want to pass along a job opening in your office, turn to the Career Services Office at The Ohio State University Moritz College of Law. Our staff is able to assist with your hiring needs and can set up interviews with our students on campus, via Skype, and by other means. Learn more at moritzlaw.osu.edu/careerservices or contact the office directly at (614) 247-7805.
The digital frontier

Law struggles to keep up with issues created by cloud storage

BY BARBARA PECK

On any given day, most Americans likely transmit thousands of tiny points of data about their whereabouts, purchases, friends, travel plans, work products, and feelings on anything from President Donald Trump to the sushi at a new restaurant to medical test results. Data is continuously transferred around the globe at lightning speed. But, where does it go, who can see it, who owns it, and what happens to it when the user presses delete? The current legal environment presents more questions than it does answers.
“Everything is in the cloud—web queries, economic purchases, Google docs, Gmals, banking information,” said Professor Dennis Hirsch, director of the new Program on Data and Governance. “We are constantly throwing off data and this trend will continue as storing that data becomes cheaper and cheaper. It will also become easier and easier to search and manipulate that data. The bottom line is that data flies globally today to the least cost processing and storage location.”

In some cases, users may unknowingly be putting data out into the world by using the internet or a smartphone. In other instances, companies and individuals are purposefully using the cloud to store documents, conference calls, pictures, videos, and just about any type of media.

“There are so many multinational companies with locations around the world, and data is being shared across borders,” Hirsch said. “Customer service, human resources, ecommerce, and communications from Skype to webchats are all taking place in the cloud.”

In cases involving the cloud, the law is often nonexistent or outdated, leaving seldom read license and user agreements to rule the interaction.

**Establishing the law of the cyber land**

One of the biggest issues facing lawyers, businesses, and law enforcement wading through data in the cloud is determining legal jurisdiction. Data can fly through multiple states, time zones, and countries in an instant and can be stored and accessed from almost anywhere in the world.

“The cloud is not in the sky. It is server farms placed strategically all over the world, balancing cost and security. That is where the data is processed,” Hirsch said. “From a legal aspect, it is very confusing because the laws differ by location and the user does not have control or knowledge of where their data is being sent and stored.”

The question of jurisdiction has led to several recent stories on controversial moves by governments or companies. European regulators demanded that certain data, which is protected by the First Amendment in the United States, be deleted from servers in Europe. In contrast, China demanded that all content, even content created by U.S. citizens in the country, be stored in China and not overseas so the government can access and monitor all data.

In most cases, users have no way of knowing what jurisdiction their data is traveling through and where it is stored. There have been multiple calls for an international law in this area with some suggesting the jurisdiction should be the user’s country of citizenship, the custodian company’s country of domicile, or the country in which the harm took place. To date, no real progress has been made in the area.

“There are laws out there governing the cloud, but it varies by nation,” Hirsch said. “In order to build a server farm and use the cloud, a country has to have infrastructure—energy, cables. From a cost versus security perspective, we could see a race to the bottom or a race to the top. In the post-Snowden world, we are seeing a localization movement, especially in Europe. There is a move in Europe to create a cloud and to maintain information on European citizens on that cloud, where it is governed by European law. You can see a lot of potential for Balkanization. I am not sure this is a good thing because there are huge benefits from a global network: innovation and information economies.”

Several large companies, including Apple, Google, and Microsoft, have taken great pains to place their respective servers in locations they feel provide more security for their customers, including Ireland, Denmark, and Iceland. The companies’ motivations are multifold: Keep data out of the prying eyes of America’s National Security Agency; deny subpoena requests from American law enforcement; comply with future European Union standards that all data of its citizens be stored on the continent; and take advantage of the notorious cold, gloomy weather of Northern Europe, which can naturally help cool a warehouse full of large, constantly running servers.

“We are really relying on the customer-facing companies to have the incentive to keep data secure. But there are a lot of non-customer facing players out there that have little accountability,” Hirsch said.

**Law enforcement powers**

When data in the cloud falls under the jurisdiction of the United States, several laws and precedents govern, many of which focus on when law enforcement can access data under the Fourth Amendment.

The law as we know it today can be traced back to a telephone booth in Los Angeles that was being used to make phone calls for illegal gambling in the mid-1960s. The police placed an external listening device in the telephone booth, which the Supreme Court found in *Katz v. United States* violated a “reasonable expectation of privacy” under the Fourth Amendment. “One who occupies [a telephone booth], shuts the door behind him, and pays the toll that permits him to place a call is surely entitled to assume that the words he utters into the mouthpiece will not be broadcast to the

“The cloud is not in the sky. It is server farms placed strategically all over the world, balancing cost and security. That is where the data is processed.”

- Professor Dennis Hirsch
world,” Justice Potter Stewart wrote in the 1967 opinion. However, a series of Supreme Court cases quickly pulled back any thoughts of a broad right to privacy. In *Couch, Miller, and Smith*, the Court developed the third-party doctrine, which declared information shared with a third party was not protected by the Fourth Amendment. The doctrine relies on the common adage that while the contents of a sealed envelope may be protected, information on the outside of the envelope is not. A third party—namely the U.S. Postal Service—can clearly see such information. In each of the Supreme Court cases, the tax documents shared with an accountant (*Couch*), documents shared with a bank (*Miller*), and numbers dialed, and therefore shared with the telephone company (*Smith*), did not earn Fourth Amendment protection.

In terms of the law of the cloud, the third-party doctrine presents a large roadblock. Whether it is browser history on a computer, location data transmitted from a phone, or iMessages shared between lawyers and clients, all of it has inevitably been shared with multiple third parties as the information skipped around the globe from server to server and provider to provider.

“The third-party doctrine needs to be changed. We are using third parties all the time without even realizing it—our phones ping cell towers with our location every time our smartphone pulls down an email,” Hirsch said. “In her concurrence in *Jones*, Justice Sonia Sotomayor in particular notes the third-party doctrine requires a fundamental rethinking today. I would go a step further and say while the reasonable expectation of privacy bundled in the Fourth Amendment needs to be reviewed, we also need to think about what baseline level of privacy is needed in society for people to function, grow, and develop, regardless of their expectations.”

A question has also developed about how the law should approach individual points of data that are collected and analyzed to create a broader picture. For example, a single data point showing who a person texted when, or where they were at a certain time, is fairly innocuous and does not have Fourth Amendment protection. But, combining all of the data points collected over a month could paint a fairly detailed picture of an individual’s life. Scholars and some courts have developed a principle called mosaic theory, which states that combining a large number of legally obtained pieces of information and analyzing them may lead to information that is protected by the Fourth Amendment.

“The example that has come up in the Supreme Court is the *Jones* case, which involves GPS,” Professor Ric Simmons said. “It is established law that if the police use an electronic tracking device to track you on one trip, that is not a search because you are out in public. Anything you do in public is fair game—the government can trace you without implementing the Fourth Amendment. If they watch you in public, or use a camera or device to watch you, that is not a problem. But, what the *Jones* plurality said is that if they trace you for a month, 24-hours a day, over public roads, using GPS, than mosaic theory applies. One trip is not protected, but those thousands of trips you took that month, when put together, will create a mosaic, a detailed picture of your life, that then will implicate the Fourth Amendment.

While the Supreme Court addressed the issue in *Jones*, the four judge plurality leaves questions unanswered. Critics of mosaic theory question if collecting one data point does not implicate the Fourth Amendment, how can collecting multiple data points (or, how can some large number multiplied by zero equal something)? Advocates point out that law enforcement has always had the ability to track a person’s whereabouts for extended periods, but the cost and manpower involved often made departments self-regulate to the point that there was often probable cause.

“Technology has increased the ability to use surveillance so that police are far less restrained by resources than before,” Simmons said. “Now they can monitor where we go, internet traffic, cell phone calls, or credit card bills. mosaic theory applies to all of these things that are not traditional searches. The argument for the mosaic theory is that because the resource scarcity no longer applies, the law needs to step in and put back into place that regulation of law enforcement conduct.”

Perhaps even more troubling, the cloud gives law enforcement the ability to go back in time retroactively to review data stored in the cloud. The Stored Communications Act, passed in 1986, extends privacy protections beyond the Fourth Amendment in narrowly written circumstances, many of which are out-of-date with today’s technology. For example, the law distinguishes between stored data as being less than 180 days old or over 180 days old; “opened” and “unopened” messages; “content” and “non-content”; compelled versus voluntary disclosure; and public and nonpublic providers—distinctions that make little sense in 2017. Courts have slowly been reinterpreting the law, therefore often expanding its reach, leading to a patchwork of circuit splits and inconsistencies.

In the past few years, several stories have made
national headlines regarding the government’s ability to gain access to data stored on a suspected criminal’s phone and cloud. In some instances, there is a Fourth Amendment question, but in others, there is not. For example, a well-publicized case involved the iPhone of a suspected terrorist who shot multiple people at his employer’s holiday lunch in San Bernardino, California. In that case, the government had probable cause and was issued a warrant for the data stored on the phone. In addition, the phone in question was actually owned by the shooter’s employer, who gave consent for the search. The question, however, was: Could the government compel Apple to provide it with the data from the phone? The company claimed it did not have easy access to the requested data. Could the government compel Apple to build a software tool or write code to try to gain access to the phone data? The majority of law in this case goes back to a 1977 case involving the request of law enforcement to place a pen registry on a phone. The Apple case was dropped before a decision was made.

“Never before in our society have citizens had the ability to store information in a way that the government could never, ever get to it no matter how much authority it had. This is a brand new concept,” Simmons said. “We all like privacy, we all like to be able to keep things secret, but if the government has obtained the legal authorization to gain access to information, it needs to have the power to obtain that information. We cannot create these black boxes that are inaccessible no matter what legal authority the government has in the case. I think we definitely need to have a discussion on what the standards should be for the government to gain access, or compel access, but it cannot just be a black box.”

Data privacy in the civil arena

In many instances, it is not the government or law enforcement that is analyzing or viewing an individual’s data, but private companies, including retailers, app developers, and software companies looking to take advantage of behavioral predictions or to sell data for a profit. In many instances, the law says little about what a company can do with data collected from a customer and the transaction is ruled by the user agreement that was initially clicked on (but probably not read).

“The Federal Trade Commission (FTC) has become the de facto privacy enforcer in the United States,” Professor Margot Kaminski said. “If a company’s privacy policy makes false promises, the FTC is the one that often files the complaint and works toward a consent decree on behalf of customers.”

The popular social media app Snapchat ran into trouble with the FTC for promising video and photo messages sent using its app would “disappear forever” after a sender-designated time period expired. Senders were to receive notification if the recipient took a screen shot of the snap. Recipients quickly found ways around the time limits and screen shot notifications, and were able to save and distribute snaps indefinitely. The company also ran into trouble with its Find a Friend feature, which led some users to send snaps to strangers, when in actuality they thought they were communicating with friends. The tech company settled with the FTC in 2014, and is subject to a monitoring program for the next 20 years.

In other instances, specific apps can access more user data than would seem reasonable. For example, one would expect a photo editing app

“If the cloud is hacked, as a matter of public policy, we often do not hold a company responsible because we want to promote innovation,” - Professor Margot Kaminski

College launches new data program

The Ohio State University Moritz College of Law recently launched a new Program on Data and Governance (PDG), which is part of the University’s Translational Data Analytics Institute. While big data analytics and other innovative uses of personal data can produce tremendous social and economic value, they can also erode privacy, undermine cybersecurity, and deepen inequality. PDG seeks to identify the strategies that will best allow society to achieve data’s important benefits while reducing its potential harms. The program focuses on four areas: research, conversation, engagement, and education. Faculty include: Dennis Hirsch (program director, big data analytics), Amna Akbar (criminal law), Micah Berman (public health), Bryan Choi (intellectual property), Margot Kaminski (intellectual property), Efthimios Parasidis (health care law), Dakota Rudesill (national security), Peter Shane (administrative law), and Ric Simmons (criminal law). PDG has hosted several events over the school year, including two supported lectures: The Sidley Austin Distinguished Lecture on Big Data Law and Policy, and Data Points: Ideas on Data, Law and Society, sponsored by Porter Wright.

The University’s Translational Data Analytics Institute was founded in 2014 with an investment of over $125 million and includes 104 affiliated faculty (including 37 new hires), 110 class offerings, and multiple interdisciplinary centers focused on health care, bioscience, and other topics. Ohio State is the first research university to create an interdisciplinary undergraduate major in data analytics.
Protecting attorney-client confidential information

As law practices become more and more global, attorneys see clients face-to-face less and less. But, confidential, delicate information still must be sent, often on a moment’s notice, between client and attorney. Should confidential discussions happen via text message and Skype calls? Can trade secrets be discussed in email attachments? Not only must attorneys think about whether they are creating material that is discoverable or accessible via subpoena, in today’s world, they must also ask whether they are vulnerable to being outright hacked. How much security is necessary is an individual question, but there are multiple tools for lawyers to use that make their communications more secure, including apps and software to encrypt messages, emails, files, and phone calls. Other tools, including Jetai, generate secure video conferencing spaces that are recognized as being much more secure than spaces used by traditional providers like Skype. There are also tools available to assist users in protecting browsing history and internet discussions by creating secure internet connections on non-secure, http sites. “Users and clients are demanding end-to-end encryption and there are many new tools available to make use of these new protocols,” said Olivia Martin, Digital Security Fellow at the Freedom of the Press Foundation, at a Secure Communications for Lawyers lunch event hosted at Moritz. “Things like even your metadata—the to, subject, and timestamp of your email, or the phone number, frequency, and timestamp on texts—and your browsing history can say a lot about you and who your clients are. Of course, having a strong password goes a long way to keeping everything secure too.”
shopping habits. It is one thing for Target to look at a person’s shopping habits to create a “pregnancy score” with specific marketing; it is quite different for a potential employer to use data to guess if a job applicant is likely to conceive in the near future.

“If the data collected is used to market specific products and services to us, most people are OK with it,” Hirsch said. “But, when the data is used in decisions regarding employment, loans, housing—these eligibility questions—it becomes very problematic.”

Legislation exists in a few specific areas, but there are often large gaps, Hirsch explained. For example, the Genetic Information Nondiscrimination Act prohibits health insurers from using genetic health information in coverage decisions. But, it does not prohibit lenders, housing agencies, and colleges from using that information in their decisions. In addition, the Health Insurance Portability and Accountability Act requires medical providers to keep health data secure and private, but it does not apply to non-providers like WebMD, where customers may type in a host of symptoms and conditions that are not protected.

**Protecting rights in the cloud**

When materials are stored in the cloud, unique questions of copyright and ownership can arise. Customers are also increasingly “buying” products from the cloud, including books, movies, and music, which can implement copyright laws in new ways. The answer to many copyright questions also depends on which body of law is applicable, as copyright laws vary greatly around the world.

“When we think of the cloud as an extension of our computer, there are not a lot of copyright issues,” Professor Guy Rub said. “But when we think about the cloud as a mechanism for sharing, it becomes intriguing from a copyright standpoint.”

Each year, more than a trillion photos are taken around the globe, over 80 percent on a smartphone device. When the photos are backed up to the cloud for storage purposes, the copyright stays attached. However, each day millions of those photos are uploaded to places like Facebook, Twitter, Pinterest, and YouTube, where, once again, the user agreement governs the transaction. Fair Use exceptions also allow other users to share and comment on the material for specific reasons. Many of these companies, including Facebook, actively work to protect users’ copyrights. It is not always clear, however, who is liable when an individual uses a platform to perform copyright infringement.

“If I load a movie or song onto Dropbox and share the link with 200 people, is Dropbox liable for what its users are doing?,” Rub said. “It is unclear under the Supreme Court’s recent Aereo decision what rules apply and whether this would be considered a public performance. I expect this area to be litigated in the not-so-distant future.”

In the case, Aereo created a mechanism that allowed users to view live and time-shifted television broadcasts on internet-connected devices. Essentially, the company owned a mass of antennas and DVRs in a warehouse in Brooklyn that it allowed users to connect to over the internet, therefore avoiding the large licensing fees cable companies pay to show broadcast television material.

“The Aereo decision is tricky and it is unclear how it applies to the cloud,” Rub said. “The company in that case essentially argued that it was not doing anything with copyrighted material. It was merely providing servers and its users were developing the content. The Court did not agree and labeled the service a public performance of work under copyright law.”

Today, when users stream TV shows and movies through Roku boxes, Apple TV, and other services, some services are provided free as part of a monthly fee, while other material can be rented for a specified time. Additional material can be purchased and theoretically used indefinitely. But, is the customer “buying” the material in the same way they “buy” a DVD?

“When using a service like Amazon, you really have to look carefully at how the contract defines ‘buy,'” Rub said. “If you are streaming, in most cases you are licensing a movie or book and not buying it in the traditional sense. This has very serious implications legally because concepts like the first sale doctrine then do not apply. If you are an owner, you have specific legal rights; if you are a licensee, your rights are dictated by contract.”

With something like electronic books, which in many cases are not shareable, the concept is that because they are easier to get and the publisher will sell more because they are non-transferable, the price will be cheaper for everyone, Rub said. “But, I think the jury is still out on whether the price is cheaper, or cheaper enough to reflect the legal rights readers have lost,” he added.

While the use of the cloud continues to expand at a blistering speed and companies are more able to utilize the data collected, the law in almost all instances is more than a step behind, leaving much of the work of setting corporate and privacy policies, interpreting existing statutes, and representing those harmed to attorneys.
Celebrating the
STUDENT EXPERIENCE
125 YEARS
of classes, studying, and learning to be leaders.

BY MADELEINE THOMAS
It is extraordinary how much has changed for Moritz students in the 125 years since the law school’s very first classes were held in the Franklin County Courthouse in 1891. More than a century before the College became known as the Moritz College of Law, the first graduating class had but 33 students, including one woman. Now, Moritz’s web of living Buckeye alumni measures more than 10,000 strong.

Combing through old archives and dusty photographs, we unearthed the fascinating history of some of Moritz’s beloved and deeply rooted traditions, like Hooding, which didn’t begin until the early ’70s. We also revisited several major events—including the riots in Columbus during the 1970s and a post-9/11 world—and heard stories from alumni who were personally affected at the time. The evolution of the College’s scholarship is also particularly telling. Moritz students have always been on the cutting edge of technology—from the first Wang word processor purchased for the staff of the Ohio State Law Journal in 1985, to the research on the forefront of technology policy currently published in I/S: A Journal of Law and Policy for the Information Society.

Thousands of students have come and gone from Drinko Hall, yet Moritz’s legacy of leadership, scholarship, and service has always remained constant. The following pages present a snapshot of the Moritz student experience throughout the ages.
Celebrating Student Experience

The Great Depression

Sometimes crises and bad circumstances have a way of bringing people together. Such is the case with the College’s Class of 1932, a notoriously tight-knit class with friendships and bonds lasting more than 50 years. With 149 original members, the class dwindled down to half by graduation.

“The Wall Street stock market crash began on Oct. 24, 1929, just a month after we entered the College of Law. By 1930, the general world economic depression set in. Nearly all of our classmates were in some way touched by this drastic change in the economy,” J. Paul McNamara ’32 said in a written history of the class. “In 1930, my mother moved to Columbus from Upper Sandusky, rented a large house on 15th Avenue and kept roomers so my brother, my sister, and I could continue our education. Several of our classmates roomed at our home during our second and third years. The hard times of 1932 are credited by many as the cause of the strong feeling of comradeship that has characterized our class. Beginning in the fall of 1932 or 1933, a group of classmates met for lunch once each fall before an Ohio State football game...and those classmates practicing in Columbus organized a penny ante poker game that met once a month. It is my recollection that the first big weekend reunion was at the Ft. Hayes Hotel in Columbus in 1947 following World War II. We have had five-year reunions without fail for 40 years. In 1959, our classmate Rafael Gonzalez ’32 hosted a reunion/seminar in his home city of San Juan, Puerto Rico, where he practiced law and operated an internationally famous stable with many of his best race horses named after classmates.”

“I definitely think with the 2016 election that there are a lot of hot topics on campus. There is talk about activism, specifically in regards to immigration.” — Jennifer Mensah ’17, President, Black Law Students Association

Activism and CURRENT EVENTS

From the Civil Rights Movement of the 1960s, to Black Lives Matter, and the ethics of the Information Age, Moritz students have always been engaged in the most pressing political, civil rights, social justice, and legal issues of their day. Time and time again, our students prove they are at the ready to help fulfill their civic duties, advocate for the people and causes they believe in, and engage with their communities.

Activism

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48 THE OHIO STATE UNIVERSITY
Tempered by war

The world wars of the early and mid 20th century had an immeasurable impact on the College of Law. In the fall of 1917, only two students applied for admission, one blind and the other described as invalid. Operations were suspended until the fall of 1918 for lack of students. By the summer of 1919, however, the College had to expand its offerings for the benefit of returning veterans and grew at a substantial rate through the roaring ’20s.

During World War II, the College did manage to stay open, but just barely. Student enrollment was so low that the Ohio State Law Journal was suspended for several years. In addition to losing many students to deployment, almost all law faculty also were active in the military or public service, with only four remaining in the Columbus area. For example, Professor Robert E. Mathews served as the chairman of the Franklin County Draft Board and the associate general counsel for the National War Labor Board; Professor Robert Hunter joined the U.S. Department of Justice and was sent to Japan as a member of the Zaibatsu Commission to advise General Douglas MacArthur; and Professor Roland J. Stanger served with the Office of Price Administration, the Board of Economic Warfare, and the Foreign Economic Administration in Washington, D.C., South America, and the Middle East.

THE RIOTS OF 1970

James Oliphant’s ’71 most vivid memory of the riots in the spring of 1970 was watching armored cars full of National Guard Troops patrol down High Street in front of Drinko Hall.

As the Student Bar Association president-elect, Oliphant attended a hurried faculty meeting in which there was a discussion over whether the law school should close down until the riots subsided. He was also one of a handful of students who guarded Drinko Hall overnight to protect the building from rioters who had thrown Molotov cocktails through the windows of several other buildings on campus. Oliphant and his cohort took turns napping, walking the halls, and patrolling the roof with walkie-talkies for any signs of riot activity. More specifically, they were protecting the library.

“Back then, I think it was one of the top, volume-wise law libraries in the United States,” Oliphant said. “There was great pride in the library, and that was long obviously before computers. Everything was researched through text. The library was everything.”

While mass riots took place right on the doorsteps of the High Street side of Drinko Hall and many windows were smashed, thankfully, Drinko Hall was never set aflame.

BREAKING NEWS IN THE CLASSROOM

As a professor of Constitutional Law and an expert on law and the presidency, Peter Shane often finds himself rethinking lesson plans when events like 9/11, Bush v. Gore, and, most recently, the travel ban, become breaking news. “Especially when an event is polarizing to the larger community, I want future lawyers to be able to identify what part of their own reaction is legally significant, not just politically or culturally relevant. Once we frame the legal issue, then what I hope to create in the classroom is a context where students can articulate competing views of the law and assess their pluses and minuses,” he said. “In many communities, people look to their lawyer friends for just this sort of legal perspective. As citizens, we all need to get out of the tendency to think that actions taken by the presidents we like are all great, but similar actions taken by the presidents we do not like are all unconstitutional. ‘Constitutional’ and ‘unconstitutional’ are not synonyms for ‘good’ and ‘bad.’”
In the late 1950s, the law school’s new modern home at 12th Avenue and High Street included an auditorium, a luxury many law schools do not even have today. The idea was to establish a space where well-known speakers could discuss and debate the issues of the day. In 1958, the Student Bar Association founded the Law Forum Series, a lecture series whose inaugural speaker was the Hon. J. Lee Rankin, solicitor general of the United States. Since then, every semester, more than a dozen key lectures, symposia, and major events take place in the Saxbe. The calendar now includes multiple named lectures, from the David H. Bodiker Lecture on Criminal Justice to the Lawrence Negotiation Lecture and the new Sidley Austin Distinguished Lecture on Big Data Law and Policy, offering students an opportunity to learn new perspectives and see the law applied in the real world. House Democratic Leader Nancy Pelosi; Michael Young, who played a considerable role in the fall of South African apartheid; and Patrick J. Fitzgerald, who served as lead counsel in the investigation, prosecution, and seven-month trial of United States v. Usama bin Laden, et al., are but a few of the many illustrious visitors who have visited Moritz.
Celebrating Student Experience

“I know you will derive greatest satisfaction if you use your knowledge and skill, not simply as an artisan doing a day’s work for a day’s pay, but as a contributor to the improvement of our legal system and an enhancer of its responsiveness to the American ideal of liberty and justice for all.” — Supreme Court Justice Ruth Bader Ginsburg, addressing the Class of 1982

For budding lawyers, a visit from a justice of the Supreme Court of the United States is often a once-in-a-lifetime experience. Over the years, multiple justices have found their way to Columbus to inspire, encourage, and reflect.

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<th>SUPREME COURT VISITORS</th>
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<td>Hon. Harry Blackmun, 1983</td>
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“...I came to Washington to accept one of the most challenging jobs any lawyer could ever have. But I was not alone, for with me there were memories of all the people who had come with me every step of the way...” — Former U.S. Attorney General Janet Reno, addressing the Class of 1996
Diversity

The breadth and depth of Moritz’s commitment to diversity and inclusion has evolved over time and has become a cornerstone of the College’s commitment to excellence. We’re proud of our community, a thriving microcosm of gender, sexual orientation, race, ethnicity, religion, political viewpoints, physical and learning abilities, and educational and economic backgrounds. The College’s recent creation of the Teaching Innovation Group is also energizing our faculty to explore novel and engaging ways to be mindful and inclusive of diverse viewpoints. Inclusivity is invaluable to Moritz. And while great strides have been made throughout the College’s history, there always remain more opportunities for growth.

Moritz’s student groups

The Black American Law Students Association—known now as the Black Law Students Association—was first charted at Ohio State in 1971. Since then, dozens of student affinity groups have formed at Moritz including, the Asian Pacific-American Law Students Association (APALSA), the Christian Legal Society (CLS), the Jewish Law Students Association (JLSA), OutLaws, the J. Reuben Clark Law Society (JRCLS), the Latino Law Students Association (LLSA), Law School Democrats, Law School Republicans, the Middle Eastern Law Students Association (MELSA), the Military Law Students Association (MLSA), and the Women’s Legal Society, among many others. The Moritz Office of Diversity and Inclusion (MODI) is spearheading an effort to connect current students with alumni with an interest in engaging with affinity organizations. For more information, contact Jino Ray ray.570@osu.edu.

RELIGION

Samar Kaukab ’05 enrolled in Moritz the year after 9/11 and was among the first students to participate in the Washington, D.C., Summer Program. National security, the Transportation Security Administration, and profiling were discussed often around campus and during her membership in the Muslim Students Association. Issues of racial profiling, search and seizure, and how to respond to law enforcement were critical concerns for much of Central Ohio’s Muslim community, she said.

“As a Muslim-American, those were things that I was also really interested in,” Kaukab said. “It was an amazing time to be in law school because we were really able to partner with organizations like the ACLU and other civil liberties organizations to volunteer about know your rights issues.”
LGBTQ COMMUNITY

As a law student in the early ’90s, Brian Shinn ’96 was an active member of Moritz’s LGBTQ community. A deciding factor in applying to Moritz was the opportunity to study under Professors Rhonda Rivera and Doug Whaley, both openly gay faculty and pioneers in their respective fields.

A major concern for many LGBTQ students, Shinn recalls, was whether to be transparent about their sexuality to potential employers. Students applying to civil rights or LGBTQ-specific organizations (there were only a handful across the country at the time, he said) were likely to remain out. Students seeking work at law firms faced harder decisions.

“As many of us joke, it wouldn’t take a rocket scientist to figure out that we were gay, but it’s just a matter of whether you present it formally on your resume,” Shinn said. “Law firms have changed. I think they have embraced diversity—certainly more than they did 20-something years ago—but the climate then was, ‘Well, we wouldn’t want to bring on anyone who is offensive to our clients.’ That was something that we struggled with.”

Women at Moritz

Until the early 1970s, the number of female graduates in each class ranged from zero to three each year. Women of different races, ethnicities, sexual orientation, and physical ability have all faced varying challenges.

Brigid Heid’s ’90 mother, Sally (Reardon) was one of two women in the Class of 1954. Heid’s mother went on to serve as an assistant attorney general in the Claims Section in the Attorney General’s Office in Columbus and later, opened a general law practice with her husband. Heid grew up hearing stories about her mother’s experience as a student.

“In the middle of the lecture class, the professor said—she was the only woman in the classroom, being one of two women in the entire class—that he wanted to tell a joke and that he wanted Ms. Reardon to leave. She had to get up in front of all of her male classmates, exit the room, and stand in the hallway while time passed,” Heid said. “She heard this roar of laughter. Then the door opened, and one of her male colleagues, who had a big smile on his face, told her she could come back in. She knew that something sexist had just been said.”

Times have certainly changed, but the need to address these issues is of ongoing importance to providing an excellent legal education for all. In 2005, for instance, all five editors of Moritz’s law journals were female: Gina Lee ’06, Leslie Siegel ’06, Amber Gosnell ’06, Miranda Fields ’06, and Jennifer Dutcher ’06. In 2016, journal editors-in-chief included men, women, persons of color, and members of the LGBTQ community. The Class of 2017 was one of the few majority female classes as well.

Championing diversity

In 1968, Almeta Johnson ’71 was one of the first students recruited through the College’s affirmative action program, part of a variety of efforts to diversify Ohio State’s student body at the time. She spent her career as a champion for women and minority lawyers. As a student, Johnson helped the College establish a recruitment program for minority students, a 1983 edition of The Ohio State University Law Record notes. In addition to serving on Moritz’s National Council after she graduated, Johnson was also a member of the board and an officer of the Ohio Law Opportunity fund, which provided financial assistance to economically disadvantaged students receiving their law school educations in Ohio. (Moritz alum Robert C. Coplan ’42 helped initiate the program.) Johnson was also appointed by the mayor of Cleveland to serve as chief police prosecutor for the city (the first woman to hold that role), before forming her own law office with two other female attorneys. As cofounder of the Black Women Lawyers of Greater Cleveland, Johnson also strived to provide networking opportunities, increase visibility, and address issues affecting her fellow colleagues.
Celebrations and TRADITIONS

Letterman jackets and acid washed jeans have faded in and out of style, yet many traditions at Moritz have remained tried-and-true for decades. Others are steadily becoming yearly customs around the College. From Homecoming Weekend to Barrister’s Ball, and Race Judicata to the Black Law Student Association’s annual Soul Food Luncheon, Moritz students have always known when it’s time to put down the books, blow off some steam, and have a little fun.

HOODING CEREMONY

“The Hooding ceremony the students now enjoy is because of my father. It should be called the Hudak Hooding,” Clara Hudak ’74 says only half in jest. “What happened was that when I was finishing up law school, my Dad said to me, ‘When is your Hooding ceremony?’ He went to medical school at St. Louis University and they always had Hooding for doctors.’ When Dr. Hudak learned there was no such thing at the College, he encouraged Clara to approach then Dean James C. Kirby. According to her, Kirby said ‘sure,’ and pulled $50 out of his petty cash fund. ‘Have a great time,’ he told her. With this lordly financial support, Hudak arranged for a room and cash bar to be set up at the Faculty Club—room enough since there were only 20 some students for the December graduation date. Whether there was sufficient dignitas Hudak didn’t venture to say, but it was a fairly streamlined process: the dean was principal speaker as well as hooder, and the whole ceremony didn’t take long. But ‘within two years,’ she said, ‘it was quite the thing.’”

— Clara Hudak ’74, excerpted from The Ohio State University Law Record, Summer 1996

Orientation: A student tradition

While all law schools have an orientation, few run it like Ohio State. Since 1965, current students have played a major role in the annual event, with upper level students setting the agenda for their new colleagues. The occasion, which often includes student panels and a barbeque on the front lawn, sets the tone for the expected collegial environment between students.
IN THE Classroom

Every Ohio State law grad spends about 1,100 hours in class, takes approximately 20 exams, spends (hopefully) countless hours in the library, and has a cold-call story to tell—all in an effort to learn to think, analyze, and problem-solve like a lawyer. From Arant to Shipman to Tuttle to Whaley, Moritz faculty leave quite an impression on each generation of students.

Classic case law, evolving curriculum

While generations of law students have learned about the “hairy hand” case (Hawkins v. McGee) in Contracts, and that a plaintiff does not need to show a breach of duty of care if a bag of flour falls out of a second story window (Byrne v. Boadle), in some aspects, law school classes have changed dramatically.

“While not that much has changed in the basic building blocks of much of the doctrine, particular emphasis and sophisticated messages students draw from the most basic of cases does change over time,” Professor Douglas Berman said. “Students today expect a more interactive classroom experience and have an insurmountable amount of outside information available to them, but much of the basic class structure early on is predictable and constant. The Socratic method endures because it works. I think we understand that this shouldn’t necessarily be the model for all three years, but introducing students to cases and having them efficiently and effectively read them and answer questions on the spot is good training.”

Some classes have stood the test of time and remain as relevant today as they were 50 years ago. However, Moritz typically adds three to five classes to the curriculum each year while phasing out others as professors and interests change. Berman has introduced several new courses, including a Second Amendment course after the Supreme Court’s landmark Heller decision in 2008 and, more recently, a course on Marijuana Law and Policy.

“We are not just training students to be good lawyers next week, next month, next year, or even in the next decade. We are training them for the next generation, if not two,” he said. “They need to understand not only the current doctrine and how to think like a lawyer, but also how to think ahead like a lawyer. I love teaching courses without established canons or a fixed landscape. I think it is a great learning experience for students to struggle through an uncertain and rapidly changing area of law.”
What classes did students take when Ohio State law first opened in 1891? The College recently received one of the first diplomas it granted in 1892 as a gift, which listed the following as subjects studied:

<table>
<thead>
<tr>
<th>Studied in 1892</th>
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<tr>
<td>Elementary Law</td>
<td>Criminal Law</td>
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<td>Common Law Pleading</td>
<td>Constitutional Law</td>
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<td>Partnership</td>
<td>Legal Analysis and Writing I</td>
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<td>Agency</td>
<td>Legal Analysis and Writing II</td>
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<td>Appellate Advocacy or Transactional Lawyering</td>
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<td>Medical Jurisprudence</td>
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— Professor Douglas Berman
Technology AND THE LAW

Moritz welcomed the College’s first computer with a mix of awe and trepidation. Faculty, staff, and students were astonished by how simple word processors expedited the most tedious of administrative tasks, streamlined archives, and how programs like LexisNexis opened up entirely new worlds of legal research. Others feared that one day, technology might replace classrooms completely. Now, in the thick of the Digital Age, courses and seminars including the law of cyberspace and legal journals like *I/S: A Journal of Law and Policy for the Information Society* are molding Moritz students into cutting-edge scholars of technology and the law.

Beam me in, Iowa

In Professor Dan Tokaji’s Election Law class, he often calls on students and leads in-depth discussions and debates throughout the class period. Sounds pretty standard, but, in this case, some of Tokaji’s students are located some 550 miles away in Iowa City, Iowa, and can see, hear, and interact with their Ohio State professor and classmates through advanced classroom technology. The same system allows Moritz students to take advanced classes with a professor teaching in Iowa as well.

Dungeons and Dragons

“Adjunct Professor Jeffrey Ferriell’s students in his Debtor/Creditor course are using the ‘Debtor/Creditor Game,’ dubbed by students as ‘Dungeons and Dragons.’ The game consists of a four-disk computer program and provides student and teacher manuals. In this game, the computer sets up a motel/bar/restaurant business that is in financial difficulty. Students take on various roles representing the debtor, major creditors, the trustee in bankruptcy, and other players. Over weeks they play out and test their knowledge and strategies in negotiation, civil suits, bankruptcy, motion filing, search of public files, and collection of information.”

—Excerpted from *The Ohio State University Law Record*, Spring 1988
Computers in the classroom

In the early 1990s, the new building addition included a computer lab, which most certainly was packed with students writing papers and outlines and using the printers. Professors Howard Fink, Tim Jost, and John Quigley were among the first to request personal workstations for their offices while Professor Morgan Shipman, who passed away in 2008, would most likely be proud that he never did have one. Today, almost all students have personal laptops, although some choose to take class notes by hand. Two to 3 percent of students choose to write exam answers in bluebooks. As for the internet, the computer labs and a handful of faculty and staff offices were outfitted with a dial-up connection in the early 1990s, around the same time the Magnus email system, the predecessor to the now-famous name, was used. It wasn’t until 2005 that Moritz launched its own Wi-Fi network for all. Today, the university handles the College’s Wi-Fi and internet connection needs.
Lawyers are natural leaders—they find ways to serve their communities in a wide variety of capacities. Some take that instinct to the next level, going above and beyond to answer the call of duty to serve their country, too. Whether they served in the armed forces before pursuing a law degree, went to law school to open doors to new areas of service, or serve in the reserves in addition to their full-time jobs, Moritz College of Law alumni can be found in nearly every branch of the military.

BY KELSEY GIVENS

Sarah Stanton Huxta ’05
Senior Acquisition Law and Litigation Attorney, U.S. Air Force
Washington, D.C.

On the job: I serve as one of the civilian attorneys advising the judge advocate general on acquisition policy, law, and other matters. I provide litigation risk assessments to clients procuring our major weapons systems and major defense service contracts. I assist in the defense of bid protests and provide oversight of our commercial litigation.

How I got this job: I started my career out of law school managing and training the mediator cadre for the Department of Defense. In 2010, one of the senior attorneys attending my course invited me to the Air Force to help run the Alternative Dispute Resolution program. In 2013, I decided it was time to leave program management and get back to the nuts and bolts of drafting legal memoranda and briefs. I sought to become a subject matter expert rather than a generalist, so I was welcomed into the acquisition corps.

How I use my J.D.: To qualify for the position as a senior legal advisor. Without the research and writing skills that I learned in law school, I would not be able to communicate effectively to my clients and to judges.

Most interesting case/project of my career: The most interesting case of my career was a construction matter. I learned so much about construction and utility markings that I’ll never look at another construction site the same way.

A career with the military is great because: It is a continuous learning environment with ample career broadening experiences. Development of each attorney is a top priority. Our military officers are trained upon arriving to their new duty stations (which is a great refresher for me) and I benefit by learning from our bright officers with diverse areas of expertise.
2 On the job: I am responsible for the overall health, welfare, training, and mission readiness of 150 Army Reserve soldiers. I ensure my soldiers are ready to deploy in support of military operations worldwide by creating pertinent training plans, mitigating or eliminating administrative and medical issues that could hamper their ability to deploy, as well as ensuring continued personal and professional development for everyone.

How I got this job: I started the application process during my 3L year of law school. I knew I didn't want to sit for the bar and I began working with a local recruiter to get an Officer Candidate School contract. After a lengthy boarding process I went to Basic Combat Training, Officer Candidate School, and took a Signal Basic Officer Leaders Course. Overall, I spent about 10 months training in Georgia before I was duty qualified. I was selected for command after we redeployed from Afghanistan in 2014 and I submitted an application to be boarded for the position.

How I use my J.D.: I don't use my J.D., but being a commander involves unique legal responsibilities that other soldiers are not subject to. My legal education helped with easily understanding those responsibilities. That being said, I leave the law up to lawyers. My brigade’s judge advocate is on my speed dial.

Most interesting case/project of my career: The end of my deployment was focused on shutting down the forward operating base as part of the larger American withdrawal from Afghanistan. I was responsible for coordinating logistical operations and issues with the other military tenants on base. Creating a plan to shut off communications gradually, while ensuring that the base was still physically secure and able to support the tenant units’ mission, was a challenging but rewarding experience.

A career with the military is great because: For young officers it’s great (or sometimes not so great) because of the accelerated, steep learning curve. Two months after I graduated from the Signal Officer Basic Leaders Course, I deployed to Afghanistan. I was in charge of strategic communication operations for an entire base in the middle of a warzone. I had 30 contractors and 10 soldiers that I was in charge of with little idea of exactly what it was I was supposed to be doing. You learn fast or you get fired.

3 On the job: I currently perform legal review of administrative separation packages, conduct investigations, and serve as a hearing officer. I have also served as a senior defense counsel, senior prosecutor, and deputy staff judge advocate [general counsel] for a military installation.

How I got this job: After graduation from the U.S. Naval Academy, I served as an aviation intelligence officer for three years before my selection for the Marine Corps Excess Leave (Law) Program. As part of this program, I attended Moritz while on active duty and committed to serve additional active duty time as a judge advocate (JAG).

How I use my J.D.: I analyze facts, research the law, and do my best to apply the law to those facts. During my five years handling criminal cases and investigations on active duty, I had the opportunity to hone my trial skills, oral advocacy skills, and most importantly, my negotiation skills.

Most interesting case/project of my career: In 2011, I was asked to travel to my former duty station in Beaufort, South Carolina, to “guest” prosecute a general court-martial of an active duty gunnery sergeant, who also happened to be a military policeman with a great deal of combat experience, for aggravated assault. During my closing argument, I demonstrated the use of one of the prosecution exhibits—a bull whip—by loudly cracking it across the front of the court reporter’s desk. The Marine was convicted of aggravated assault and a host of other offenses, sentenced to Fort Leavenworth for several years, and effectively lost his military retirement. Of the hundreds of criminal cases I prosecuted and defended, that case and that moment are at the top of my “most memorable” list.

A career with the military is great because: You can have experiences in your first week on the job that you may not get in 10 years in a civilian legal job. I was in the courtroom handling my own cases within my first week of being sworn in as an attorney. In the military, you are also expected to be a leader of people, in addition to skillfully handling your legal caseload. Time spent serving in the military is dynamic, challenging, personally fulfilling, and above all, a worthwhile endeavor.
On the job: I advise Army and Air Force National Guard leadership on compliance with federal and state laws, as well as military regulations. Such counsel covers administrative law topics, ethics and fiscal matters, military justice, and civilian personnel litigation. I mentor junior military attorneys and paralegals, and oversee the staff’s individual legal assistance to soldiers, airmen, their family members, and retirees.

How I got this job: Knowing that my first-year Contracts Professor Greg Travalo was a JAG in the Reserve Component planted the seed in my mind. A month after passing the Ohio Bar, a December blizzard hit Cincinnati. Within the week, I willingly accepted a pinpoint JAG assignment to the warmer climes of Hawaii. Practicing in a variety of legal fields proved rewarding. My active duty time led to selection as a civilian attorney for the Army on Oahu, passage of the Hawaii Bar, and being able to continue my uniformed military service part-time in the National Guard. To progress over the years, I have benefitted from continuing education. The American Bar Association (ABA) accredited Army legal center in Charlottesville, Virginia, offers a wide range of courses. Moreover, I acquired a master’s degree in strategic studies from the U.S. Army War College. Based on experience developed through various assignments, I advanced to the rank and senior staff position I now hold.

How I use my J.D.: The research and analytical skills developed during law school have proven valuable in advising commanders and their staffs in their decision making. Moreover, participation on the Ohio State Journal on Dispute Resolution aided with focusing on details for thorough reviews and concise opinions. Exposure to Ohio State students with diverse backgrounds has enabled me to appreciate and adjust to cultural nuances within the military and overseas.

Most interesting case/project of my career: Twenty-seven years of military and civilian service have resulted in a breadth of interesting “war” stories. I find the most fulfilling and challenging duties have occurred in periods of crisis, or in preparing for calamities. My year deployed as a supervisory attorney for an infantry unit in Iraq, along with my involvement in military exercises and engagements with partner nations in the Pacific, Asia, and Europe, presented unique opportunities to serve the nation and advance the rule of law. Living in Hawaii, I gained expertise in supporting responses to disasters such as hurricanes, tropical storms, and even lava flows (not a typical Midwest occurrence).

A career with the military is great because: I have the opportunity to serve. National Guard units make a difference for the better on local, national, and international levels. It is noteworthy that most service members in our Citizen-Soldier force are part-time. They balance military commitments with other careers, school, or family responsibilities. Understandably, assisting those individual soldiers and airmen who sacrifice, their family members, and our retirees who previously wore the uniform can provide an especially satisfying career.

On the job: I have to be agile and a jack-of-all-trades. Every week there is a different challenge and often it is something completely new. Integrating my multi-discipline team is what makes our success possible.

How I got this job: I was selected as a Presidential Management Fellow in 2010. Learn more at pmf.gov or email me: brin.2@osu.edu.

How I use my J.D.: Great project managers perform precision analysis, navigate multi-volume contracts and regulations, and have surgical communication skills. In my opinion, these are the hallmarks of a Juris Doctor.

Most interesting case/project of my career: Leading a complex modernization at Cape Canaveral: That moment where you reach a difficult impasse, and then rockets go off, literally.

A career with the military is great because: The military places an unmatched focus on people, leadership, and continuous development, and the mission speaks for itself.
Nicholas C. Maitland ’09
Chief, Corporate Information Technology Contracting Section, Department of Defense, U.S. Air Force
Dayton, OH

On the job: I serve as a government business manager and sign contractual agreements on behalf of the United States at Wright-Patterson Air Force Base. I manage and supervise U.S. contracting officers and negotiators (contract specialists) in the procurement of information technology from satellites, electronics, and high-performance aircraft to supplies and services necessary for the day-to-day operation of military installations around the world. My job is to ensure America’s warfighters have what they need, when they need it while looking out for the interests of taxpayers.

How I got this job: I attended a career fair on The Ohio State University campus. I discussed with a representative from the Department of Defense alternative legal career opportunities within the federal government. Federal contracting sparked my interests because the profession combines both business and legal acumen.

How I use my J.D.: Analysis, interpretation, and implementation of executive orders, federal contracting statutes and regulations. Compliance with appropriation, fiscal law, and congressionally mandated funding policies. Administrative law and national security policy interpretation. I regularly negotiate with large and small defense contractors, utilizing strategies acquired while attending Moritz.

Julie K. Phillips ’09
Captain and Deputy Staff Judge Advocate, Ohio Air National Guard
Columbus, OH

On the job: I counsel commanders on personnel issues, including separations, disciplinary actions, and termination; civil law issues including claims, estate planning, and real estate; medical issues; finance and appropriations; and operations law and deployment issues. Every day is a new experience.

How I got this job: I enlisted in the Ohio Air National Guard prior to college for the scholarship money, but stayed because the people and benefits are great. After receiving my J.D., I worked in several boutique small business law firms and pursued a judge advocate position at the same time as a traditional drill status guardsman—e.g. a weekend warrior. I was fortunate to obtain a position with the Ohio Department of Agriculture as the chief legal counsel, which provided me top-level experience working with senior management and a wide variety of legal issues. Recently, the 121 Air Refueling Wing at Rickenbacker AFB opened a full-time position as the deputy staff judge advocate. With my previous experience, it was a perfect fit.

How I use my J.D.: Every day I use the analytical methods taught at law school to determine what the issue is, the applicable law, and what the important facts are so that I can provide a custom-fit solution. My job is a problem-solver. I provide these solutions under the law and Air Force regulations to commanders so they can continue the smooth operation of their squadrons, groups, and the Wing. Moreover, the law isn’t the only facet to consider—current policy, leadership, and the people involved are all important pieces to the right answer.

A career with the military is great because: The people involved operate like a family—once you are in, you have lasting relationships with a wide variety of people. It also opens your eyes to a part of the world and the law that you may not otherwise see, such as operations and international law.
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On the job: I supervise a team of attorneys and paralegals to conduct legal reviews and support investigations on a range of operational and administrative legal issues facing the 13 admirals and Senior Executive Service members of our staff. In previous assignments, I advised on military operations overseas and had the pleasure of conducting frequent international military legal exchanges, where I participate in legal discussions with lawyers from foreign militaries.

How I use my J.D.: The Navy JAG Corps develops its officers to be legal generalists, with certain specialties. I have both defended and prosecuted courts-martial, served on an aircraft carrier in the Middle East, deployed in support of military operations in Africa, and served in a variety of essentially corporate counsel positions. My current assignment to a four-star admiral’s staff entails a great deal of the practice of ethics and government standards of conduct, with a steady supply of military justice issues, including national security cases, legislative reviews, and application of the Equal Employment Opportunity laws and the Freedom of Information Act.

Most interesting case/project of my career: In a general sense, having front line access to observe the rapid decision making processes of senior leaders in the military and across the federal government in reaction to a crisis is the most fascinating part of my job. I served as a legal advisor at commands that were suddenly tasked to provide support to the Hurricane Katrina relief effort and to the victims of the earthquake in Haiti, as well as to stand up efforts to conduct operations in Libya and to counter Joseph Kony’s Lord’s Resistance Army in east Africa. I also was on the aircraft carrier that was the first to respond to the 9/11 attacks, and watched the fighter jets launch to conduct the first strikes. Directly participating in the process that distills national policy into military action on the ground has been among the most interesting experiences I’ve had in the Navy.

A career with the military is great because: You are able to serve your country by providing legal support to sailors and providing advice to senior decision makers on a shockingly wide range of legal issues. You serve with incredibly talented, outgoing, adventurous colleagues, and build friendships that span the globe. Fellow JAGs are always on call to assist with novel questions of law, and we don’t have to compete for clients—we all share the same motivation to ensure the best, lawful outcomes. Serving in the Navy has enabled me to travel to 38 foreign countries and to work with legal professionals from every corner of the earth.

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Amanda Renée McNeil Williams ’10
Captain and Judge Advocate, U.S. Army
Fort Belvoir, VA

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On the job: I am the commissioner for the Army Court of Criminal Appeals (ACCA) at Fort Belvoir, Virginia. In this role, I am the staff attorney and judicial clerk to a three-officer panel of appellate judges on the Army’s highest court.

How I got this job: It started with an internship during law school that I learned about from a military panel that came to Ohio State to speak about career options in the JAG Corps of the various branches of the military.

How I use my J.D.: Being a lawyer for the Army means learning a new area of law every couple of years. At first, I was providing legal assistance to service members, veterans, and family members—anything from landlord tenant to estate planning. I have also tried felony level cases as the prosecutor, and defended soldiers and officers who have been convicted at courts-martial before the ACCA, the Court of Appeals for the Armed Forces (CAAF), and the United States Supreme Court.

Most interesting case/project of my career: It’s a close call between getting to repel out of a helicopter and working on United States v. Schloff, 136 S. Ct. 915 (2016)/ 74 M.J. 312 (C.A.A.F. 2015). Schloff was a case that I briefed at the ACCA, argued at CAAF (3-2 decision), and filed a petition for writ of certiorari at the United States Supreme Court. The issue was statutory interpretation and it was an amazing learning experience to get to file at the Supreme Court.

A career with the military is great because: You are barely a lawyer and you get thrown right into a diverse and interesting legal career. There’s no getting bored with your job. From getting paid to work out in the morning with your office, to getting the opportunity to prosecute and defend jury trials within a couple years of graduating law school, there simply is not a better introduction to the practice of law. The comradery and mentorship is unlike anything I could have imagined in law school.
On the job: DPAA is a newly reorganized Defense Agency that is tasked with providing the fullest possible accounting for our missing personnel to their families and the nation. More than 83,000 Americans remain missing from World War II, the Korean War, the Cold War, and the Vietnam War. For those killed in action, DPAA, in collaboration with other offices of the accounting community, is charged with locating, recovering, and identifying their remains. As deputy general counsel for DPAA, I am primarily responsible for providing legal advice on a wide range of issues—to include international, operational, fiscal, contract, and domestic host nation law—for our global field operations and disinterment activities both within the United States and overseas.

How I use my J.D.: Upon graduating from Ohio State, I obtained a commission in the Navy and spent the next 25-plus years practicing law in the Navy. I was enlisted for eight years prior to going to law school and I felt that the best way I could continue my military career was to get a law degree and join the JAG Corps. As a Navy judge advocate, I did the obligatory two years of trial work prosecuting criminal cases at our Naval Legal Services Office in Guam. After that, I spent the rest of my career practicing international and operational law in various duty stations in the United States, overseas, and on board ships. I served in places like Panama during Operation Just Cause, the former Yugoslavia as part of the U.S. contingent (Operation Provide Promise) to the United Nations Protection Force, and the Pentagon as the head of the Navy’s International and Operational Law Division. I also served as a special assistant to the undersecretary of defense for policy on board the USS CORAL SEA (CV 43) as the head legal advisor for the embarked two-star Battle Group commander; in San Diego, California, with the Navy SEALs following the 9/11 attacks; and in Hawaii, where I served as the staff judge advocate for the commander, U.S. Pacific Command for four years.

Most interesting case/project of my career: The most interesting long-term project of my military career was the negotiation and conclusion of two international instruments related to the problem of international migrant smuggling. At the International Maritime Organization (IMO), I chaired the working group that developed the IMO Measures for Combating Unsafe Practices Associated with the Trafficking or Transport of Migrants by Sea. A few years later, I was a member of the U.S. delegation to the negotiations of the Transnational Organized Crime Convention (TOCC) and was privileged to lead the discussions in Vienna regarding the maritime chapter of the Migrant Smuggling Protocol to the TOCC.

A career with the military is great because: I spent nearly 34 years of my life on active duty in the military—eight enlisted and 25-plus as an officer. If I could spend another 34 years wearing the cloth of my country, I would. Fortunately, I have been able to continue my service to my country as a Department of Defense civilian employee. A military career is not only great because of the important issues you deal with on a day-to-day basis, and the sense of satisfaction you get out of accomplishing the mission, but also because of the people you work with and the relationships you establish for life. I have had the privilege of serving with some of our country’s greatest Americans—military and civilian—and can go to bed at night knowing that I made a difference in the world, albeit a small one.
A grande passion for food law

Cassandra Soltis ’95 serves up regulatory counseling for Starbucks

BY MADELEINE THOMAS
Providing legal counsel to one of the world’s most recognizable coffee companies is no easy task. As a director, corporate counsel in the law and corporate affairs department at Starbucks, Cassandra Soltis ’95 provides Food and Drug Administration (FDA), Federal Trade Commission (FTC), and Consumer Product Safety Commission (CPSC) regulatory counseling. While Starbucks is perhaps best known for its coffee, Soltis’ legal counseling also extends to food products manufactured specifically for Starbucks stores as well as food sold under Seattle’s Best Coffee, Evolution Fresh, and Tazo Tea brands.

Soltis’ work primarily focuses on food law matters. Food regulation is surprisingly intricate. On a given workday, Soltis may use her legal expertise to help guide Starbucks through a host of regulatory issues. She frequently partners with Starbucks’ brand managers as well as the research and development, regulatory, and public affairs departments that may require her legal counsel. Facility inspections, marketing or advertising claims, formulation developments, and food labeling issues all fall under her purview. Soltis is also tasked with staying abreast of any major FDA overhauls that could affect Starbucks’ product line.

“There are new food safety regulations that companies must comply with as a result of the FDA Food Safety Modernization Act,” she said. “In addition, the FDA revised the content and format of the nutrition facts box, which appears on most food labels. Consumers will notice this labeling change over the next few years.”

In addition to regulatory changes, Soltis has also noticed a shift in consumer expectations regarding their food. Starbucks welcomes regular feedback from its customers and has made several changes in response to customer requests, like including almond milk as a non-dairy alternative on menus.

“It’s been very interesting to see how consumers’ interest in food has evolved over the years,” Soltis said. “I can see this directly through what they’re buying and what they’re saying on social media or to companies directly.”

Soltis has always been interested in nutrition, health, and wellness, but she didn’t venture into food policy until after she graduated from The Ohio State University Moritz College of Law and packed her bags bound for Washington, D.C. As she settled in the nation’s capital, she survived on temp work and has made several changes in response to customer requests, like including almond milk as a non-dairy alternative on menus.

“Little did I know that D.C. was to lawyers what New York City is to actors and actresses,” Soltis said. “There are just a ton of lawyers in D.C. and I had no idea what I was up against.”

Her perseverance paid off. Soltis eventually secured an internship in the legal department at the Center for Science in the Public Interest (CSPI), a nonprofit watchdog and consumer advocacy group dedicated to improving food safety, nutrition, and health. Soltis continued waiting tables until CSPI hired her as a legislative assistant. She then focused on researching issues pertaining to consumer protection, food advertising, and international food and health concerns.

“The job at CSPI was a career milestone because it set the trajectory for everything else,” Soltis said. “That’s why I stress with younger people that sometimes you have to pay your dues and you’ve got to hang in there. I’m glad I did because I really can’t imagine practicing any other type of law.”

Soltis’ work as a legislative assistant at CSPI primed her for Hyman, Phelps & McNamara, P.C., the largest dedicated food and drug law firm in the country. She spent nearly 14 years providing legal analysis of FDA and FTC requirements regarding food, dietary supplements, cosmetics, medical devices, and drugs. From there she spent roughly a year and a half as counsel for Bayne & Associates, another D.C.-based firm specializing in FDA and FTC matters, before moving across the country to the “other Washington,” as she describes it. For the last three years, Soltis has been based out of Starbucks’ Seattle headquarters, which partners (employees) refer to as the Starbucks Support Center.

“I was excited when I heard Starbucks was looking for a food lawyer,” Soltis said. “I admired the company and loved their products. Living on the West Coast was something I always wanted to do, so it seemed like the right thing to do—to apply for the job.”

When Soltis isn’t advising regulatory issues for Starbucks, she’s giving back to her community. She serves on the board of directors for Youth in Focus, a Seattle-based nonprofit that teaches digital and darkroom photography classes to at-risk teenagers. Soltis also recently stepped down after spending two years as co-chair of the Starbucks Law & Corporate Affairs Department Pro Bono Committee. Among many other projects, last fall, Starbucks hosted a Washington First Responder Will Clinic, which assists first responders like police officers and firefighters with basic estate planning needs, including drawing up living wills and power of attorney documents—all free of charge. Volunteers included Starbucks attorneys and paralegals, as well as other professionals. The event marked the company’s 10th consecutive year of involvement with the clinic.

Starbucks’ pro bono committee also assisted the Innocence Project Northwest, an organization providing legal and investigative assistance to Washington state prisoners claiming their innocence, with the hopes of overturning wrongful convictions. Volunteers from Starbucks helped review some of the case files that flood the Innocence Project each month.

“Starbucks is a company that tries to do the right thing and be a good corporate citizen,” Soltis said, adding that working in food law is a particularly rewarding field in its own right. “One of the simple pleasures in life is food. Given my work experience, I can talk to anyone about my job and food...” – Cassandra Soltis ’95

“The job at CSPI was a career milestone because it set the trajectory for everything else,” Soltis said. “That’s why I stress with younger people that sometimes you have to pay your dues and you’ve got to hang in there. I’m glad I did because I really can’t imagine practicing any other type of law.”
Harry D. Cornett, Jr. ‘71 was named to the 2017 list of Ohio Super Lawyers. A partner in the Tucker Ellis LLP Cleveland office, his practice focuses on business litigation, intellectual property and brand protection, medical device and pharmaceutical liability, and white collar criminal defense and corporate investigations.

Frank Ray ‘73 was named the “Number One Attorney in Ohio” by Super Lawyers Magazine for 2017. Frank is a solo practitioner at Frank A. Ray Co., L.P.A., where he serves as a private mediator.

Ronald C. Stansbury ‘74 was named to the 2017 list of Ohio Super Lawyers. As senior counsel in the Tucker Ellis LLP Cleveland office, his practice focuses on employee benefits and executive compensation.

Stephen F. Tilson ‘74, a general practice attorney at Garverick, Tilson & Garverick, Co., L.P.A., was elected to serve on the board of directors for the First Federal Bank of Ohio. First Federal Bank of Ohio is a full-service bank that offers customers a range of quality financial products and services with offices in northern Ohio.

Louis E. Tosi ‘74 was named to the 2017 list of Ohio Super Lawyers in the area of environmental law. As a partner and chair of the environmental practice group at Shumaker, Loop & Kendrick, LLP, his practice focuses on environmental law, administrative law, and litigation.

Frederick “Fritz” Coombs ‘75 was recognized as an Ohio Super Lawyer for 2016, the seventh consecutive year. He has also been busy on the lecture circuit, speaking on the topic of student loans in bankruptcy at the 2016 White-Williams Bankruptcy Institute and the 2016 William J. O’Neill Great Lakes Regional Bankruptcy Institute. Coombs is an attorney at Harrington, Hoppe & Mitchell, Ltd., in Youngstown.

Robert C. Tucker ‘76 was named to the 2017 list of Ohio Super Lawyers. A partner in the Tucker Ellis LLP Cleveland office, his practice focuses on products liability and medical malpractice cases, with an emphasis on the defense of pharmaceutical companies, physicians and hospitals, and manufacturers of consumer products.

Daniel James Klonowski ’78 was sworn in as acting judge of the Garfield Heights Municipal Court. He is particularly honored by the appointment having grown up in Garfield Heights and having a father who also served as acting judge in the 1950s and 1960s, when the court was first established.

Ronald S. Kopp ’79 was elected administrative partner of Roetzel & Andress. A member of the firm’s business litigation practice group in Akron, his practice focuses on business litigation and commercial disputes.

Roger K. Quillen ’80 was re-elected to serve as management committee chairman and managing partner of Fisher Phillips. Quillen has led the national labor and employment law firm since 1999. With Quillen as chairman and managing partner, Fisher Phillips has experienced remarkable growth over the past two decades. The firm has more than tripled in size under his leadership and is widely recognized as one of the top management-side labor and employment law firms in the United States.

Robert S. Kiss ’82 rejoined Bowles-Rice as a partner in the firm’s Charleston, West Virginia, office. He left in 2013 to serve on Gov. Earl Ray Tomblin’s administration. Kiss’ practice at Bowles-Rice focuses on tax, estate planning, and commercial law.

William A. Leuby ’83, senior vice president of Hamilton Capital Management, was named one of the “Best Financial Advisers For Doctors” by Medical Economics magazine. Medical Economics is a bi-weekly journal that informs, educates, and assists physicians with the business side of medicine. The magazine’s “2016 Best Financial Advisers For Doctors” list, which was compiled through advisor nominations and vetted by the publication’s editors, recognizes the nation’s top financial advisors who “have worked extensively with doctors.” Leuby is a senior partner in the firm’s business litigation practice group in Akron, his practice focuses on business litigation and commercial disputes.

Lawrence Stotter ’58 placed first in his age group (85-89) in the decathlon at the Western Regional Multi Championship, which was held Sept. 10-11, 2016, in Kentfield, California. He is currently ranked No. 1 in the U.S. for the decathlon event for his age group. Stotter is also currently ranked in the top 25 in the U.S. for his age group in the following track and field events: shot put, javelin, discus, high jump, 100-meter run, and 400-meter run in the current USA Track & Field 2016 Masters Track and Field rankings.

Do you have a Big Case or Big Deal to share? Send information to peck.5@osu.edu

BIG CASE, BIG DEAL
member of the wealth advisory team and a member of the investment advisory committee at Hamilton.

Lydean Brick ’84 has been named president, CEO, and sole owner of Murer Consulting, Inc., a leading health care consulting organization. She has three decades of experience in health care law, management, and regulatory consulting. Brick has led the firm’s recent pioneering work in numerous areas of product development, including programs that enable health care providers to thrive amid growing regulatory demands, shrinking margins, and an uncertain marketplace. She is married to Myron Brick and they live in Frankfort, Illinois, and are the parents of three.

Catherine T. Dunlay ’84 joined Bricker & Eckler in the firm’s Cincinnati office as partner. Her practice focuses on health care mergers, acquisitions, and joint ventures as well as contractual arrangements, including a variety of hospital-physician relationships. She also counsels clients on operational and compliance matters, which include Anti-Kickback and Stark physician self-referral laws as well as Medicare and Medicaid coverage and reimbursement.

David L. Yaussy ’84, a member at Spilman Thomas & Battle PLLC, was appointed by the Kanawha County Bar Association to serve a three-year term as its representative on Legal Aid of West Virginia’s board of directors. Yaussy, who serves as chair of Spilman Thomas & Battle’s environmental practice group, is a longtime Legal Aid volunteer, serving as a pro bono attorney in dozens of client cases.

Elizabeth C. Morrogh ’85, a principal with Blankingship & Keith in Fairfax, Virginia, has been selected for inclusion in the 2017 edition of Best Lawyers in America for trusts and estates.

Thomas E. Berry, Jr. ’87, a principal with the St. Louis office of Jackson Lewis P.C., has been selected to serve as the company’s representative on the board of directors for the Leadership Council Southwestern Illinois. A longtime resident of Edwardsville with a significant practice in the local business community, Berry’s law practice is focused exclusively on representing management before state, federal, or local administrative agencies as well as before both state and federal courts nationwide.

Robert A. Wade ’89 has joined Barnes & Thornburg LLP’s South Bend, Indiana, office as a partner in the firm’s health care department. He represents large health systems, hospitals, ambulatory surgical centers, physician groups, physicians, and other medical providers. Wade has wide-ranging experience representing clients in matters involving the Stark Act, Anti-Kickback Statute, False Claims Act, and Emergency Medical Treatment and Active Labor Act.

Bradley A. Wright ’90 has been named partner-in-charge of Ohio at Roetzel & Andress. A partner and group leader in the firm’s transportation law group, Wright’s practice focuses on providing business counsel, litigation strategy, and trial capabilities.

Laura Ephlin ’91 has been selected as co-chair of the newly formed corporate counsel section of the Akron Bar Association, which aims to better meet the needs of counsel serving in in-house and non-traditional roles. Ephlin is the director of accreditation and regulatory affairs at Akron Children’s Hospital.

Keith H. Raker ’92 has been named to the 2017 list of Ohio Super Lawyers. A partner in the Tucker Ellis LLP Cleveland office, his practice focuses on real estate development, finance, acquisitions, sales, like-kind exchanges, and leasing.

Joseph Koncelik ’93 was named partner at Tucker Ellis LLP. He serves as chair of the firm’s environmental and renewable energy group where his practice focuses on environmental law, property development and remediation, and oil and gas.

Jonathan Woodman ’93 was sworn in on Jan. 12, 2017, as a superior court judge in Palmer, Alaska. He previously served as a senior assistant attorney general and state ethics attorney for the state. In addition to his work with the state of Alaska, he has also offered pro bono legal advice at the Alaska Federation of Natives convention and on Martin Luther King Jr. Day each year.

Kenneth L. Young ’93 has been named to the Marion Technical College Board of Trustees. He serves as executive vice president of planning/development and general counsel for United Church Homes.

Douglas K. Sesnowitz ’94 has been named vice chair of Ulmer & Berne LLP’s business law practice group. He counsels public and private companies in a wide range of industries on a variety of corporate matters and has served as general counsel and advisor to many closely held and middle market companies in the manufacturing, distribution, retail, and service industries.

David Eric Weisblatt ’94 was promoted to assistant general counsel at CSX Transportation, Inc. He has been with the company since 2008 and previously served as senior counsel.

Heath Monesmith ’95 has been named executive vice president and general counsel of the Eaton Corporation. In his new role, Monesmith is responsible for all Eaton legal matters, as well as leading a global team of attorneys, professionals, and support staff. Monesmith will also serve as counsel to the board of directors and advise the board on legal and governance matters. He has been with the Eaton law department since joining the company in 2012.
Tucked away in a small office park in Solon, Ohio, there is a gray, unassuming building that serves as home to a handful of locally operated businesses. Sitting side-by-side in a long row, they are only discernable from the outside by a few hanging signs and modest-sized door decals.

Among those offices resides HDT Global, an internationally recognized leader in the production of state-of-the-art deployable solutions, including shelters, generators, heaters, air filtration devices, and robotics used by the U.S. military and its allies. Despite its simple exterior, inside the building, company leaders work day in and day out to ensure the company delivers to the military the equipment necessary to provide its deployed units with the basic standards of living—shelter and protection.

“Our military is more mobile now than it has historically been and the war fighters need mobile equipment—shelters,
heating in cold climates, cooling in warm climates, and protection in the event that there is a Chemical, Biological, Radiological, or Nuclear (CBRN) event,” said Rita Thomas ’91, senior vice president and general counsel for HDT Global.

Thomas is the sole lawyer on staff at HDT Global. As such, she wears a number of hats, from employment law specialist to intellectual property advisor to contracts compliance manager to mergers and acquisitions counsel. “The interesting thing is that what I do in any given day is probably less legal than it is business,” she said. “I’m a member of the senior leadership team so I’m involved in strategy and planning, and things of that nature. I like working for HDT Global because whether you are for or against war, the fact of the matter is if the soldiers are going to be out there, they need to have the basic standards for living, and that’s what we do.”

Products HDT Global manufactures include weather-proof domes that interconnect to allow military units to set up their bases as needed to suit their housing, command, and vehicle maintenance needs; heating and cooling units to create a comfortable environment during extended stays; communications electronics; and power supplies to keep the military bases running.

Another exciting component of the HDT Global brand is their robotics unit, which sells products with a wide range of applicability, from military use to consumer markets. Other applications include underwater work, assisting medical patients with greater range of mobility, and handling large, heavy materials in commercial spaces.

“Some of our robotic products—or robotic arms—we created and developed with DARPA, the Defense and Advanced Research Projects Agency Revolutionizing Prosthetics program, but now we’re able to go out and market them on our own. We have a really cool robotic arm with a hand that can do all sorts of things. For example, we can attach it to a base with tracks and send it off to detonate bombs or to help defuse land mines or IEDs. We also have a robot that soldiers can send out in front of them and ensure the path they’re walking along is clear from mines or devices,” Thomas said.

While there isn’t truly a typical day in the office for Thomas, she said most mornings start at her desk with a review of the latest news in her field and getting caught up on issues that need her immediate attention. Later, she may have a meeting to strategize with the rest of the senior leadership team about issues the company might be facing or about upcoming events like a trade show or customer visit. Sometimes her days are spent pouring over contracts or talking with HDT Global’s engineers about their latest developments and whether these can or should be patented.

“I can come in here [to the office] fully expecting that I’ll go through a certain series of work, and not end up doing any of it, which keeps the job sort of fresh and exciting. I think I would certainly hate to do the same thing every day,” she said.

As Thomas reflects on where her career has taken her thus far, she said it only makes sense that she ended up in an in-house counsel position. After discovering a passion for corporate law in law school, working in business seemed to be the most applicable use of her legal skills. It has also given her the chance to handle a myriad of different legal topics, and the opportunity to utilize all of the legal skills and knowledge she has gained since to help her company grow.

“During my second and third year of law I interned with the Ohio Supreme Court, so I got a little bit of exposure to the courts and litigation. I wasn’t quite sure if that was really what I wanted to do, but then an opportunity came up for me to work in the corporate legal area and that just seemed so practical, it really made sense to me,” Thomas said. “That was when it really started to click for me. I could seriously do this—this is what people do, most everyone works a job and often those jobs are in companies large enough where there is a benefit to have in-house counsel. And that’s really how I fell into corporate law.”

While it is often challenging being the only attorney on staff at HDT Global, the work is not only rewarding from a career perspective, Thomas said, but from a humanitarian aspect as well.

“The most rewarding part of my job is knowing that most everything I do in some way supports our soldiers and the soldiers of our allies, too. It’s amazing. I don’t have a family who has historically been involved in the military, so I am learning about the service that the men and women of our military provide for us on a daily basis and how meaningful that is. They’re making huge sacrifices for our safety, and knowing that what I do—some part of what I do every day for HDT Global—is helping them in some way, that’s really been the most satisfying thing. It’s quite different from making a consumer product,” she said.

“The most rewarding part of my job is knowing that most everything I do in some way supports our soldiers and the soldiers of our allies, too.” – Rita Thomas ’91

For current students thinking about going into corporate law practice at some point in their careers, Thomas said she would highly recommend looking at an in-house position.

“Lawyers should view in-house roles as a way to use almost every aspect of everything that you learned in law school or that you’ve learned in your career,” she said. “And I have to say that my education at Ohio State gave me a great jumping off point. I tried to be as diverse as I possibly could in the courses that I took, so that was good preparation, and over the years I’ve learned so much more. It’s really unique and challenging and fun to touch on so many different legal things in a single day. If folks have the opportunity to go in-house as a generalist, I would strongly encourage it.”
Cory J. Reed ‘95 has been named president of John Deere Financial. In his role, he works to support Deere & Company’s equipment businesses by ensuring that customers have access to competitive and convenient financing. Reed has been a part of the company since 1998, and was previously named senior vice president, intelligent solutions group in 2013.

Tanya Conrath ‘96 has been named associate director of Ohio University’s Innovation Center. The Innovation Center acts as a business incubator, building businesses in southeast Ohio by providing professional support to regional startups. In her position, Conrath works with entrepreneurs, builds connections for clients, manages facilities and staff, works to obtain grants, and provides budget analysis.

Christine Amer Mayer ‘96, president of the GAR Foundation, has been selected to serve on the board of directors for the John S. and James L. Knight Foundation as a trustee. The Knight Foundation is a national foundation that works to foster informed and engaged communities by investing in journalism and the arts.

Jonathan D. Mester ‘98 was profiled in an article that ran in the Cleveland Jewish News in January 2017. The piece explained that Mester chose to pursue a law degree for two reasons—his love of an intellectual challenge and his passion for helping others. Mester is now a partner at Nurenberg, Paris, Heller & McCarthy, where his practice focuses on representing victims of medical malpractice, including obstetrical malpractice cases in which the baby suffers severe deficits at birth including Cerebral Palsy and Erb’s Palsy.

Craig Byrnes ‘99 was named to the executive board of the California Employment Lawyers Association (CELA). CELA is the largest statewide organization of plaintiff’s employment attorneys in the country, with more than 1,200 members. In this new role, Byrnes will help CELA continue its mission of promoting the interests of working people. CELA advocates for workers’ rights legislation, and provides skills and training for attorneys who represent employees.

Cassandra G. Mott ‘99, a partner at the law firm of Thompson & Knight LLP, was selected for inclusion in Texas Super Lawyers 2016 by Thomson Reuters. This list reflects only the top 5 percent of lawyers in Texas.

Wayne D. Roberts ‘99 has been named partner at Varnum in Grand Rapids, Michigan. A member of the firm’s tax team, his practice focuses on all aspects of federal and state tax planning and tax litigation.

Meredith K. Sugar ‘99 has been elected to the board of directors of the National Easterseals. She previously served as president of the board of directors of Easterseals Central and Southeast Ohio, and as the immediate past-president of the Alexander Graham Bell Association for the Deaf in Washington, D.C. Sugar is a partner at Taft Stettinius & Hollister LLP where her practice focuses on business succession planning, sophisticated wealth transfer and estate planning and administration, tax, and general corporate representation.

Christina Wendell ‘99, vice president of legal and government affairs for the Central Ohio Transportation Association, was profiled by Columbus Business First. In the article, she spoke about what she enjoys about her job and the importance of public transportation in people’s lives.

Ann K. Gramza ’00 has been appointed assistant Montgomery County prosecuting attorney. Gramza has been assigned to the intake/grand jury section of the prosecutor’s office where she will conduct preliminary hearings in the municipal courts as well as present cases for indictment before the grand jury.

Jeremy A. Mercer ’00 joined Blank Rome as a partner in the firm’s energy, environment, and mass torts practice group. He counsels clients in the shale and hydraulic fracturing arena, advising on zoning ordinances and defending against lease invalidity claims and in litigation matters involving drilling-related contamination and health allegations.

BIG CASE, BIG DEAL

Judge Ann M. Donnelly ‘84, who sits on the U.S. District Court for the Eastern District of New York, was the first of several district court judges across the county to hear arguments in cases filed against President Donald Trump’s executive immigration order, which prohibited entry into the U.S. for migrants from seven predominantly Muslim countries, including Iran, Iraq, Libya, Somalia, Sudan, Syria, and Yemen, and refugees from around the world. Judge Donnelly issued a temporary stay on the president’s executive order on Jan. 28, 2017, halting deportations and ensuring, for the time being, that those detained at airports across the country as part of the order would not be sent back to their home countries.

Do you have a Big Case or Big Deal to share? Send information to peck.5@osu.edu
2016 MORITZ SCHOLARS DINNER

Donors and recipients of the Michael E. Moritz Scholarship in Law gathered in the fall for the annual scholars’ dinner, which gives students, faculty, alumni, and the Moritz family the chance to connect. The event is hosted at the Moritz home, where scholarship recipients have the opportunity to network and receive mentorship from practicing attorneys.
Across the pond

New fellowship takes Kristine Perry ’16 to London, pursuing a career in public service

BY EMILY LEHMKUHL
Two goals have driven Kristine Perry’s ’16 career path since she started law school in 2013: to work in public service and to work internationally. Both of these goals were fulfilled for Perry in September when she began working at Amnesty International in London, an accomplishment made possible through the College’s new Finn International Service Fellowship.

Perry is the fellowship’s inaugural recipient, established by Michael Finn ’67 and his wife, Janet. The fellowship selects one graduating student to receive full funding for a year-long post abroad working in international service for a nonprofit organization.

A call to work in public service can be traced throughout the majority of Perry’s academic career. As an undergraduate student at Denison University studying creative writing and Spanish, Perry worked with Somali immigrants and used her Spanish speaking skills to teach English to immigrants. She also studied in Santiago, Chile, in a program focused on human rights and gender.

Before law school, Perry spent a year teaching English in Spain and continued to volunteer by teaching English as a second language and by tutoring a Spanish-speaking Columbus student with Down syndrome.

“During that time I really started developing an interest in working with immigrant communities, and then I thought with my language skills that having a law degree might be the best way that I could help those communities that I really enjoyed working with,” Perry said.

Perry continued to focus on public service and immigration law throughout her time at Moritz. After her 1L year, Perry worked at the Franklin County Public Defender’s office and the Ohio Poverty Law Center. Following her 2L year, Perry was awarded a Public Interest Law Foundation (PILF) fellowship and worked at the Immigration Center for Women and Children in Oakland, California.

While planning for her next step after graduation, Perry saw the Finn Fellowship as a chance to combine her passion for public service with her desire to live abroad.

Part of the application process for the fellowship included receiving offers from international nonprofit organizations. Perry received guidance from Assistant Dean Laura Fernandez, who helped her set up interviews and eventually get offers from International IDEA in Sweden, the International Institute of Humanitarian Law in Italy, and Amnesty International in England.

Ultimately, Perry was awarded the fellowship to work at Amnesty International. The organization strives to fight abuses of human rights worldwide through research and campaigning. Perry had prior experience with the organization, serving as president of the Amnesty Chapter at Denison during her undergraduate career.

Perry believes strongly in the work of Amnesty International, and felt the organization would be a good fit based on her prior experience and knowledge.

In September, Perry began her fellowship working in the organization’s Law and Policy Programme at the International Secretariat’s office. Providing the organization leadership in areas of legal standard-setting, developments in international and post-conflict justice, human rights jurisprudence, and international humanitarian law, the program oversees effective implementation of the law and the development and application of human rights policy.

Participants like Perry also work to provide legal and policy advice and analysis to the International Secretariat to ensure the accuracy of the analysis and application of law and policy.

“I’m getting a different perspective than I would have gotten if I stayed in the U.S. There’s an emphasis on international human rights law,” Perry said. “I’m exposed to a lot of different issues and it is very interesting.”

After being introduced to the organization and learning about the policies that affect it, Perry has been working hard to ensure that everything Amnesty International puts out is in line with international law and its own policies. The details of Perry’s job vary day-to-day, but include extensive research and writing, both skills that she perfected while at Moritz.

“It’s also using the legal skills and the analytical and critical skills that I picked up in law school to look at the issues,” Perry said. “Law school gave me the tools that I have to succeed in this fellowship.”

Participating in the Finn Fellowship and working abroad at Amnesty International opened Perry’s eyes to many opportunities. Working with refugees in Europe and the policies surrounding the refugee crisis are among some of the possible future plans Perry may pursue. However, she is certain that she will always remain in the public service field.

“I am still very interested in immigration law, but this fellowship has really opened my eyes that careers don’t move in linear ways,” Perry said. “I am very open to new opportunities. The fellowship has exposed me to new subjects and practice areas that I didn’t know about before.”
Class Notes

**Stephanie Ramjohn Moore ‘01** was recently promoted to senior counsel with the U.S. Department of Agriculture’s Office of the General Counsel, Office of Civil Rights, Labor and Employment Law Division.

**René Rimelspach ‘01** joined Conagra Brands as counsel for commercial transactions, legal, and government affairs at the company’s new headquarters in Chicago, Illinois.

**Scott J. Stitt ‘01** was named to the 2017 list of Ohio Super Lawyers. As counsel in the Tucker Ellis LLP Columbus office, his national litigation practice focuses on ERISA and related employment and business disputes.

**Kreg Allison ‘02** was unanimously confirmed as director of the Division of Real Estate for the Illinois Department of Financial and Professional Regulation. He was appointed by Illinois Gov. Bruce Rauner in January 2016. In his position, Allison serves as the head regulator for the real estate industry in Illinois, overseeing professional education, licensure, regulation, and discipline for over 80,000 licensees working in seven professions. He also manages a large government agency with approximately 40 employees operating out of offices in Chicago, Des Plaines, and Springfield with a most recent budget of more than $8 million.

**Chad McQuade ‘02** has been named managing director of the Oak Brook district office of Northwestern Mutual—Chicago. Additionally, he has been named managing partner of Northwestern Mutual—Chicago, one of the country’s leading network offices, which includes the Oak Brook district office and has additional locations in downtown Chicago, Northbrook, and Rosemont. He was also recently honored with membership to Northwestern Mutual’s 2016 Forum Group, which recognizes company leaders who have eclipsed specific milestones in 2016. This is the sixth time that McQuade has received the forum honor. The annual forum conference is an exclusive achievement, with approximately 5 percent of Northwestern Mutual’s more than 6,000 financial representatives invited to attend.

**Jennifer Monty Rieker ‘03** joined Ulmer & Berne LLP as counsel in the firm’s consumer and commercial litigation practice in Cleveland. Her practice focuses on consumer finance litigation and financial compliance matters. Monty Rieker defends and resolves cases involving alleged violations of the Telephone Consumer Protection Act (TCPA), the Fair Debt Collection Practices Act (FDCPA), and the Truth in Lending Act (TILA)/Real Estate Settlement Procedures Act (RESPA).

**Kristen M. Blankley ‘04** was promoted to the rank of associate professor with tenure at the University of Nebraska College of Law in Lincoln, Nebraska. Professor Blankley teaches a wide variety of courses in alternative dispute resolution and legal ethics, and she has been very active in the ABA Section of Dispute Resolution, including a recent appointment to the section’s council.

**Robert Amicone ‘05** joined Walt Disney Parks and Resorts U.S., Inc., as associate principal counsel. Based in Orlando at Walt Disney World, Robert focuses on OSHA issues, construction disputes, and personal injury litigation as well as rides and attractions safety/risk mitigation.

**Jennifer Monty Rieker ‘03** joined Ulmer & Berne LLP as counsel in the firm’s consumer and commercial litigation practice in Cleveland. Her practice focuses on consumer finance litigation and financial compliance matters. Monty Rieker defends and resolves cases involving alleged violations of the Telephone Consumer Protection Act (TCPA), the Fair Debt Collection Practices Act (FDCPA), and the Truth in Lending Act (TILA)/Real Estate Settlement Procedures Act (RESPA).

**Kara Newbury ‘05** was named one of the top leaders in the ASC Industry under 40. Newbury serves as assistant director of government affairs for health policy at the Ambulatory Surgery Center Association.
FACULTY INVESTITURES

Several distinguished faculty members were honored with investiture events this year, celebrating their hard work and dedication not only to their fields of study, but to the art of teaching. Professor Katherine Hunt Federle was named the Joseph S. Platt-Porter Wright Morris & Arthur Professor of Law. Professor Ric Simmons was invested as the Chief Justice Thomas J. Moyer Professor for the Administration of Justice and Rule of Law. And Dean Alan C. Michaels was installed as the inaugural Edwin M. Cooperman Chair in Law.
Alumni Event

2017 PILF AUCTION

The Public Interest Law Foundation’s (PILF) annual fundraising auction took over the Ohio Union this year on March 7, 2017. Nearly 200 people attended the event, and in total, the auction brought in more than $20,000, which will be used to fund student internships at nonprofits and government agencies over the summer.
appointed by the mayor of the District of Columbia and confirmed by the District of Columbia Council. He previously served as a labor and employment relations specialist with the D.C. Department of Behavioral Health.

Richard E. Helm ’08 was elected partner at Thompson Hine. He is a member of the firm’s commercial and public finance practice group in Dayton, Ohio. Helm advises both banks and corporate borrowers on secured and unsecured commercial loan transactions, including the negotiation and drafting of loan agreements and related security documents, as well as the authorizing corporate documentation of the borrower.

Derek Heyman ’08 was promoted to manager at PwC as of July 1, 2016. He specializes in state and local tax. In December of 2015, he married his wife Laura, and on June 30, 2016, he adopted his younger stepson, Isaiah. Derek also has an older stepson, Jacob Somaru.

Susan E. Chylak ’09 was elected a member of McGlinchey Stafford in Cleveland. Her practice focuses on consumer finance regulatory and compliance matters. Chylak advises state and national banks, automotive and personal property finance companies, mortgage lenders and servicers, and small loan lenders on matters including licensing, rates and fees, substantive conduct, business planning, risk management and other operational considerations.
REUNION WEEKEND 2016

Charles Elsea '09 has been elected partner at Stebelton Snider LPA in Lancaster, Ohio. His practice focuses on business and corporate disputes, zoning and land use litigation, and environmental law. Charles lives in Lancaster with his wife, Rachel, and their children, Ainsley (4) and Graeme (2).

Michael Foley '09 was recently named partner at the law firm of Dennis, Wenger and Abrell in Muncie, Indiana. He practices in the areas of estate planning, civil litigation, business, real estate, personal injury and wrongful death, and family law.

Michael Jackson '09 recently joined Target Corporation’s legal department in its Minneapolis headquarters as director, ER counsel. In his new role, Jackson will be a member of the ER stores legal team and help provide legal support to the company’s store operations in the Western U.S. on both day-to-day and strategic initiatives. Jackson joins Target from the J.M. Smucker Company.

Ryan Shrout '09 was promoted to the rank of major in the United States Marine Corps on Sept. 1, 2016. Major Shrout is currently serving as the deputy staff judge advocate (SJA) of Marine Corps Combat Development Command in Quantico, Virginia.

Matthew J. Chisman '10 joined Kaufman & Company, LLC as an associate in the firm’s Cleveland office. His practice focuses on breach of contract, construction, commercial litigation and business torts, intellectual property, and professional/fiduciary liability.

Stacey R. Laskin '10 joined the Miami-Dade County Attorney’s Office in Miami, Florida, as an assistant county attorney. Her practice focuses on workers’ compensation and labor defense.

Barbara Schwabauer '10 was named to the National LGBT Bar Association’s list of the “Best LGBT Lawyers Under 40—Class of 2016.” She is a trial attorney in the Civil Rights Division of the United States Department of Justice, prosecuting employment discrimination cases against state and local government employers who discriminate on the basis of race, sex, color, religion, and national origin. Prior to this honor, she was awarded the Attorney General’s Distinguished Service Award for her work on litigation against the New York City Fire Department (FDNY), which resulted in a $98 million settlement for black and Hispanic firefighter applicants who were discriminated against because of their race and national origin.
Barbara G. Rivas ’11 has been named a “Rising Star” in the area of corporate law by Ohio Super Lawyers for 2017. An associate in the Shumaker, Loop & Kendrick, LLP Toledo office, her practice focuses on corporate law/business organizations and REITs.

Drew B. Romig ’11 joined the Columbus office of McDonald Hopkins LLC as an associate. His practice focuses on energy, mineral title, and oil and gas.

Ryan T. Smith ’11 joined Frantz Ward as an associate in the firm’s labor and employment practice group. His practice focuses on employment litigation and labor relations.

Brian Stewart ’11 was re-elected in November 2016 to a second term as a Pickaway County Commissioner. As commissioner, he also serves on the board of directors for the County Commissioners Association of Ohio (CCAO). Stewart is also a partner with the law firm of Farthing & Stewart LLP in Circleville, Ohio.

Lorraine Hernández ’12 joined Kegler Brown Hill + Ritter’s intellectual property practice as an associate. Her practice focuses on intellectual property litigation and prosecution, both domestic and international.

Chenee Castruita ’13 joined Mazanec, Raskin & Ryder in the firm’s Columbus office as an associate. Her practice focuses on the areas of civil rights and government liability, employment and labor law, and insurance coverage and bad faith claims.

Jeffrey A. Hall ’13 joined Day Ketterer as an associate in the firm’s Canton and Hudson, Ohio offices. His practice focuses on estate planning and probate administration. He assists clients with all aspects of estate planning, probate and trust settlements, probate and trust disputes, guardianships, and powers of attorney.

Christopher Meltzer ’13 joined Sheppard, Mullin, Richter & Hampton LLP in the firm’s Orange County, California office. His practice focuses on assisting banks, national life insurance companies, and other institutional lenders in commercial real estate finance transactions, including loan originations, modifications, note purchase agreements, and other finance-related transactions.

Matthew Strayer ’14 has been named partner in the Columbus-based firm of Goldman & Braunstein, LLP. His practice is focused on representing landowners in property rights and eminent domain issues, but he also brings additional commercial litigation experience to the firm’s expanding practice.

Jason D. Groh ’15 joined Kropf Wagner Law Firm, LLP as an associate. He joins the firm’s general practice where he focuses in the areas of domestic relations, juvenile, real estate, general litigation, estate planning, traffic, and criminal law.

Justin P. Nelson ’15 joined Tiffany & Bosco P.A. as an associate. His practice focuses on civil and commercial litigation.

Kelli Jo Amador ’16 joined Dickie, McCamey & Chilcote, P.C., as an associate in the firm’s transportation law practice group. Her practice focuses on transportation law and general liability litigation.

Ethan J. Clunk ’16 recently joined the firm of Clunk, Paisley, Hoose Co., L.P.A. His practice focuses on foreclosures, representing national mortgage lenders and servicers.

Kendall P. Kadish ’16 joined Keating Muething & Klekamp PLL as an associate in the firm’s real estate group. His practice focuses on real estate financing, real estate sales, and acquisitions and leasing.
Alumni, students, faculty, and staff laced up their running shoes on Sept. 17, 2016, for the annual Race Judicata 5K, which benefits the Grassbaugh Veterans Project.
Robert Martin Krivoshey ’78, clinical professor of law at The Ohio State University Moritz College of Law, passed away on Tuesday, Aug. 16, 2016. He was 73.

“Bob was a legend within our walls and beyond,” said Alan C. Michaels, dean and Edwin M. Cooperman Chair in Law. “I can hear Bob—always modest and unassuming—scoffing at the word ‘legend,’ but it is true. Through nearly three decades of training students to prosecute and defend criminal cases (and to have been once a student of Bob’s was to be forever one of his charges) Bob’s dedication for students and passion for justice were an inspiration. His impact and his legacy are both extraordinary. We will miss him dearly, but his lessons live on in the army of Krivoshey alumni.”

Krivoshey started teaching at Ohio State in 1988 and was the founding professor of the Criminal Defense Clinic. Shortly after he arrived, he proposed the Criminal Prosecution Clinic, which was a novel idea at the time. Krivoshey also taught Trial Advocacy, Jury Selection, and Evidence and coached the National Trial Advocacy Team for many years. Mementos and gifts from his former trial advocacy teams were always prominently displayed in his office.

“Bob cared deeply about his students, and he structured everything he did around helping them develop their professional judgment and confidence,” said Professor Steven F. Huefner, director of clinical programs. “Generations of Moritz graduates have appreciated the tremendous mentorship that Professor Krivoshey provided them. Everyone loved to hear his stories, to get his advice, or to hear his frank appraisals. Bob took great pride in his alumni, and the parade of current and former students who came to visit with him in his office was evidence of just how beloved he was.”

As a scholar, Krivoshey’s work focused on trial advocacy. He edited a four-volume anthology of scholarly articles, which included Instructions, Verdicts, and Judicial Behavior; Juries: Formation and Behavior; Opening Statement, Closing Statement, and Persuasion in Trial Advocacy; and Presentation of Evidence to Juries.

“Bob taught his students to be zealous but truthful; to recognize the humanity of criminal defendants, witnesses, and victims; to wield the rules of evidence like a sword; and to marvel at the infinite variation of human behavior,” said Professor Deborah Merritt, who also co-taught both clinics with Krivoshey. “Generations of prosecutors, defense attorneys, and other graduates embody Bob’s wisdom. I learned as much from Bob as they did, and I am deeply grateful for the time I spent teaching with him.”

Born in New York, Krivoshey earned his B.A. from Yeshiva University in 1964 and earned a M.A. and Ph.D. from the University of Chicago before attending law school at The Ohio State University.
In Memoriam

Phillip C. Sorensen

Phillip C. Sorensen, professor emeritus at The Ohio State University Moritz College of Law, passed away on Sunday, Feb. 12, 2017. He was 83. Sorensen joined the faculty at Ohio State in 1973 where he taught until his retirement in 1995. His expertise lay in the area of tax law, but he also taught courses on business associations, torts, legislation, and nonprofits. He is the coauthor of *Ascending Liability in Religious and Other Nonprofit Organizations*.

During his tenure at Ohio State, Sorensen served not only as a professor, but as an associate dean and director of the Socio-Legal Center, now known as the Center for Interdisciplinary Law and Policy Studies. Under his leadership the Socio-Legal Center grew quickly, sponsoring special programs, developing joint interdisciplinary research projects, and fostering cooperative relationships with other programs.

“Phil was always a man I looked up to and admired,” said Professor Emeritus Gregory Travalio. “His integrity was unshakable, his sense of humor was impish, his outlook optimistic to the end, and a strong commitment to fairness and justice was at his core. Phil was a fine athlete, a man of unsurpassed intelligence, and a remarkable artist.”

Prior to joining the faculty at Ohio State, Sorensen served as lieutenant governor of Nebraska from 1965 to 1967. He also had experience working as a judicial clerk; partner in a Nebraska law firm; executive director of a foundation; chair of the Project on Corporate Responsibility, Washington, D.C.; and as a college trustee.

Outside of the classroom, Sorensen was a nationally ranked senior tennis player and an accomplished sculptor.

Sorensen is survived by his wife of 58 years, Janice, as well as daughters, Rebecc Bowers of Columbus; Karen Sorensen, and Josephine Sorensen, both of Portland, Oregon; son, Allan Sorensen of Columbus; and five grandchildren.

Paul M. Smart ’53

Paul M. Smart ’53 passed away on Oct. 9, 2016, in Fort Myers, Florida. He was 87. After graduating from high school in 1946, Smart opted for a short enlistment in the U.S. Army Air Corps. Upon his discharge, he enrolled at Capital University and later at The Ohio State University College of Law. After graduating with his juris doctorate he went onto to join the Toledo, Ohio, firm of Fuller, Harrington and Seney.

After becoming highly specialized in public utility law, Smart left the legal profession to assume full time responsibility as an executive in the electric utility industry. In 1985, he was elected president and chief operating officer of Toledo Edison, just after the then-troubled Davis-Besse Nuclear Power Plant suffered a near disaster and had to be shut down for a long period for extensive repairs and modifications. With the help of former nuclear navy officers and skilled consultants, Smart and the highly committed Toledo Edison staff not only brought the plant back into service, they also received recognition for the plant being one of the most efficient nuclear power facilities in the world. He served as a director at The First National Bank of Toledo and on the advisory board of its successor, Fifth Third Bank. Smart also became very heavily involved in numerous community organizations including The United Way, Toledo Hospital, The Toledo Museum of Art, the American Red Cross, and COSI Toledo.

He is survived by his wife, Janice; daughters, Susan (David) Kienzle, Barbara (Chris) Mages, and Roberta (Greg) Roush, and their children, Sean Kienzle, Stephen Kienzle, Scott Kienzle, Amber Wright (Dave) Alden, Reed Roush, Emma Roush (Jeffrey) Kobs, and Sara Roush; Janice’s children, Karen (Jack) Pok, Brad (Kerrie) Brogan, and Todd (Michele) Brogan, and their children Steffi, Margo, and Lindy Pok; Gage, Kelsey, Grant, Tatum and Conrad Brogan; his twin sisters, Jean (George) Siddall and June Kloes; and numerous nieces and nephews. He was predeceased by his sister, Phyllis Hackett, his brothers-in-law, George Hackett and Manning Kloes, and his grandson, Charles Smart Kienzle.
Janet Kay Kottman ’82 passed away on Dec. 28, 2016, in Naples, Florida. She was 59. Kottman graduated from Miami University with honors before attending The Ohio State University for law school. After graduation, she decided to use her law degree to help others and practiced law for the Ohio Department of Rehabilitation and Corrections and the Ohio School Boards Association. She later moved to California where she served as the Mariposa director of CASA (state-appointed special advocates for foster children), during which time she provided advocacy for abused and neglected children. In addition to her law practice, Kottman was also a real estate agent specializing in the short-sale process to help individuals losing their homes. After moving to Florida, she continued to donate her time and love to anyone that needed it. Kottman enjoyed spending time outdoors, especially anywhere near water. She was an excellent water fitness instructor, kayaker, and swimmer. Kottman is survived by her brothers, Robert, Wayne, and Gray Kottman; and her two sons, Daniel and David Gregory. She is preceded in death by her parents, Roy M. Kottman and Wanda L. Kottman.

Titus Jackman ’54 of Kent, Ohio, passed away on Nov. 2, 2016. He was 87. Jackman started his own law firm in 1954 inside the Hometown Bank building in Kent, a space where his office would remain over the course of his 62-year career. Jackman earned his undergraduate degree from Kent State University before attending The Ohio State University for his juris doctorate. Jackman’s practice focused on probate and estate planning as well as real estate matters. He would later go on to serve as solicitor for the city of Kent and the Portage County village of Sugar Bush Knolls. He was active in the county’s Republican Party as well as many civic groups early in his career. Jackman was a veteran of the United States Army and a member of the Kent Historical Society. He is survived by his brother, Ernest Jackman of Gaithersburg, Maryland, and nephews and nieces, Richard Radich of Warren; Bonnie Kopp of Warren; Janisse Jackman of Rockville, Maryland; Gerald Jackman of Rockville, Maryland, and John Jackman of Rockville, Maryland. He was preceded in death by his sister, Elsie Radich; brother, Albert Jackman; niece, Charita Lynch; and nephew, Nicholas Radich.
Eric W. Falbe ’00

Eric W. Falbe ’00 of Scottsdale, Arizona, died on Tuesday, Jan. 3, 2017. He was 44. Following law school graduation, the founder of Falbe Law moved out west to Arizona where he joined the law firm of Quarrels & Brady. There he developed a passion for real estate law, which in turn led him to start several businesses on his own. After the real estate market crashed, Falbe returned to the law, establishing his own firm, Falbe Law. There he and his team provided counsel to clients in the areas of business, real estate, finance and restructuring, employment, and general counsel matters. Outside of the office, Falbe was an avid adventure seeker. He liked spending time outdoors enjoying sports, hiking, camping, water sports, skiing, tennis, and especially yoga. Falbe is survived by his parents, William R. Falbe and Judy D. Falbe; sister, Karen (Andy) Morthorst; his nieces, Christina (Nico) DiBenedetto and Emily Morthorst; his nephew, Jack Morthorst; and his former wife, Cynthia Larmore. He is joined in death by the loves of his life: his wife, Carrie, and his daughters, Victoria (Tori) M. Falbe, and Skylar M. Falbe.

Rachel Elizabeth Cunningham Reutzel ’09

Rachel Elizabeth Cunningham Reutzel ’09 passed away on Dec. 4, 2016. She was 35. Reutzel graduated as valedictorian from both Waterford High School and Milligan College before attending The Ohio State University Moritz College of Law. Her law career began at Bricker & Eckler LLP in Columbus, before taking her to an in-house position first with Columbia Gas and finally with BMW Group USA as corporate counsel, where she was employed as the customer interaction center manager. Reutzel was a pianist, book lover, yoga and CrossFit enthusiast, and chef extraordinaire, but her primary passion was being a mother. Her world centered on spending time, playing with, and enjoying her family, both immediate and extended. She is survived by her two daughters, Addison, 5, and Cora, 3; and a step-daughter, Karleigh, 10. She is also survived by her parents; her brother, Benjamin (Alana) of Waterford and their sons, Daniel and Jackson; sister, Rebekah Cunningham Barker (Aaron), of Hendersonville, North Carolina, their daughter, Evey Lynn and their son, Isaiah; and sister, Hannah of Columbus. She is survived by her paternal grandmother, Connie B. Cunningham (Max) Rouanzoin. Reutzel was preceded in death by her grandparents, Harry and Ruby Welch, and Keith Cunningham.

Heather B. Wilsey ’14

Heather B. Wilsey ’14 of Lorain, Ohio, passed away on Monday, Feb. 20, 2017. She was 27. A graduate of Cleveland State University and The Ohio State University Moritz College of Law, she had strong ties to her local community. Wilsey was a highly accomplished and ambitious woman, a patron of the arts, and everyone’s favorite social butterfly. Her practice in Lorain focused on criminal defense. Those who knew Wilsey will remember her for her wisdom, tenacity, and vivaciousness. She is survived by her parents, Ozzie and Esther, of Oberlin, Ohio; two younger sisters, Holly of Oberlin and Kristina of Cleveland; and her grandmother, Ruth Wyman, of Mt. Vernon, Ohio. She is preceded in death by her grandparents, Francis “Bud” Wilsey and Charlotte Wilsey, both of Lorain.
Why I give...

Robert Zimmerman ’91

Attending the 2000 Democratic National Convention as a delegate elected on behalf of former Vice President Al Gore was a momentous occasion Robert Zimmerman ’91 best describes as a “bucket list item.” “That election turned out to be historic for a number of reasons,” Zimmerman said. “Gore’s candidate for vice president at the time, Joe Lieberman, a senator from Connecticut, was the first Jewish nominee on a national ticket. Being Jewish myself, that was meaningful on a personal level. It was very exciting to be on the floor of the convention when he was nominated and gave his speech.”

As a partner at Benesch in Cleveland, Zimmerman has spent the last eight years as a civil trial and appellate lawyer, practicing in state and federal courts both in Ohio and nationwide. Zimmerman also chairs the firm’s Public Law Practice Group and serves as vice-chair of its Litigation Practice Group. He oftentimes works as an Ohio government relations advocate on behalf of private companies, nonprofits, and political subdivisions as well.

As a member of Moritz’s National Council, Zimmerman serves as an ambassador to the College by weighing in on programs, alumni awards, and other developments at Moritz. Having such a close connection to the law school—and giving back to the college that helped launch his career—makes the university feel much more intimate.

“I could just as easily give more money to the College of Arts and Sciences or the Political Science Department, but to me, being on the National Council makes me feel closer and more connected to the law school,” Zimmerman said. “It’s a way of showing support—financial, personal, and otherwise—for the mission of the school, which I think is really important. It’s not only training the next generation of lawyers, but also the next generation of leaders.”

“[Moritz is] not only training the next generation of lawyers, but also the next generation of leaders.”

HOMETOWN: Beachwood, OH

CURRENT JOB: Partner at Benesch in Cleveland, Ohio; Chair, Public Law Practice Group; Vice-Chair, Litigation Practice Group

PROFESSIONAL AFFILIATIONS: American Bar Association, Ohio State Bar Association, and the Cleveland Metropolitan Bar Association.

COMMUNITY INVOLVEMENT: Zimmerman is in the last year of his third term on the Shaker Heights City Council. He is also a member of the City Club of Cleveland, a charter class member of Cleveland Bridge Builders, a board member of the Menorah Park Center for Senior Living, and a member of National Council at Moritz. As for his city council service, “I believe very strongly that local government is the government closest to the people and I think has the most impact on their day-to-day lives,” Zimmerman said.

WHAT YOU WON’T FIND ON HIS RESUME: Zimmerman can recite the final score of every Ohio State-Michigan game since 1968.

PASSIONS: “If I could have a different career choice, I would have gone the political reporting route,” he said. “Maybe I would have been Chuck Todd and host “Meet the Press.” I really enjoy when I get opportunities to give quotes and make observations from time-to-time on political topics.”
TO GIVE
There are dozens of ways to give back to The Ohio State University Moritz College of Law. For more information, visit giveto.osu.edu/moritz.

Or send your gift directly to the College at 55 W. 12th Ave., Columbus, OH, 43210.

THE LAW ANNUAL FUND
Scholarships, clinics, student activities, career services, and faculty scholarships are just a few areas that benefit from this current-use fund. It allows the College to be nimble in meeting needs and to create new opportunities.

LEADERSHIP SCHOLARSHIPS
A component of our Program on Law and Leadership, these scholarships attract talented students from diverse backgrounds who have demonstrated leadership abilities.
Moritz Reunion Weekend 2017

Save the Dates: Oct. 6-7


Friday, Oct. 6
Cocktail reception for all reunion classes at the Columbus Museum of Art.

Saturday, Oct. 7
Buckeye tailgate at Drinko Hall prior to the Ohio State vs. Maryland football game.

Early Bird registration begins in June. Stay tuned for more news.

moritzlaw.osu.edu/reunions

Check out photos from last year’s reunion on page 80!