

University of San Diego School of Law

advocate

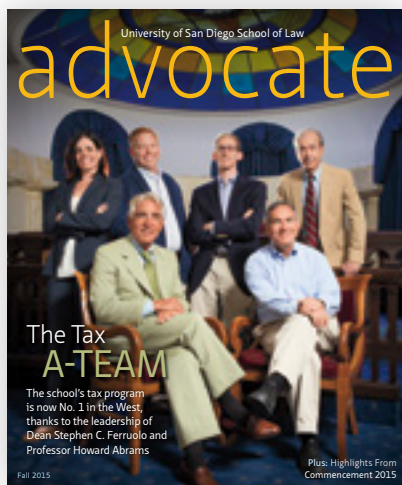


The Tax A-TEAM

The school's tax program is now No. 1 in the West, thanks to the leadership of Dean Stephen C. Ferruolo and Professor Howard Abrams

Fall 2015

Plus: Highlights From Commencement 2015



On the cover: Dean Stephen C. Ferruolo (bottom left) seated with tax faculty Howard Abrams (bottom right) and (back row, from left) Miranda and Victor Fleischer, Jordan Barry and Adam Hirsch.

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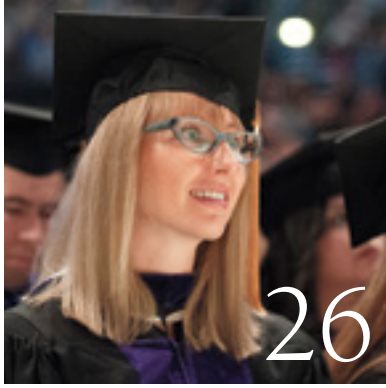
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Dean Stephen C. Ferruolo
with 2014 Rising Star
Alumni Award honoree
Scott Martinez, '06 (JD).

“WE NEED TO BRIDGE THE GAP BETWEEN THE CLASSROOM AND THE OFFICE.”

USD School of Law has a well-deserved reputation for excellence that has been built by many remarkable people. Each issue of the *Advocate* selects some highlights from among the notable achievements of our remarkable students, faculty and alumni.

Last year, the 60th Anniversary of the law school, our feature story was about the success of our alumni over the six decades of the law school's history. In the Class Action section of this issue, you will find a continuation of that story. Among the many alumni achievements reported are the examples of outstanding leadership in law firms and legal practice recognized by the recent Hughes Achievement Award given to Karen Hewitt, '89 (JD); the Distinguished Alumni Awards given to John Morrell, '84 (JD), and Todd Stevens, '88 (JD); the promotion of Andrew Champion, '98 (LLM), '96 (JD), to chief financial officer of Nike; and the transition of former Congressman and House Ways and Means Committee Chairman, Dave Camp, '78 (JD), to a position as senior policy advisor at PricewaterhouseCoopers. In the public sector, Sharon Kalemkiarian, '89 (JD), and Lisa R. Rodriguez, '95 (JD), in California and Michael Corey, '85 (JD), in Alaska have joined the long roster of USD law alumni serving as judges. Mark Brnovich, '91 (JD), was

elected attorney general of Arizona, and Doug Friednash, '87 (JD), (who preceded one of our 2014 Rising Star Recent Alumni Award recipients, Scott Martinez, '06 (JD), as the Denver city attorney) was named Colorado Governor John Hickenlooper's chief of staff. You also will read the inspirational remarks of our 2015 commencement speaker, former Congresswoman Lynn Schenk, '70 (JD), who challenged our graduates to take full advantage of the privileges afforded to them by their legal education to become champions for others, as she has done throughout her own exemplary career of public service.

I repeatedly hear from our alumni about how their inspiration for public service came from our faculty. This issue of the *Advocate* includes several notable examples of our faculty's public service and public advocacy on some of the important issues of our times, across the political spectrum and in various media from newspapers and blogs to law journals and books. Campus Briefs includes the story of the influential report on child welfare, "Shame on U.S.," issued (in partnership with First Star) by the Children's Advocacy Institute (CAI), under the leadership of CAI's executive director, Professor Robert Fellmeth. At the 60th Anniversary celebration of *Brown v. Board of Education* (also see Campus Briefs), Professors Roy Brooks, Laurie Claus, Don Dripps and Orly Lobel each spoke eloquently on topics of civil and constitutional rights, as they do every day in their classes. As reported in Faculty Footnotes, Professor Laura Berend, '75 (JD), received the 2015 F. Stanley Conant Award from the Federal Defenders of San Diego for her decades of work dedicated to protecting the rights of the indigent accused. Our faculty's impactful scholarship is highlighted by the awards received by Orly Lobel for her book *Talent Wants to Be Free*, as well as by the two recipients of the 2015 Thorsnes Award for Outstanding Legal Scholarship, Professor Michael Rappaport for his book *Originalism and the Good Constitution* (with John McGinnis) and Professor Steven Smith for his book *The Rise and Decline of American Religious Freedom*.

Our feature story is about our highly ranked tax program. As noted by Professor Bert Lazerow, USD's tax program has

had a long and distinguished history. But it took recruiting a team of highly ranked new professors to burnish its reputation. Professor Howard Abrams, who directs the program; Professors Miranda and Vic Fleischer, both experts in cutting-edge tax fields; Professor Adam Hirsch, in the complementary field of wills and trusts; and recently promoted Professor Jordan Barry, a rising star in the fields of tax law and tax policy, as well as law and economics, are each already making remarkable contributions to our law school as both great scholars and teachers. As reported, Professor Miranda Fleischer won the Thorsnes Prize for Excellence in Teaching in only her second year at USD!

In the story about our tax program, Paul Yong, chief tax counsel at Sempra Energy, who is working with Professor Abrams to design an exciting new tax simulation program, speaks of the “need to bridge the gap between the classroom and the office.” Finding the means to bridge that gap is not unique to our tax program. The innovative teaching of our faculty is also evident in our curricular initiatives in health law, employment law, and corporate and securities law reported in the story “Innovation Is in Our DNA.” Exemplary of how to teach students real skills in health law are the techniques used by Professor Mila Sohoni in her seminar on the Affordable Care Act, which is structured to “combine

practical and theoretical knowledge.” In planning our new employment law concentration, Professor Orly Lobel has partnered with leading San Diego practitioner Richard Paul to design course offerings and other experiences that will give our students “a leg up” in preparing for employment and labor law jobs in both the private and public sectors. And in corporate and securities law, Professor Frank Partnoy is team teaching with experienced practitioners and experts to bring new teaching materials and evaluation techniques to the classroom, “creating a very real interactive experience.” These faculty members are not only making the learning experience more exciting, they are better preparing our students for legal jobs in areas where demand is growing.

These remarkable faculty members, among others, carry on a long tradition of innovative teaching at USD School of Law. In addition to Professor C. Hugh Friedman, whose contribution to this legacy is told in “Innovation Is in Our DNA,” special recognition should also be given to Sister Sally Furay, ’72 (JD), whose recent death is noted in the In Memoriam section. While serving as USD’s provost and academic vice president, Sister Sally taught at the law school as a legal clinic supervisor and adjunct professor for 20 years. Thanks both to her administrative support and her personal commitment, USD became a pioneer in clinical legal education and still has one of the strongest and most varied clinical programs of any law school in the country. Even more remarkably, Sister Sally was the principal force behind another major landmark in USD’s history of curricular innovation, the offering of one of the first courses on Sex Discrimination and the Law, which Sister Sally bravely approved in 1974 and then enthusiastically taught (along with Lynn Schenk, ’70 (JD), and Justice Judith McConnell for many years thereafter). We owe a special thanks to Sister Sally Furay for all that she did to make USD such a great law school.



Dean Ferruolo meets with Sister Sally Furay during the 2013 Red Mass at Founders Hall.

Stephen C. Ferruolo
Dean, USD School of Law



Supreme Court Justices at USD

➤ JUSTICES SONIA SOTOMAYOR AND ANTONIN SCALIA OF THE U.S. SUPREME COURT AND JUSTICE JOSÉ RAMÓN COSSÍO DÍAZ OF THE MEXICO SUPREME COURT VISIT THE LAW SCHOOL

U.S. Supreme Court Associate Justice Sonia Sotomayor visited USD in October 2014 for an event that brought together law school alumni, current law students and several high school mock-trial competition finalists. Justice Sotomayor discussed her time on the bench and gave advice to young women interested in law as well as young lawyers.

Associate Justice Antonin Scalia visited Professor Michael Devitt's evidence class in September 2014. He answered students' questions on various topics ranging from affirmative action to modern technology.

Mexico Supreme Court Justice José Ramón Cossío Díaz gave a talk at USD in January 2015, speaking about Mexico's progress toward implementing a new criminal justice system.

From left: Associate Justice Sonia Sotomayor, Associate Justice Antonin Scalia, and Mexico Supreme Court Justice José Ramón Cossío Díaz.

On Religious Freedom



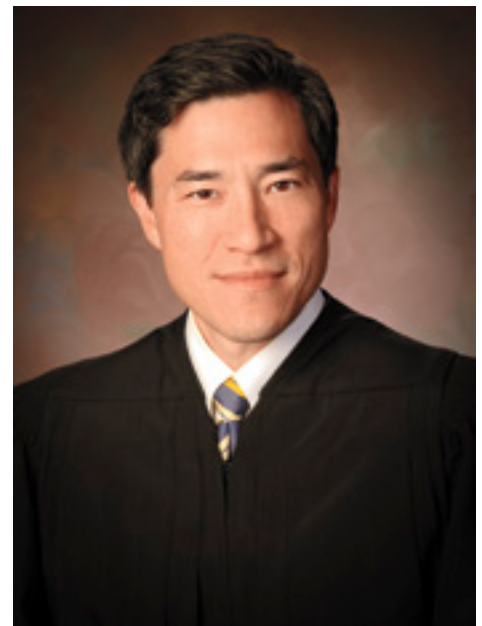
ROBERT P. GEORGE HEADLINES ANNUAL BOWES-MADISON DISTINGUISHED SPEAKER SERIES

Robert P. George spoke on the topic of “Religious Liberty and Human Good” at the Joan E. Bowes–James Madison Distinguished Speaker Series on November 6, 2014. George is the McCormick Professor of Jurisprudence and founder and director of the James Madison Program in American Ideals and Institutions at Princeton University. George discussed the role of religious freedom in contributing to the greater good.

USD School of Law Hosts Patent Law Conference

JUDGE RAYMOND CHEN DELIVERS KEYNOTE ADDRESS

U.S. Court of Appeals Circuit Judge Raymond Chen was the keynote speaker at the fifth annual Patent Law Conference, hosted by USD School of Law in January 2015. Titled “Patent Invalidation After the America Invents Act,” the conference covered the latest information on *inter partes* review procedures and outcomes, patentable subject matter, functional claiming, indefiniteness, and first-inventor-to-file at the PTO and in the courts.





Left: Professor Frederick Schauer delivers his lecture. Below: Dean Ferruolo presents Schauer with a plaque honoring his contribution to USD. Bottom: Schauer, Ferruolo and USD trustee Stanley Legro.



Getting Technical

FREDERICK SCHAUER OF THE UNIVERSITY OF VIRGINIA SCHOOL OF LAW DELIVERS NATHANSON MEMORIAL LECTURE

Professor Frederick Schauer addressed the question “Is Law a Technical Language?” at the 31st Nathaniel L. Nathanson Memorial Lecture on February 19, 2015. Schauer is the David and Mary Harrison Distinguished Professor of Law at the University of Virginia. Schauer discussed the roles of technical and ordinary language in deciding the meaning of a law.



Professor Miranda Fleischer



Professor Michael Rappaport



Professor Steven Smith

Professors Honored with Thorsnes Prizes

MIRANDA FLEISCHER WINS TEACHING PRIZE; MICHAEL RAPPAPORT AND STEVEN SMITH WIN LEGAL SCHOLARSHIP PRIZE

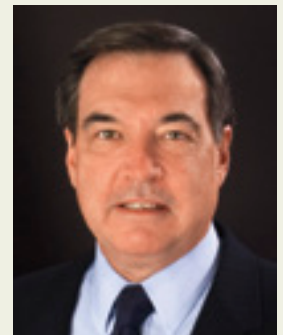
Professor Miranda Fleischer received the 2015 Thorsnes Prize for Excellence in Teaching. A vote of upper-division law students decides the annual awardee. The 2015 Thorsnes Prize for Outstanding Legal Scholarship, which recognizes significant scholarly works, went to Professor Michael Rappaport for his book *Originalism and the Good Constitution* (with McGinnis) (Harvard University Press, 2013) and Steven D. Smith for his book *The Rise and Decline of American Religious Freedom* (Harvard University Press, 2014). The awards were established in 1995 and 1999 through a gift from alumnus Michael Thorsnes, '68 (JD).

Trending Now in the Electric Industry

RENOWNED ENERGY EXPERT
JON WELLINGHOFF HEADLINES
CLIMATE & ENERGY LAW SYMPOSIUM

Jon Wellinghoff, partner at Stoel Rives LLP, gave the keynote address at the sixth annual Climate & Energy Law Symposium in November 2014.

Wellinghoff is an internationally recognized energy law attorney, clean-tech energy expert and the former chairman of the Federal Energy Regulatory Commission.





Two Influencers Share a Milestone

USD SCHOOL OF LAW CELEBRATES ITS 60TH ANNIVERSARY WITH
PANEL ON 60 YEARS OF *BROWN V. BOARD OF EDUCATION'S* IMPACT

Handed down on May 17, 1954, the United States Supreme Court's unanimous decision in the landmark *Brown v. Board of Education* case found that "separate educational facilities are inherently unequal," therefore, segregation of students in public schools violates the Equal Protection Clause

of the 14th Amendment. The case marked the rise of the Civil Rights Movement and inspired a new generation to study and use the law to advance civil rights.

In the fall of 1954, USD School of Law opened and admitted its first class, starting with a part-time program that enrolled 55

students. Over the subsequent decades, more than 14,000 others have followed in their footsteps as graduates of the law school and used their education to serve the legal profession and their communities with distinction.

On April 7, 2015, the law school celebrated its 60th anniversary with a faculty panel discussion on the lasting impact of *Brown* on various areas of the law. Moderated by Vice Dean Mary Jo Wiggins, the panel included Professors Roy Brooks, Laurie Claus, Don Dripps and Orly Lobel. Brooks discussed the impact of the case on civil rights, Claus on constitutional law, Dripps on criminal law, and Lobel on employment and labor law. Questions from the audience and the ensuing discussion showcased the unfinished legacy of the *Brown* decision.

A reception for the local community, dignitaries, judges, alumni, current law students, admitted law students, undergraduate students, and faculty and administrators was held immediately after the panel discussion to celebrate the shared anniversary.

Sixty years marking two important milestones: a time to look back but also to look forward to the unfinished work for USD's current and future students.



The law school marked its 60th anniversary with a faculty panel on the impact of Brown v. Board of Education. Left, from top: Vice Dean Mary Jo Wiggins, Professor Orly Lobel and Professor Roy Brooks.





Heeding the Call

Addressing a growing need in the life sciences industry, USD and SDSU team up to offer a joint certificate program on IP and regulatory affairs

Recent news articles cite employment data and the growing number of local, state, federal and international regulations as solid indicators of job growth for those with knowledge of the law and regulatory matters.

In a U.S. economy struggling to create jobs, at least one field is booming: compliance. San Diego, home to life science and technology companies, is poised to benefit from the boom. Local industry leaders realized they needed trained compliance officers and reached out to higher education leaders to help educate and prepare a new kind of professional.

USD School of Law and SDSU College of Sciences have partnered to create an innovative new program—the only one of its kind in the United States—that prepares students for upward career mobility in the growing life sciences industry.

The six-course joint Advanced Certificate in Intellectual Property and Regulatory Affairs program begins this fall and will help students build professional skills in science, law and business—skills that employers are seeking.

The program is designed for life science professionals who have no formal legal training and whose research, work responsibilities or ambition would benefit from knowledge of regulatory affairs and intellectual property law. Ideal candidates include working professionals with a minimum of two years of experience in the biotech, med tech or related life sciences industries, who will benefit from learning the fundamentals of IP and regulatory law, but who do not wish to become attorneys.

“This program will help build highly qualified human capital so vital to the San Diego area, which ranks among the top three centers of biotechnology and medical technology in the world.”

—Dean Stephen C. Ferruolo

The certificate program provides flexibility to design an individualized plan of study to best enhance each candidate’s professional development while still providing the necessary foundational knowledge.

The idea for the program came from conversations between Dean Stephen C. Ferruolo of the law school, President Elliot Hirshman of SDSU, life science industry leaders and BIOCOM members regarding the need to enhance the training and education of San Diego’s biotech and life sciences talent pool.

“The innovation economy is central to our region,” said Hirshman. “Life sciences companies already employ 45,000 people in San Diego County, and this sector is growing with high-wage jobs.”

“This program will help build highly qualified human capital so vital to the San Diego area, which ranks among the top three centers of biotechnology and medical technology in the world,” added Ferruolo, who along with Hirshman serves on the board of directors at BIOCOM.

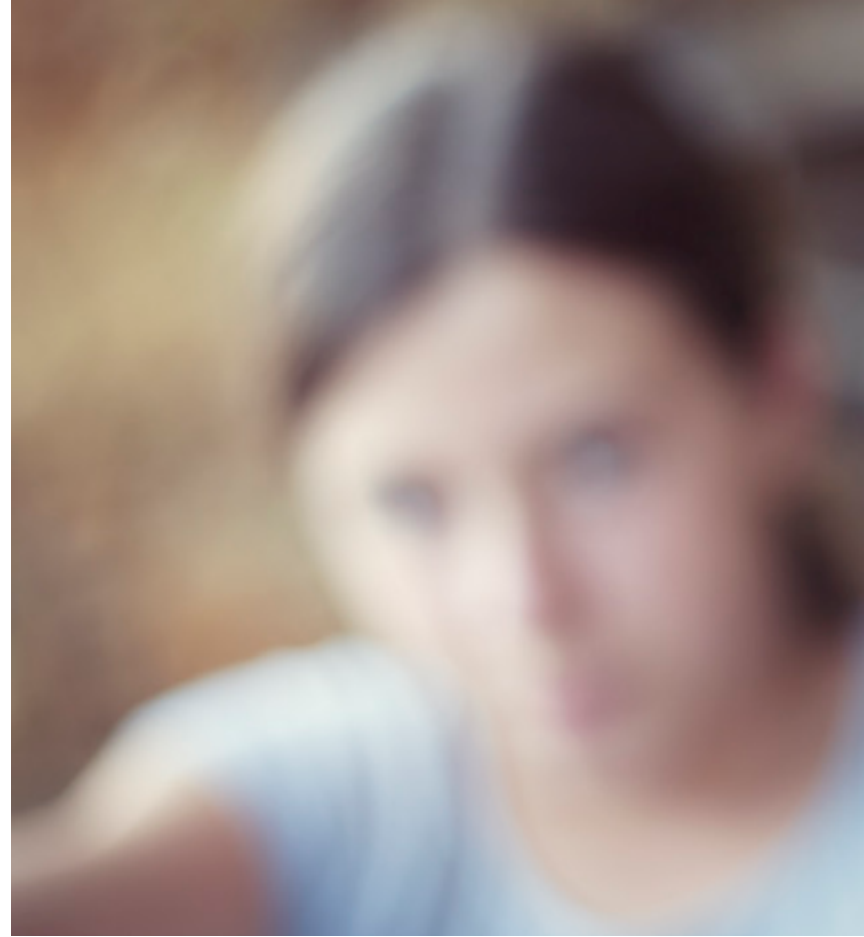
The Shameful State of Child Welfare Law

CAI REPORT FAULTS GOVERNMENT FOR FAILURE TO PROTECT ABUSED AND NEGLECTED CHILDREN

In January 2015, a report released by USD’s Children’s Advocacy Institute (CAI) and First Star was highly critical of all three branches of the federal government for being derelict in their duties to protect America’s most vulnerable children.

The report, “Shame on U.S.,” reviewed the federal government’s internal documents and found that not one state is in full “substantial conformity” with minimum standards set in federal law designed to protect abused and neglected children.

The report faults the U.S. Department of Health and Human Services (HHS) for infrequently and inadequately exercising its oversight powers to ensure state compliance with



federal mandates—essentially becoming the states’ complicit partner in the substandard care of our nation’s most vulnerable children. In many areas, HHS takes on an overly passive role, allowing states to self-certify compliance and set lower standards and performance expectations for themselves—all of which allows glaring noncompliance with federal law to go unabated, at times going so far as to blatantly flout direct congressional orders.

The other two branches of the federal government also fail to adequately protect and promote the interests of abused and neglected children. Congress has shown little appetite to address these issues, and federal courts have been reluctant to find that federal laws provide aggrieved children and families a private right to sue—completing a “trifecta” of inertia and neglect.

“It is no secret that child welfare law is disjointed and underfunded,” said Elisa Weichel, administrative director and staff attorney at CAI. “What’s not common knowledge is that states are consistently failing to protect abused and neglected children with little to no consequence from the executive branch. It is even less understood that many federal courts have denied private citizens the right to file suit for violations



Elisa Weichel



Professor Robert Fellmeth

BOTTOM: ALLEN WYNAR



of federal child welfare law. This report connects these dots for the first time, holding all three branches accountable, pointing out their interrelated failures and the critical need to cure these deficiencies.”

The research was conducted over a three-year period by CAI, an academic, research and advocacy organization working to improve the lives of children and youth, in partnership with First Star, a nonprofit advocacy group based in Washington, D.C.

“The title of this study is ‘Shame on U.S.’ for good reason,” said Professor Robert Fellmeth, CAI’s executive director. “It is an exposé of a wholly broken federal system and its impact on America’s most vulnerable children and families. These politically powerless children—hundreds of thousands of them each year—suffer lifelong consequences including PTSD, unemployment, homelessness, sex-trafficking victimization, and imprisonment, at rates far above any other grouping. It’s a national disgrace.”

The report makes a series of recommendations to better protect and serve abused and neglected children, and CAI and First Star call on Congress to conduct oversight hearings to investigate the inadequacies highlighted in the report.

Generous Donors Reinforce CAI

\$2M IN GIFTS ESTABLISHES NEW FELLMETH-PETERSON FACULTY CHAIR IN CHILD RIGHTS

In December 2014, USD established the Fellmeth-Peterson Faculty Chair in Child Rights after receiving gifts totaling more than \$2 million from a group of donors led by the Price Philanthropies Foundation, the Peterson Charitable Foundation and Professor Robert C. Fellmeth.

“The generosity of these donors ensures that USD’s Children’s Advocacy Institute will be able to continue teaching and advocating children’s rights and build on and perpetuate its great legacy of service to children,” said Dean Stephen C. Ferruolo at CAI’s 25th anniversary celebration. “Only two other law schools have endowed child rights programs. And no law school other than USD has a child advocacy program on its campus, in its state capital and in Washington, D.C.”

The new faculty chair is named after Professor Robert Fellmeth’s father, Robert Butler Fellmeth, a career Navy pilot, and Paul Peterson, who was integral in building and nurturing the Children’s Advocacy Institute from its beginning 25 years ago.

New Thinking on Originalism

› Darling Foundation’s Works-in-Progress Conference Expands Scope of Topics

Presented by the Center for the Study of Constitutional Originalism, the annual Hugh and Hazel Darling Foundation Originalism Works-in-Progress Conference provides a unique opportunity for the presentation of a variety of new works concerning originalism.

Originalism is the view that the Constitution should be interpreted in accordance with its original meaning—that is, the meaning it had at the time of its enactment.

The lens of originalist interpretation is growing wider, and each year, the Works-in-Progress conference has expanded to accommodate that growth.

The 2015 conference included presentations and comments from several well-known scholars on a variety of legal topics. In the broader sense, UNLV’s Ian Bartrum presented “Two Dogmas of Originalism,” with comments from Georgetown’s Larry Solum; and Chicago’s William Baude presented “Is Originalism the Law?” with comments from Duke’s Matt Adler.

Finer points included “Constitutional Interpretation as Statutory Interpretation,” by Oxford’s Richard Ekins, with comments from UVA’s Fred Schauer, and “The Contract Clause: Origins and Early Development,” by

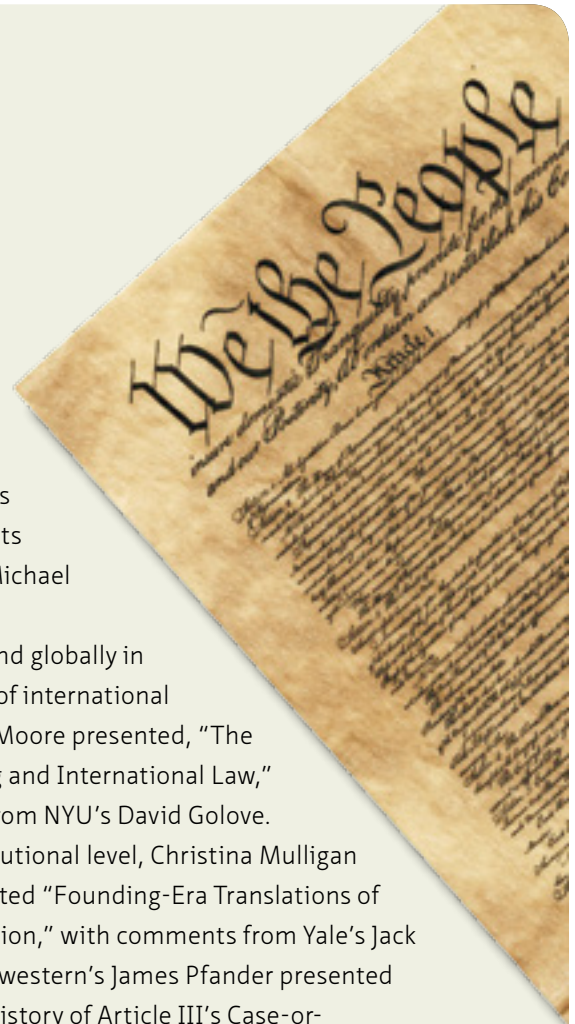
Vanderbilt’s James Ely, with comments from Stanford’s Michael McConnell.

Breaking ground globally in the growing field of international law, BYU’s David Moore presented, “The Broader Founding and International Law,” with comments from NYU’s David Golove.

On the constitutional level, Christina Mulligan (Brooklyn) presented “Founding-Era Translations of the U.S. Constitution,” with comments from Yale’s Jack Balkin, and Northwestern’s James Pfander presented “The Contested History of Article III’s Case-or-Controversy Requirement,” with comments from UVA’s Caleb Nelson.

Established in 2006, USD’s Center for the Study of Constitutional Originalism investigates all aspects of originalism through its conferences, speakers, fellows, and blog, and promotes originalist scholarship.

The activities of the center are supported by a generous grant from the Hugh and Hazel Darling Foundation.





Singapore offers students exciting academic and cultural opportunities.

Semester Abroad Enhances Global Fluency



Kieran de Terra, '15 (JD), considers the semester he spent in Singapore one of the high points of his legal education. Enrolled in USD School of Law's Semester Study Abroad

program, de Terra studied cybercrime and digital investigation, international commercialization of intellectual property, intellectual property law, and comparative legal systems at Singapore Management University (SMU) School of Law in the fall of 2014.

The program at SMU is the latest to join USD's semester-abroad offerings at partner universities in Barcelona; Buenos Aires; Copenhagen; Jerusalem; London; and Wiesbaden, Germany. Through these partnerships, students gain the skills needed to enter increasingly globalized legal markets and have the opportunity to explore new cultures in an academic setting.

"I was particularly fascinated to learn how constitutions in Southeast Asia developed and how they treated such issues as separation of powers and the rule of law," said de Terra, remarking on his comparative legal systems class.

De Terra also has a keen interest in entertainment

law, a field he first pursued after completing his undergraduate studies in his native Ireland. Between 2010 and 2012, he spent several summers in Los Angeles, interning for companies in the entertainment industry, including Morgan Freeman's production company, Revelations Entertainment. De Terra, who has dual citizenship, hopes to fashion a career from his broad interests—entertainment law, international litigation and cyberlaw—and credits his experience in Singapore with opening his eyes to new opportunities.

"These exchanges give our students unique opportunities to experience living and learning alongside future world leaders in law, business and public service," said Dean Stephen C. Ferruolo. "My goal is to see more of our graduates have the advantage of international legal training so they can enter the challenging and competitive legal marketplace with global fluency."

"My goal is to see more of our graduates have the advantage of international legal training so they can enter the challenging and competitive legal marketplace with global fluency."

—Dean Stephen C. Ferruolo



TAX

IS

BACK

New faculty appointments and innovative learning opportunities have made the law school's tax program a national standard-bearer.

by Xenia Kobylarz | photography by Nick Abadilla



*Front row: Dean Stephen C. Ferruolo and Director of Tax Programs Howard Abrams.
Back row: Professors Miranda Perry Fleischer, Jordan M. Barry, Victor Fleischer and Adam Hirsch.*



When the appointment of Stephen C. Ferruolo as the 10th dean of USD School of Law was announced in the fall of 2011, it not only made the local news but also was covered by national media outlets and created a buzz in the blogosphere. *The National Law Journal* labeled the move “an unconventional choice,” noting that law schools rarely hire practicing lawyers as deans. The school’s own student-run publication, *Motions Online*, heralded his arrival as a “new era,” and some academic bloggers called the choice an inspired one at a time when the very value of a law school education is under attack.

Ferruolo, the founding partner of the San Diego office of Goodwin Procter and a 20-year veteran biotech and life sciences corporate lawyer, may not have been the most traditional choice to lead the 60-year-old institution, but he was certainly one of the most ambitious.

From the beginning of his tenure as dean, he made his intentions clear:

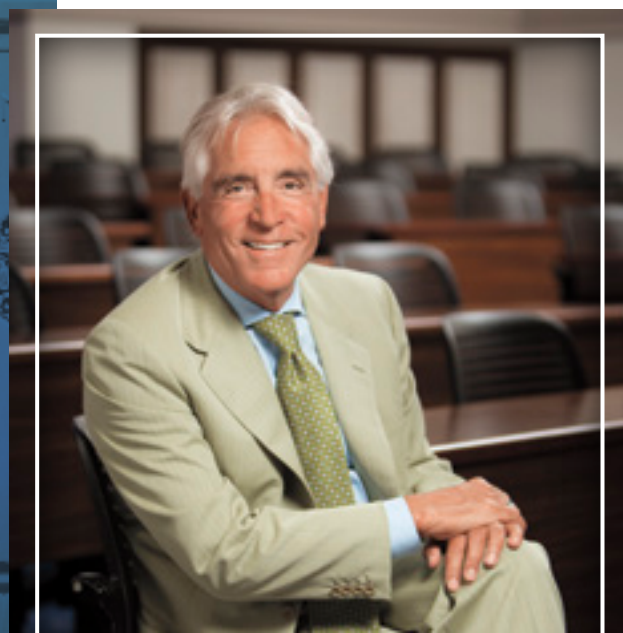
“
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Dean Stephen C.
Ferruolo

to raise the reach and reputation of the law school and revitalize what was already one of the leading tax law programs in the country. His vision was to bring a more balanced and practical tone to the school’s curriculum while still developing the theoretical bases necessary for successful legal practice.

Like many deans, Ferruolo was faced with declining law school enrollment and grim statistics of dwindling law firm–related jobs. Newly minted lawyers were struggling to find employment, and law firms everywhere had reduced new associate hiring, as many shrank their ranks and others folded up.

Although it wasn’t exactly the best time to be a law school dean, Ferruolo seemed to relish the challenge. In an interview with the *Am Law Daily* in 2011, he told the online legal publication that his job was to bridge the disconnect between students’ expectations and the job market—and



enhancing the tax program's experiential learning opportunities was one of the first ways to do so.

To accomplish his goal, Ferruolo knew what he had to do: "There needed to be a substantial transformation of the faculty, our course offerings, and a real commitment of resources to make it happen," he recalled.

His plan was to leverage the law school's reputation as having one of the country's leading tax law programs, both at the JD and graduate level, to attract top talent in academia and strengthen the school's already deep ties with the business community. "The reputation of our tax program has given us a prominence unrivaled by any other institution west of the Mississippi," Ferruolo said. "We want to focus on it as one of our pillars of excellence, and to be counted by top law firms and companies in the country as a great source of talent in the area."

The law school was considered a leader in tax law long before it established its graduate tax program in 1978, according to Professor Herbert Lazerow. He has been teaching tax law since joining the faculty in 1967, and his scholarship has been recognized with a membership to the American Law Institute, where he serves on the tax advisory group. He started the school's International Tax Law Program in the 1970s, long before other law schools had any course



offerings in the area. "International tax wasn't a significant part of the tax practice of most practitioners back then, but we foresaw that it was going to be much more important," he noted.

Aside from offering pioneering courses, the program also became famous for its tax faculty, which included not just established academics but also distinguished practitioners, judges and former tax regulators such as M. Carr Ferguson, senior tax counsel at Davis Polk & Wardwell; Judge David Laro, who has served on the U.S. Tax Court since 1992; Richard A. Shaw, a tax specialist at Higgs, Fletcher & Mack; and Willard B. Taylor, of counsel to Sullivan and Cromwell.

But Ferruolo's grand experiment included enhancing an already rock-star faculty roster by hiring some of the most prestigious names in legal academia, including Professor Howard Abrams, a renowned scholar of partnership and corporate taxation and member of the American Law Institute; husband-and-wife academic duo Miranda Perry Fleischer and Victor Fleischer, both experts in cutting-edge fields of tax law, the former on

All-Star Team

A REVITALIZED TAX LAW FACULTY

If deans were graded based on their law school's *U.S. News & World Report* ranking, Stephen C. Ferruolo would get an A-plus. In March, the law school's tax program received a significant ranking boost, up to No. 6 in the country from No. 8.

The program's ranking jump is largely attributed to the high-profile faculty hires the school made in 2013. With the appointments of Howard Abrams, Miranda Fleischer, Victor Fleischer and Adam Hirsch, USD School of Law managed to corral some of the most in-demand names in tax academia in one institution. The appointments fortified an already formidable faculty roster, which includes such luminaries as M. Carr Ferguson, former assistant attorney general in the Tax Division of the U.S. Department of Justice, and Jordan Barry, a rising star in the areas of contracts, tax policy, and law and economics.

Paul Caron, a visiting professor in taxation since 2001 and one of the leading entrepreneurial tax scholars in the country, says the dean has done "a spectacular job in building an outstanding tax faculty, which augurs well for the future of the program."

A longtime professor at Emory Law School and a renowned expert in the areas of partnership taxation and corporate taxation, Howard Abrams has been a visiting professor at Cornell, UC Berkeley and Yale law schools and, most recently, Harvard Law School.

continued on pg 21



“

Dean Ferruolo, along with many in the local community, has been exceptionally supportive, which is crucial to the success of the program.”

Professor Howard Abrams

tax-exempt organizations, and the latter on tax policy and private equity; and Adam Hirsch, who specializes in wills and trusts.

They joined a roster of full-time and part-time faculty that includes recently tenured Professor Jordan M. Barry, who teaches and writes in the areas of tax law and tax policy, as well as corporate and securities law and law and economics. Before coming to USD, Barry practiced tax law at a Wall Street firm.

“I considered my colleagues there to be some of the sharpest tax minds in the world,” Barry said. “The tax faculty at USD remind me of that experience.”

According to University of Chicago Law School Professor Brian Leiter, an influential thought leader in legal education and founder of several popular law blogs, the law school’s recent hires were “big deals in the tax world” and have raised the strength of the faculty to the same level and maybe beyond that of higher-ranked schools. “That USD has been able to continue making strong faculty appointments, despite the economic downturn, is impressive and must be due, in some measure, to strong leadership by the dean,” Leiter said.

Abrams, who was lured from his longtime perch at Emory Law School after spending a stint as a visiting professor at USD in 2012, joined the faculty as Warren Distinguished Professor of Law in August 2014. “I’ve spent the past year investigating other tax programs, and I spent a significant amount of time learning about what we’re doing and what we could do differently,” Abrams said. “I’m delighted that Dean Ferruolo, along with many in the local community, has been exceptionally supportive, which is crucial to the success of the program we’d like to undertake.”

Abrams and Ferruolo met with faculty, alumni, local lawyers and business leaders. Their efforts went beyond the usual meet-and-greets and job fairs. In the year since Abrams signed on, the

two academics have reached out to companies such as Sempra Energy, the San Diego-based Fortune 100 energy services company, to discuss ways in which the corporate legal community could be more involved with the law school.

Martha Wyrsh, Sempra’s executive vice president and general counsel, introduced Ferruolo and Abrams to Paul Yong, the company’s chief tax counsel. Yong, a former partner at Arthur Andersen, was asked to work with Abrams to design a tax simulation program. “We need to bridge the gap between the classroom and the office,” Yong said. “Clients don’t want to pay for inexperienced lawyers, and this is why many newly minted lawyers are jobless. To achieve different results means embracing a new way of doing things.”





The program, which will be offered to students both at the JD and graduate level as a noncredit course this fall, consists of a series of exercises that focus on situations commonly encountered by a tax lawyer while advising business clients. “Let me use a sports analogy,” Yong said. “You can sit in a classroom and learn all the rules of tennis, but that’s no substitute for being handed a racket and balls and doing practice rounds. With enough practice, you’re more prepared for the real game. Plus, messing up in practice is much better than messing up on your first job.”


The program is being developed with the help of two alumni from the school’s JD and Tax LLM Program, Whitney Fountain and Michelle Han. The former classmates are tax associates at KPMG’s San Diego office and bring with them different perspectives of practicing law away from the traditional law firm setting. Han works in KPMG’s international tax department, while Fountain handles federal tax law matters in the firm’s accounting method and audit services group.

“The San Diego market for tax lawyers isn’t big law firms,” Han said. “Your career trajectory would be either to work for big audit firms or

small boutique firms focusing on tax. Whitney and I bring an accounting firm mindset and experience to the project.”

Han added that, unlike other law schools, USD is one of the few schools that require students to take at least one tax course. “USD School of Law gives students a lot of tax law course offerings that are not available to students at other law schools,” Han said, “but having practical experience really gives students a sense of what tax work is like in an accounting firm or in-house.”

In addition to the tax simulation program, new law students can look forward to more offerings in the tax program that will teach useful skills to aspiring tax lawyers. These offerings include tax modeling and an introduction to accounting board standards, tax penalties, and other accounting practices, as well as ethical rules now being promulgated in the profession.

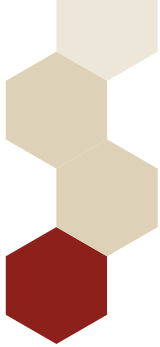
“We’ve got a substantial increase in the number of required courses this year,” Abrams noted. “The students who graduate from our program will have the essential skills needed to practice and will graduate with a strong foundation in business-focused tax law.” 

A member of the American Law Institute, Abrams has published widely cited articles in the *Harvard Law Review*, *Tax Law Review* and *Tax Notes*.

Miranda Fleischer joins the tax faculty from the University of Colorado Law School. She teaches and writes in the areas of individual taxation, federal estate and gift tax, and tax-exempt organizations. Her recent scholarship, which focuses on the design of charitable tax subsidies, makes her a pioneer in nonprofit tax law. Her scholarship has been published in the *Boston University Law Review*, *Minnesota Law Review*, *Washington University Law Review* and the *Tax Law Review*.

Victor Fleischer joins the faculty after teaching or serving as a visiting professor at the University of Colorado, UCLA, University of Illinois, New York University and Georgetown University. He teaches in the areas of partnership and corporate taxation, deals, tax policy, and private equity. His scholarship has been published in the *UCLA Law Review*, *Texas Law Review*, *NYU Law Review*, *Michigan Law Review* and the *Tax Law Review*.

Adam Hirsch is a leading authority on wills and trusts and an academic fellow of the American College of Trust and Estate Counsel. He was the William & Catherine VanDer creek Professor of Law at Florida State University. Hirsch teaches and writes in the areas of wills and trusts, creditors’ rights, and American legal history. His scholarship has appeared in *Vanderbilt Law Review*, *Washington University Law Review*, *Michigan Law Review* and *Minnesota Law Review*.



Innovation Is in Our DNA

In the tradition of the late C. Hugh Friedman—the trailblazing professor who had a profound impact on generations of students and alumni—USD School of Law is increasing its practical offerings in today’s most exciting legal fields



IN 55 YEARS

of teaching at USD School of Law, Professor C. Hugh Friedman rarely missed a class. Even near the end of his battle with cancer, in the spring of 2013, he was still teaching Business Planning. But he knew his illness might keep him from finishing the

semester, so he enlisted help: Dean Stephen C. Ferruolo agreed to take over the class if Friedman couldn’t make it. When the longtime professor was hospitalized, Ferruolo was prepared to step in straightaway, but to his surprise, he got a call from Friedman, who wanted to chat about the upcoming class. He laid out his approach to the class for Ferruolo, detailing the key topics to be covered for over an hour.

“People ask me why Hugh Friedman never became an emeritus professor,” Ferruolo said. “To become an emeritus professor, you have to retire!” Ill as Friedman was, the law school’s longest-standing professor wasn’t about to give up the reins without making sure his students would still get all the benefits of his rich teaching and professional experience. Just a few days later, Friedman passed away.

In his 81 years, the Yale and Stanford graduate was known for his tireless professional and civic contributions. He served as California’s deputy attorney general and president of the state’s Securities Regulatory Reform Commission, and he held posts on a number of local, state and national political bodies, all while teaching and consulting. An esteemed business lawyer, Friedman brought his experience to the law school, where he laid the foundation of its corporate and securities law concentration.

“Many alumni I’ve met say that they



Many alumni I've met say that they got through law school because of Hugh Friedman or do what they do because of him."

—Dean Stephen C. Ferruolo

got through law school because of Hugh Friedman or do what they do because of him," Ferruolo said. Friedman was passionate about teaching, generous with his time and encouraging to students, Ferruolo added, but his legacy extends beyond his dedication as a mentor to the way he molded the institution he loved.

Friedman emphasized practical instruction and hands-on experience, assigning students work focused on real-world situations. Friedman also used his deep ties to the San Diego law community to bring experienced practitioners into his classes, such as his In-House Corporate Counseling seminar.

Today, the culture of innovation that Friedman fostered continues. New concentrations in health and employment law prepare students to enter these fertile areas of practice, and expanded corporate and securities courses enrich that concentration. "I'm practically oriented," Ferruolo said. "I look at where I see good job opportunities and where we can further strengthen our outstanding faculty."

Focus on Health Law

Health law is one of the fastest-growing areas of legal practice, and USD School of Law students have taken notice. They've banded together with faculty members to create a new health law concentration. "The demand hasn't been greater—in my memory—for lawyers with skills in health law," Professor Dov Fox said. "The concentration will help to both prepare and distinguish our grads to fill this critical need." The field is particularly relevant in San Diego, Fox said, because of the abundance of hospitals, biotech firms and pharmaceutical companies. Since he joined the faculty two years ago, Fox has introduced two innovative health law courses, one on bioethics, another on reproductive technologies.

Fox credits national shifts for adding to the demand for lawyers with this specialized knowledge. "Health care reforms at the federal level have evoked new and complex questions that lawyers are needed to help answer," he said, and the law school is positioning

itself to offer students the skills to be pioneers in the field. The school has done so, in part, by hiring new faculty, including Fox and Mila Sohoni, who teaches a seminar dedicated to the Affordable Care Act (ACA). "We evaluate the ACA by looking at it as a novel instrument of public law," Sohoni said. Each week, students analyze a different aspect of the act, from the history of its passage through its many regulations.

Whatever the topic, Sohoni and Fox's goal is to give students a concrete handle on complex material. In Sohoni's seminar, for instance, when the class tackled the ACA's individual mandate, students practiced advising fictional clients on how to avoid paying a penalty. "We combine practical and theoretical knowledge," Sohoni said, "and they walk away with a sophisticated understanding of the ACA." Since the ACA touches so many facets of society, understanding it is a boon to any young lawyer, she says, but her students also learn something even



Professor Dov Fox

more fundamental: “It’s a class about how federal law is made, enforced and interpreted,” Sohoni said. “That’s a general skill they can take into any area of practice.”

To further reinforce students’ practical know-how, the school is expanding offerings from health law expert and Adjunct Professor Richard Barton. The administration is also working to augment the health law opportunities available to students through internship programs. USD School of Law has partnered with the Department of Health and Human Services in Washington, D.C., and several Southern California institutions to provide students practical experience. As a result, an increasing number of students are pursuing health-specific opportunities. “It’s an area of growth in which our graduates can continue to have a lasting impact,” Fox said.

Employment Law Expansion

The law school has recently established a new employment law concentration to seize upon expanding job opportunities in this field. The effort began three years ago, when student David Greco, '14 (JD), founded the school’s Employment and Labor Law Society. By his third year of school, Greco had developed an interest in employment issues, he said, but didn’t find the

classes to match. “I felt like there was a gap in our curriculum,” he said.

“When I did the research, I realized that employment law is huge in California,” he said, noting that employment-related cases account for 40 percent of state court dockets. Greco and his fellow society members began stimulating interest among students by hosting employment law events and drafted a proposal for the new concentration’s core curriculum. A year later, in 2013, the concentration was up and running.

But it wasn’t just Greco and his fellow students who made it happen. “It was a perfect trifecta,” Greco said. A few years before Greco started the Employment and Labor Law Society, the school hired employment law scholar Orly Lobel, whose recent book on human capital law, *Talent Wants to Be Free*, won the Axiom Gold Medal for Best Business Book of 2014. Lobel has served as faculty advisor to the society since the beginning, and her cutting-edge work on intellectual property law and innovation policy continues to benefit students hoping to break into these burgeoning practice areas.

The administration also brought in esteemed San Diego lawyer Richard Paul. Paul has worked with the law school for the past few years, but



Professor Orly Lobel

now he’s taking a more active role. He recently taught a seminar on employment law and the technology industry, and he will be teaching more classes in the future, Lobel said. As founding partner of Paul, Plevin, Sullivan & Connaughton, San Diego’s premier boutique employment law firm, Paul offers students his experience representing major clients like the University of California, AT&T, Microsoft, and the City of San Diego. “They’re a huge player in town,” Greco said of the firm, “and he’s a great teacher.” Lobel calls Paul “a leader in the community and California,” noting that his firm has hired a number of USD School of Law graduates.

Together, Lobel and Paul strike the balance of practical and theoretical learning, an ideal combination. “Our students are already making a difference in law and policy in the private sector and in government,” said Lobel. “The expansion of our course offerings and the many events that our student organization initiates throughout the year give our students a leg up.”



Innovations in Corporate and Securities Law


In the realm of corporate and securities law, change is afoot, too. Course offerings have grown steadily over the years, and the school's approach to coursework is changing. "More than we ever have, we're adapting," said Professor Frank Partnoy, who co-directs the Center for Corporate and Securities Law. Partnoy said that in his area of expertise, as in health and employment law, the teaching style is moving increasingly toward co-taught courses that pair a legal scholar with an experienced practitioner.

In the spring, Partnoy co-taught a course on advanced corporate transactional skills with Scott Wolfe, partner at San Diego's Latham & Watkins, in which students had the chance to explore cutting-edge transactional issues. This fall, Partnoy and Professor Alan Schulman are partnering for a course on securities litigation, with guest appearances by local attorneys

Randall Baron and Koji Fukumura, "two of the top securities litigators in the world," according to Partnoy. The pair will do exercises with the students, including mock depositions and oral arguments. "Rather than having someone come and lecture, we're creating a very real interactive experience," Partnoy said.

The move follows the schoolwide trend toward experiential learning. "It's changing the kinds of things we teach and how we evaluate students," Partnoy said. For instance, instead of assigning a 20-page research paper, he assigns several 250-word email memos that students have only two days to write. "The assignments are closer to the real world," he said.

A parallel development is taking place in the school's Entrepreneurship Clinic, which Professor Margaret Dalton is revamping to give students greater experience working with tech startups. In collaboration with key members of the legal community, like Dennis Doucette, '86 (JD), a partner at Procopio, Cory, Hargreaves & Savitch, and Faye Russell, '90 (JD), who retired from partnership at Latham & Watkins



Rather than having someone come and lecture, we're creating a very real interactive experience."

—Professor Frank Partnoy

last year, the administration remodeled the clinic to give students the most marketable experience possible.

Other significant developments come from the Center for Corporate and Securities Law, which Partnoy helped found in 2010. The idea was to have a place where students and faculty could engage with world-renowned experts regarding exciting policy developments.

The greatest coup yet came last year, when the center co-sponsored the Media and Markets Conference with Oxford University. The event drew big names like Biz Stone, the co-founder of Twitter; former Google Communications Director Raymond Nasr; and financial journalist Herb Greenberg of CNBC.

With every event, the quality improves, Partnoy said. He's teaming up with Professor Victor Fleischer to bring in prominent regulators and advisors for a conference focused on policy reforms that will include a look at the financial regulatory agenda for the next president. Partnoy also has enlisted 20 hedge fund activism experts to come for a conference in October. The center's reputation now attracts scholars from top schools around the world: Harvard, Columbia, Georgetown and Stanford, among others. "We got off to a great start, and we've been active ever since," Partnoy said. "We're steadily building momentum. We have a critical mass now." 

TIM MANTOANI



Professor Frank Partnoy



Former
Congresswoman
Lynn Schenk
Delivers 2015
Commencement
Address

› This Century Belongs to You

USD School of Law alumna and former U.S. Congresswoman for San Diego Lynn Schenk, '70 (JD), addressed graduates at the 58th Conferral of Law Degrees on Saturday, May 16, 2015, at USD's Jenny Craig Pavilion.

Schenk is the first woman south of Los Angeles to be elected to the United States House of Representatives; the first woman to serve as California Secretary of Business, Transportation and Housing; and the first woman to serve as a California governor's chief of staff.

"You begin your legal careers in a world far more complex than the one I entered," she told the Class of 2015. "Your class is far more diverse, and thanks to that diversity, your learning experience is better enriched, and you are better prepared to meet the complicated issues of our time."

According to Schenk, the exceptional education provided by USD has readied graduates for 21st century legal practice with classes such as bioethics and technology, classes that were simply unheard of when she attended





Above left: Drew William Garrison, '15 (JD), gives the Student Address at the 2015 Commencement. Above middle and right: Law school graduates celebrate outside the Jenny Craig Pavilion.

USD. She informed graduates that the education they received is a privilege, and with that privilege comes awesome responsibility to be champions of democracy and its institutions.

To do this, she called on graduates first to embrace that which identifies us as Americans rather than focusing on that which divides and separates us.

Schenk is the daughter of immigrants. Her father was a Holocaust survivor. Her mother spoke many languages when she came to America, none of which were English, and although Schenk was born in New York, she didn't speak English until the first grade.

"My parents valued their Eastern European heritage, but they deeply loved their new country and were so grateful for its opportunities. They felt intensely proud of being American, not Hungarian-American, not Czech-American, not Eastern European-American, no hyphens, just American."

Schenk expressed concern over what she sees as an increasing emphasis in the media on a hyphenated America. "I believe we've reached a tipping point in dividing ourselves, one from another. We hyphenate our American identities not just with our ethnic, racial, religious or national backgrounds, but now even with our sexuality. We have made our American identity secondary at a time when we need to be more united than ever to face unprecedented threats at home and abroad."

Schenk feels strongly that we should honor our different backgrounds but warned that those differences must not overshadow our collective American strengths. They cannot become silos that house the seeds of disassociation and separation.

"Over the next 50, yes, 50-plus years, you will speak for the powerful and the powerless. Perhaps you will be the power yourselves," she said. "So I urge you at every step of


your journey to lead by example and make it your personal priority to focus on the American side of whatever hyphen defines you."

As a second way to advocate for democracy, Schenk urged graduates to make civic education and engagement an integral part of their professional and personal lives. She cited a recent study that showed nearly 70 percent of eighth-graders tested nationwide could not identify our government as a democracy. "In essence, these children don't understand that they are living in a democracy, and they don't grasp why that is important."

As soon-to-be lawyers, graduates' stake in democracy and its institutions is enormous, Schenk pointed out. Those institutions are fundamental to the practice of law, and civic education is the keystone to a vibrant, democratic society.

"Democracy is hard work, and sustaining it requires an informed and involved citizenry. By virtue of the exemplary training you received here at USD Law, you are exceptionally qualified to take on the challenge of reinvigorating the civic education and civic engagement.

"You are the best of your generation. In fact, you are the best equipped of any generation yet to address this urgent need. Thus, we all look to you and know that you will meet the challenge. Your road ahead is filled with opportunities to preserve our American heritage and to make it even better for yourself and for those who will come after you.

"To the University of San Diego School of Law Class of 2015, I say, 'This century belongs to you.' Be a full participant in the remarkable adventure of life that awaits you, relish the journey, go out and do good, and thank you for being my future." 

faculty footnotes

The USD School of Law faculty is committed to advancing the study and practice of law. In these pages, learn how our professors are impacting law at national and global levels.



Howard Abrams

Abrams published “The Non-Tax Implications of the Taxation of Partnership Options” in 31 *Bloomberg BNA Real Estate Journal* 12 (with Crnkovich) (2015); and “Partnership Inequalities: The Consequences of Book/Tax Disparities” in 91 *Taxes: The Tax Magazine* 111 (2014).

Abrams presented “The Non-Tax Implications of the Taxation of Partnership Options” at the Bloomberg/BNA Tax Advisory Board Meeting (June 2015) and “Tax Ethics” at the Baker & McKenzie Annual Tax Meeting (January 2015).

Lawrence A. Alexander

Alexander published “Free Speech and Speaker’s Intent: A Reply to Kendrick” in 115 *Columbia Law Review Sidebar* 1 (2015) and “The Misconceived Search for the Meaning of ‘Speech’ in Freedom of Speech” in 5 *Open Journal of Philosophy* 39 (2015).

Alexander’s forthcoming publications include “Distributive Justice and Retributive Justice” in *Oxford Handbook of Distributive Justice* (Olsaretti, ed.) (Oxford University Press, forthcoming 2015); “Freedom of Religion and Expression” in *A Companion to Applied Philosophy* (Lippert-Rasmussen, Coady and Brownlee, eds.) (Wiley-Blackwell, forthcoming 2015); “Ignorance as a Legal Excuse” in *Moral and Legal Ignorance* (Peels, ed.) (Routledge, forthcoming 2015); “Recipe for a Theory of Self-Defense: The Ingredients, and Some Cooking Suggestions” in *The Ethics of Self-Defense* (Coons and Weber, eds.) (forthcoming 2015); and “The Means Principle” in *Legal, Moral and Metaphysical Truths: The Philosophy of Michael Moore* (Ferzan and Morse, eds.) (Oxford University Press, forthcoming 2015).

Alexander presented “Jurisprudence” at the Annual Association of American Law Schools Conference in Washington, D.C. (January 2015) and “Is Dworkin an

Originalist?" at the Dunbar Lecture in Law and Philosophy at the University of Mississippi (October 2014).

Jordan Barry

Barry published "Notable Corporate Tax Articles of 2013" in 143 *Tax Notes* 1314 (with Burke and Gianni) (2014); "Tax Regulation, Transportation Innovation and the Sharing Economy" in 81 *University of Chicago Law Review Dialogue* 69 (with Caron) (2014); and "The Emerging Consensus for Cutting the Corporate Income Tax Rate" (solicited piece) in 18 *Chapman Law Review* 19 (2014).

Barry presented "Tax Regulation, Transportation Innovation, and the Sharing Economy" at the Southern California Business Law Workshop at the University of California, Irvine School of Law (January 2015); "Corporate Inversions" at the Tax Law Society presentation at USD (October 2014); and "PPL and the Arbitrary Foreign Income Tax Credit" at the Tax Policy Colloquium Series at Loyola Law School (September 2014).

Abraham Bell

Bell published "Title in the Shadow of Possession" in *Law and Economics of Possession* (Chang, ed.) (Cambridge University Press, 2015); "Governing Communities by Auction" in 80 *University of Chicago Law Review* 1

(with Parchomovsky) (2014); and "Reinventing Copyright and Patent" in 113 *Michigan Law Review* 231 (with Parchomovsky) (2014).

Bell's forthcoming publications include "Economic Analysis of the Law of Territorial Sovereignty" in *Research Handbook on the Economics of Public International Law* (Kontorovich, ed.) (forthcoming 2015); and "Copyright Trust" in 100 *Cornell Law Review* (with Parchomovsky) (forthcoming 2015).



Sichelman, Barry and Berend Receive USD Honors, Professorships

Three law professors were selected as recipients of the prestigious 2015–16 USD faculty awards. Ted Sichelman (above) was named University Professor; Jordan Barry, Herzog Endowed Scholar; and Laura Berend, Class of 1975 Endowed Professor.

The University Professor award is the highest academic honor bestowed university-wide at USD and is given in recognition of outstanding scholarly achievements in teaching and research. The Herzog Endowed Scholar award recognizes the meritorious teaching and scholarly productivity of one law school professor. The Class of 1975 Endowed Professorship, established by the class of 1975 as its 25-year reunion gift, recognizes the meritorious teaching, leadership and academic accomplishments of a law school professor.

"We can all take great pride and joy in the contributions of these faculty to their disciplines and to the University of San Diego," said former USD President Mary E. Lyons.

The awards will be bestowed at the university's annual Fall Convocation on September 11, 2015.



Lobel's *Talent Wants to Be Free* Wins Two USA Best Book Awards

Professor Orly Lobel's book, *Talent Wants to Be Free: Why We Should Learn to Love Leaks, Raids and Free Riding*, won both the Law and Business Careers categories of the 2014 USA Best Book Awards. The Best Book Awards are presented by USA Book News, a premier online magazine featuring mainstream and independent publishing houses.

In her book, Lobel challenges conventional business wisdom about competition, secrecy, motivation and creativity. Lobel asks how innovators, entrepreneurs, research teams and every one of us who experiences the occasional spark of creativity can triumph in today's innovation ecosystems.

Jeffrey Keen, president and CEO of USA Book News, said this year's contest yielded more than 2,000 entries from mainstream and independent publishers, which were then narrowed down to 400-plus winners and finalists. Awards were presented for titles published from 2012 to 2014.

Laura Berend

Berend's forthcoming publication is *Criminal Litigation in Action*, 3rd Ed. (with Ramirez) (Carolina Academic Press, forthcoming 2015).

Roy Brooks

Brooks published *Legalines: Civil Procedure* (West Academic Publishing, 2014); *The Law of Discrimination—Supplement* (with Carrasco and Selmi) (LexisNexis, 2014); "Helping Minorities by Ending Affirmative Action? A Review

of Mismatch: How Affirmative Action Hurts Students It's Intended to Help, and Why Universities Won't Admit It" in 6 *Georgetown Journal of Law & Modern Critical Race Perspectives* 69 (2014); and "Postconflict Justice in the Aftermath of Modern Slavery" in 46 *George Washington International Law Review* 243 (2014).

Laurence Claus

Claus published "Law's Evolution and Human Understanding" in 51 *San Diego Law Review* 953 (2014).

Margaret Dalton

Dalton presented "The Five Commandments of Special Education" at the National Association of Counsel for Children (with Hatfield) (August 2014).

Donald A. Dripps

Dripps published "Does Liberal Procedure Cause Punitive Substance? Preliminary Evidence from Some Natural Experiments" in 87 *Southern California Law Review* 459 (2014).

Robert C. Fellmeth

Fellmeth published “Expert Testimony in Child-Related Litigation” in *Handbook of Pediatric Forensic Pathology* (with Chadwick) (Byard and Collins, eds.) (Springer Science & Business Media, 2014); “Legal Issues” in *Child Maltreatment, Physical Abuse and Neglect*, 4th Ed. (Chadwick, Giardino and Alexander, eds.) (STM Learning, 2014); and “Unstoppable, Ralph Nader’s Plea to Billionaires” in the Huffington Post (October 2, 2014).

Fellmeth presented “The PUC and the Bagley-Keene Act, a Four-Part Proposal Involving Transparency and Ex Parte Contact Limitation” at the California Hoover Commission (August and October 2014) and “Making the Most of Fostering Connections: Helping Transition-Age Foster Youth Avoid the Subprime Education Trap” at the Annual Conference of the National Association of Counsel for Children (August 2014).

Miranda Perry Fleischer

Fleischer’s forthcoming publications include “The Philosophical Foundations of the Charitable Tax Subsidies” in *The Philosophical Foundations of Tax Law* (Oxford University Press, forthcoming 2015); “Charity and Poverty” in 56 *Boston College Law Review* (forthcoming 2015); and “Libertarianism and the Charitable Tax Subsidies” in 56 *Boston College Law Review* (forthcoming 2015).

Fleischer presented “The Philosophical Foundations of the Charitable Tax Subsidies” at the Symposium on the Philosophical Foundations of Tax Law at the University College of London (May 2015); “Libertarianism and the Charitable Tax Subsidies” at the Tax Policy Colloquium at Pepperdine University School of Law (April 2015); “Utilitarianism and the Wealth Transfer Taxes” at the Tax Policy Colloquium at Loyola Law School (November 2014); and “Charity and Poverty” at the Symposium on Reforming the Charitable Deduction at Boston College (September 2014).

Fleischer moderated “Taxation, Inequality, and Social Mobility” at the Annual Association of American Law Schools Conference in Washington, D.C. (January 2015).

Victor Fleischer

Fleischer published “Carried Interest Should Be Disclosed on Tax Forms and to Private Equity Investors” in *The New York Times* (April 7, 2015); “Eight Tax Loopholes the Obama Administration Could Close” in *The New York Times* (February 18, 2015); “How Obama’s Tax Plan May Not Work as Intended” in *The New York Times* (February 6, 2015); and “Echoes of Piketty in Obama Proposal to Address Income Inequality” in *The New York Times* (January 20, 2015).

Fleischer moderated “Designing a Regulatory System for the Age of

➤ In the News:

On March 10, 2015, Professor Michael Ramsey commented in a *Wall Street Journal* article, discussing whether a traditional treaty or an executive agreement would be best for the White House to pursue in its nuclear talks with Iran. Ramsey said the case rests on choices, not constitutional requirements, and that the “argument isn’t that the president can’t make executive agreements, but, rather, that the president can’t make an executive agreement on an issue of this importance.”

In the News:

On December 31, 2014, Professor Lisa Ramsey was a guest speaker on KQED Radio's "Forum" in a discussion about the controversy surrounding Yosemite's naming rights. Ramsey also commented in a *USA Today* article on January 8, 2015, regarding the dispute. Delaware North Corporation currently owns the naming rights to many of the park's locations, including Curry Village and the Ahwahnee Hotel. If Yosemite signs with a new concessionaire, it may have to pay Delaware North millions of dollars to continue using the names.

Decentralized Virtual Currencies" and was a panelist on Recent Developments in Human Capital Investing at the Annual Association of American Law Schools Conference in Washington, D.C. (January 2015).

Ralph H. Folsom

Folsom published *International Business Transactions: Trade and Economic Relations* (with Gordon, Van Alstine and Ramsey) (West Academic Publishing, 2015); and *State Antitrust Laws* (Matthew Bender, 2015).

Folsom's forthcoming publications include *Connecticut Estates Practice Series* (five volumes) (Thomson Reuters, forthcoming 2015); *International Business Transactions*, 12th Ed. (with Gordon, Van Alstine and Ramsey) (West Academic Publishing, forthcoming 2015); *International Business Transactions: Contracting Across Borders* (with Gordon, Van Alstine and Ramsey) (West Academic Publishing, forthcoming 2015); *International Business Transactions: Foreign Investment Law* (with Gordon, Van Alstine and Ramsey) (Westlaw, forthcoming 2015); *Principles of International Litigation and Arbitration* (forthcoming 2015); "International Discovery in Antitrust Litigation" in *Antitrust Counseling and Litigation Techniques*, 3rd Ed. (von Kalinowski and Sullivan, eds.) (LexisNexis, forthcoming 2015); and "State Antitrust Enforcement"

in *Antitrust Counseling and Litigation Techniques*, 3rd Ed. (von Kalinowski and Sullivan, eds.) (LexisNexis, forthcoming 2015).

Dov Fox

Fox published "Race Sorting in Family Formation" in 49 *Family Law Quarterly* 57 (2015); and "Reproducing Race" in the Huffington Post (October 6, 2014).

Fox's forthcoming publications include "Dualism and Doctrine" in 90 *Indiana Law Journal* (with Stein) (forthcoming 2015) and "The State's Interest in Potential Life" in 43 *Journal of Law, Medicine and Ethics* 2 (forthcoming 2015).

Fox presented "When Regulating Reproduction Establishes Religion" at the Conference on Law, Religion, and American Healthcare at Harvard Law School (May 2015); "Sex and Race Section" at the Symposium on the Rhetoric of Reproduction at Case Western School of Law (April 2015); "Legal Challenges in Reproductive Biotechnology" at the Technology Policy Workshop at the University of California, Los Angeles (February 2015); "Subversive Science" at UCSD/Osher Lifelong Learning Institute Lecture Series at University of California, San Diego (November 2014); and "Response to Hessick, Towards a Theory of Mitigation" at the Southwest Criminal Law Conference at USD (September 2014).

Karl Gruben

Gruben published "Library Director as Counselor and Mediator: Case Study" in *Perspectives of Academic Law Library Directors* (Wu, ed.) (William S. Hein & Co., 2015).

Walter Heiser

Heiser published *California Civil Procedure Handbook: Rules, Selected Statutes and Cases and Comparative Analyses* (LexisNexis, 2014).

Gail Heriot

Heriot's forthcoming publication is "A Dubious Expediency: How Race-Preferential Admissions Policies Hurt Minority Students" (Heritage Foundation White Paper, forthcoming 2015).

Heriot presented "What to Do About Youth Unemployment" at the Showcase Panel on Youth, Employment and the Law at the National Lawyers Conference, Federalist Society in Washington, D.C. (November 2014); and "Passion and Prudence in the Political Process: The Debate Over Federal Civil Rights Policy" at the Conference on Civil Rights in the United States in Washington, D.C. (September 2014).

Heriot was a panelist on the Anglo-American versus Continental Conceptions in Theory and Practice panel at the Rule of Law Colloquium (December 2014) and the Showcase

Panel on Youth, Employment and the Law at the National Lawyers Conference, The Federalist Society (November 2014).

Adam Hirsch

Hirsch published "Disclaimers and Federalism" in *67 Vanderbilt Law Review* 1871 (2014); "Formalizing Gratuitous and Contractual Transfers: A Situational



Ferruolo Receives Prestigious Bernard E. Witkin Award From Law Library Justice Foundation

The Law Library Justice Foundation honored Dean Stephen C. Ferruolo with the 2014 Bernard E. Witkin Award for Excellence in Teaching of the Law in October 2014. Presented annually, the prestigious award honors members of the San Diego legal community for civic leadership and excellence in the teaching, practice, enactment, or adjudication of the law.

"Dean Ferruolo was selected based on his significant services to legal education as the dean of USD School of Law; his unparalleled achievement in education, including a PhD, JD, and two master's degrees; his noteworthy achievement as a practitioner of the law; and his authoritative book on the formation of the university," said retired Judge Victor E. Bianchini, the subcommittee chair for awards and a Board of Trustees member at the San Diego Law Library Foundation.

Bianchini also noted that Ferruolo is a rare consecutive USD recipient; the late Professor C. Hugh Friedman posthumously received the 2014 award. USD's longtime administrator and law school alumna Sister Sally Furay, '72 (JD), also won the award in 2004.



Sohoni's Article Presented at 2014 Harvard/Stanford/Yale Junior Faculty Forum

Assistant Professor Mila Sohoni presented her article, "The Power to Privilege," at the Harvard/Stanford/Yale Junior Faculty Forum in June 2014 at Stanford Law School.

Sohoni's article addresses a new and startling development in the law of delegation: that Congress has for the first time expressly delegated to an administrative agency the power to write rules of privilege. Her article explores the broader implications of migrating the power to write rules of privilege from Congress and the courts, on the one hand, to the executive branch, on the other.

Theory" in 91 *Washington University Law Review* 797 (2014); and "Teaching Wills and Trusts: The Jurisdictional Problem" in 58 *St. Louis University Law Journal* 681 (2014).

Paul Horton

Horton's forthcoming publication is "California Alimony: Part II" in *Journal of Contemporary Legal Issues* (forthcoming 2015).

Michael B. Kelly

Kelly published *Remedies: Cases, Practical Problems & Exercises*, 3rd Ed. (with Weaver, Partlett and Cardi) (West Academic Publishing, 2014).

Herbert I. Lazerow

Lazerow published *Mastering Art Law* (Carolina Academic Press, 2015).

Orly Lobel

Lobel published "The New Cognitive Property: Human Capital Law and the Reach of Intellectual Property" in 93 *Texas Law Review* 789 (2015); "Don't Let the Law Undermine Employee Incentives" in *Harvard Business Review* (with Bessen) (October 2014); and "Use Internships to Enhance Your Company's Footprint" in *The Wall Street Journal* (August 1, 2014).

Lobel's forthcoming publication is "Behavioral Tradeoffs" in *Nudging in Europe: What Can EU Law Learn from Behavioural Sciences* (with Feldman) (forthcoming 2015).

Lobel presented "Understanding the Effect of Regulation on Innovation" at George Washington University (March 2015); "If Talent Wants to Be Free, Who Wins the Race for Talent?" at the Knowledge Summit at the Harvard Club of New York (November 2014); "Human Capital Law" at Seoul National University at Samsung Town (November 2014); and "Startups and IP" at the University of Tokyo (September 2014).

John "Jack" H. Minan

Minan published *The Little Book of Golf Law*, 2nd Ed. (ABA Publishing, 2014).

Frank Partnoy

Partnoy published *Business Organization and Finance: Legal and Economic Principles*, 12th Ed. (with Coffee, Jr. and Klein) (Foundation Press, 2015).

Partnoy's forthcoming publication is "Financial Systems, Crises and Regulation" in *Oxford Handbook of Financial Regulation* (Moloney, Ferran and Payne, eds.) (Oxford University Press, forthcoming 2015).

Partnoy presented "Quantifying Reasonable Doubt" and the keynote address, "Strategic Decision Making, the Art of Delay and Influencing Decisions," at the American Business Trial Lawyers Annual Conference (October 2014).

Jean Ramirez

Ramirez's forthcoming publication is *Criminal Litigation in Action*, 3rd Ed. (with Berend) (Carolina Academic Press, forthcoming 2015).

Lisa P. Ramsey

Ramsey published "Reconciling Trademark Rights and Free Expression Locally and Globally" in *International Intellectual Property: A Handbook of Contemporary Research* (Gervais, ed.) (Edward Elgar Publishing, 2015).

Ramsey presented "Trademark Everything? Why Brands Should Care About Limits on Trademark Rights" at the Works-In-Progress Intellectual Property Law Colloquium at the U.S. Patent and Trademark Office (February 2015) and "Free Speech, Competition and the Structure of Trademark Law" at the 14th Intellectual Property Scholars Conference at Boalt Hall School of Law at the University of California, Berkeley (August 2014).

Michael D. Ramsey

Ramsey's forthcoming publication is *Transnational Law and Practice: Cases and Materials* (with Childress, and Whytock) (Wolters Kluwer Law & Business/Aspen Casebook Series, forthcoming 2015).

Michael B. Rappaport

Rappaport's forthcoming publication is "Why Nonoriginalism Does Not Justify Departing from the Original Meaning of the Recess Appointments Clause" in *Harvard Journal of Law and Public Policy* (forthcoming 2015).

Rappaport debated "Is Originalism the Best Method for Interpreting the Constitution" at Stanford Law School (January 2015).

➤ **In the News:**
On December 29, 2014, *The Wall Street Journal* published an editorial co-written by Professor Michael Rappaport and Northwestern University School of Law Professor John O. McGinnis, in which they call on the next Congress to change the law so the public suffers less inconvenience during government shutdowns. When political parties cannot agree on spending levels, the authors suggest the government continue to spend on discretionary programs at a level close to the amount authorized by the previous year's budget, such as 95 percent.

In the News:
On December 11, 2014, Professor Roy Brooks commented about a CBS wire story that reported on a recent CBS News poll examining the current state of race relations in the nation and the ways in which the Obama administration is handling the current climate. The poll results indicated that race relations have dimmed dramatically since President Obama was sworn in as the nation's first African-American president. Brooks believes that most Americans, including blacks and whites, are ignorant about racial dynamics in this country.

Maimon Schwarzschild

Schwarzschild published "The Role of the U.S. Supreme Court in the Protection of Religious Liberty: How Much Autonomy Do You Want?" in *The Culture of Judicial Independence: Rule of Law and World Peace* (Shetreet, ed.) (Martinus Nijhoff, 2014) and "How Much Autonomy Do You Want?" in *51 San Diego Law Review* 1105 (2014).

Ted Sichelman

Sichelman's forthcoming publication is "Startups and the Patent System: A Narrative" in *Law and Society Perspectives in Intellectual Property* (Gallagher and Hallbert, eds.) (forthcoming 2015).

Sichelman was a panelist on the Software Tools, Automation and Machine Learning for Practicing IP Law panel at the 15th International Conference on Artificial Intelligence & Law at USD School of Law (June 2015); and the Academics Panel at the Fifth Annual USD School of Law Patent Conference at USD School of Law (January 2015).

Sichelman organized the IP Speakers Series at USD School of Law (2015).

Steven D. Smith

Smith's forthcoming publication is "Die and Let Live? The Asymmetry of Accommodation" in *Southern California Law Review* (forthcoming 2015).

Mila Sohoni

Sohoni published "The Power to Privilege" in *163 University of Pennsylvania Law Review* 487 (2015).

Sohoni's forthcoming publications include "The Problem With Coercion Aversion: Novel Questions and the Avoidance Canon" in *Yale Journal on Regulation Online* (forthcoming 2015); and "Administrative Constitutional Change" in *William and Mary Law Review* (forthcoming 2016).

Sohoni presented "Administrative Constitutional Change" at the AALS Annual Meeting (January 2015) and at the Southern California Junior Faculty Workshop at Loyola Law School (September 2014) and "The Power to Privilege" at the Seventh Annual Junior Faculty Federal Courts Workshop at the University of Georgia School of Law (October 2014) and at the Summer Workshop at Brooklyn Law School (August 2014).

Sohoni was a panelist on the Nondelegation, Complexity and the Administrative State panel at a conference on the Constitution and the Administrative State at Stanford Law School (April 2015).

Horacio Spector

Spector published "The Theory of Constitutional Review" in *Constitutional Review and Democracy* (Jovanovic, ed.) (Eleven International Publishing, 2015).

Spector's forthcoming publication is "The Moral Asymmetry between Acts and Omissions" in *Legal, Moral, and Metaphysical Truths: The Philosophy of Michael Moore* (Ferzan and Morse, eds.) (Oxford University Press, forthcoming 2015).

Edmund Ursin

Ursin published "The California Supreme Court and Judicial Lawmaking: The Jurisprudence of the California Supreme Court" in *9 California Legal History* 383 (2014).

Jorge A. Vargas

Vargas' forthcoming publications include "Energy Reform in Mexico: After 77 Years President Peña Nieto Opens Up the Oil Sector to Foreign Investors" in *San Diego Journal of Climate and Energy Law* (forthcoming 2015); and "Expulsion of Foreigners in Mexico: A Commentary on the New Administrative Procedure of Exclusion proposed by President Enrique Peña Nieto Pursuant to the Reglementary Act of Article 33 of the Constitution" in *San Diego International Law Journal* (forthcoming 2015).

Vargas presented "Fray Antonio, California Exploration and the Gray

Whale" at the Bridges Academy Lecture Series at USD (April 2015).

Mary Jo Wiggins

Wiggins published "Assisted Person," "Bankruptcy Assistance," "Custodial Control of Estate Property," "Debt Relief Assistance," "Disclosures," "Requirements for Debt Relief Agencies" and "Turnover of Estate Property" in *Collier on Bankruptcy*, 16th Ed. (Resnick and Sommer, eds.) (Lexis Nexis, 2015).

Wiggins' forthcoming publication is *Questions & Answers: Bankruptcy*, 2nd Ed. (with Markell) (LexisNexis, forthcoming 2015).



Berend Receives 2015 E. Stanley Conant Award

Professor Laura Berend, '75 (JD), was presented with the E. Stanley Conant Award in April 2015 by the Federal Defenders of San Diego, Inc. (FDSDI) Defender Board. The award recognizes exceptional and unselfish devotion to protecting the rights of the indigent accused.

Berend, who teaches in the areas of ethics, evidence advocacy, and criminal trial practice, is well known in the San Diego legal community for her work with USD Legal Clinics, her participation in coordinating the annual Community Defenders conference and her commitment to protecting the rights of those who cannot afford representation.

class action

Class Action compiles news about alumni from independent submissions and media resources. Submit your news at law.sandiego.edu/keepintouch, or email your update and photo (jpg or tif format, 300 dpi) to lawpub@sandiego.edu.



'66

Vern Schooley received the prestigious A. Sherman Christensen Award from the American Inns of Court.

'76

Jose Razo appointed to the California Workers' Compensation Appeals Board.

Gary Schons named of counsel at Best Best & Krieger LLP.

'77

Robert Butterfield named a "2015 Top Lawyer" by *San Diego Magazine* for the employee benefits specialty.

'78

David Camp joined PricewaterhouseCoopers U.S. as senior policy advisor.

Frederick Schenk re-appointed by Gov. Jerry Brown to serve on the board of directors to the San Diego County Fair Board 22nd District Agricultural Association.

'80

Douglas Armstrong joined Hanson Bridgett LLP's San Francisco office as of counsel.

Monty McIntyre elected 2014 president of the San Diego chapter of the American Board of Trial Advocates.

'82

Mitchell Reichman elected a member of the executive council of the family law section of the State Bar of Arizona.

Susan Roney recognized by *Buffalo Business First* as among this year's "Legal Elite."

Vickie Turner named "Woman of the Year" for the California 79th Assembly District.

'83

Robert Francavilla selected as a San Diego "Lawyer of the Year" for products liability litigation/plaintiffs in the 2015 edition of *The Best Lawyers in America*.

'85

Sharon Levin joined WilmerHale's New York office as a partner.

'86

Michael Di Roma promoted to chief division counsel at the Federal Bureau of Investigation, Sacramento Division.

'87

Gregory Brown elected to the American Board of Trial Advocates.

Jodi Doucette joined Sullivan Hill as of counsel.

Doug Friednash named chief of staff for Colorado Gov. John Hickenlooper's office.

Gwen Rutar Mullins included in *The Best Lawyers in America* for 2015.

Donna Starr-Deelen wrote *Presidential Policies on Terrorism: From Ronald Reagan to Barack Obama*, published by Palgrave Macmillan in May 2014.

Helene Wasserman

elected to the Institute for Corporate Counsel's advisory board.

James Zimmerman elected as 2015 chairman of the American Chamber of Commerce in China.

'88

Don Soderberg

appointed director of the Nevada Department of Employment, Training and Rehabilitation.

Christopher Wellborn

named treasurer of the National Association of Criminal Defense Lawyers.

'90

Teresa Beck honored by the Lawyers Club of San Diego with the Belva Lockwood Award.

Karen Gorham named Strafford County, N.H., Superior Court clerk.

Jeannine Pacioni promoted to Monterey County assistant district attorney.

Excellence First

HEWITT HONORED WITH HUGHES CAREER ACHIEVEMENT AWARD

Karen P. Hewitt, '89 (JD), received the 2015 Author E. Hughes Career Achievement Award. Established in 1995, the award is named in honor of USD President Emeritus Author E. Hughes and is presented annually to an alumnus/a from each of the five schools who embodies commitment to excellence.



Formerly a United States attorney for the Southern District of California, Hewitt successfully litigated hundreds of cases in federal court over two decades. During her tenure, she led a staff of 275 employees and expanded criminal prosecutions in many areas, making

San Diego's U.S. Attorney's Office the third busiest out of 94 U.S. Attorney's Offices throughout the nation for felony prosecutions.

Hewitt is now the partner-in-charge at Jones Day's San Diego office. She represents companies in civil and criminal investigations and in complex business litigation. Hewitt's practice focuses on defending matters involving possible violations of federal law, including the Anti-Kickback Statute; the Foreign Corrupt Practices Act; the False Claims Act; and the Food, Drug and Cosmetic Act.

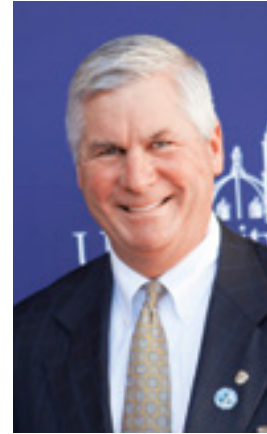
Luminary Alums

MORRELL AND STEVENS RECEIVED DISTINGUISHED ALUMNI AWARD

John L. Morrell, '84 (JD), and **Todd F. Stevens**, '88 (JD), were honored with the 2014 Distinguished Alumni Award. The award is presented to alumni who have excelled in the legal field or other chosen profession at an exemplary level and who embody the ethical standards and commitment to community service USD seeks to instill in its graduates.

Morrell was elected chairman and managing partner of Higgs Fletcher & Mack, LLP in 1997. In addition to leading the firm's management, he has a full-time commercial and bankruptcy practice, almost equally balanced between creditor and debtor representation in insolvency matters. He has handled numerous complex reorganization and liquidation cases.

Stevens is a shareholder at the San Diego-based law firm of Keeney Waite & Stevens, where he specializes in real estate and business litigation. He serves as an expert witness, mediator and arbitrator and regularly speaks at conferences, professional real estate organization meetings and industry seminars on issues of risk management, state license requirements and real estate best practices.



Todd F. Stevens, '88 (JD), and John L. Morrell, '84 (JD).

'91

Mark Brnovich elected Arizona's Attorney General.

Ted Wacker named president of the Orange County Trial Lawyers Association.

'93

John Dawson (LLM) joined Dickinson Wright PLLC as an associate at the firm's Las Vegas branch.

Matthew Frank promoted to vice president of Global Ethics and Compliance Counsel for Johnson Controls.

Thomas Lebens appointed co-chair of the Cybersecurity and Privacy Subcommittee of the American Intellectual Property Law Association Trade Secret Law Committee.

Thomas Molins named partner at Husch Blackwell's Kansas City, Mo., office.

'96

Andrew Campion, '96 (JD), '98 (LLM), named CFO of Nike.

Stacey James elected to Littler Mendelson PC's Board of Directors.

'97

Thomas Franklin listed by The Best Lawyers in America for Patent Law and "IP Star" by *Managing Intellectual Property* magazine.

Alexis Gutierrez named to Board of Directors for the United Way of San Diego.

Alex Imberg, (LLM), appointed to the Board of Directors of New York and San Francisco's German American Chambers of Commerce.



Buck B. Endemann, '07 (JD),
and Dean Stephen C. Ferruolo.



Dean Stephen C. Ferruolo and
Scott Martinez, '06 (JD).

'98

Robert Gleason named to the Federal Reserve Bank of San Francisco's Los Angeles Branch Board of Directors.

'99

Matthew Buttacavoli elected 2015 president of the Italian American Lawyers of Orange County.

'00

Matthew Butler nominated as commissioner for the Election Assistance Commission and named chief of staff for the Democratic National Committee's 2016 presidential nominating convention in Philadelphia.

Todd Philips has joined Southwest Strategies as public affairs manager.

Bryn Spradling named managing partner at Duckor Spradling Metzger & Wynne.

'01

Stelios Chrisopoulos opened Wilcox Dunakin Chrisopoulos, LLP, a civil litigation firm in San Clemente, Calif.

Roger Liu joined Miller, Morton, Caillat & Nevis, LLP, as of counsel to its San Jose and Newport Beach offices.

Shawn Weber installed as president of Collaborative Practice California, the statewide organization for collaborative practice groups.

'02

Joseph Alter promoted to vice president, general counsel and corporate secretary at AK Steel.

Rising Stars

ENDEMANN AND MARTINEZ CLINCH NEWBIE AWARD

Buck B. Endemann, '07 (JD), an associate at Paul Hastings LLP, and **Scott Martinez**, '06 (JD), Denver city attorney, received the 2014 Rising Star Recent Alumni Award. The award is presented to law school alumni who have graduated within the past 10 years and have made significant achievements in the legal profession or other chosen field, and demonstrate a high level of community involvement.

Endemann is an associate in the environmental and energy practice group of Paul Hastings LLP in San Francisco. He provides comprehensive environmental counseling on energy, infrastructure, and remediation projects; represents clients in related litigation; and provides regulatory counsel to manufacturers and waste handlers on nearly all of the federal and state environmental laws.

Martinez was appointed Denver city attorney in January 2014. As city attorney, he has been on the forefront of major legal issues, including the implementation of the nation's first retail sales of marijuana; revamping city laws to allow for open data sharing; challenging the legal framework prohibiting marriage equality; and tackling the legal issues around public safety.

New Jurists

RODRIGUEZ, KALEMKIARIAN AND COREY NAMED SUPERIOR COURT JUDGES

In December 2014 and March 2015, respectively, Gov. Jerry Brown appointed **Sharon L. Kalemkiarian**, '89 (JD), and **Lisa R. Rodriguez**, '95 (JD), to judgeships in the San Diego County Superior Court. Alaska Gov. Sean Parnell appointed **Michael Corey**, '85 (JD), to the Anchorage Superior Court in July 2014.

Since 2000, Kalemkiarian has been a partner at Ashworth, Blanchet, Christenson and Kalemkiarian. She was an adjunct professor at USD from 2010 to 2014, where she taught a course on family law. She fills the vacancy created by the conversion of a court commissioner position on February 7, 2014.

Rodriguez has served as a deputy district attorney at the San Diego County District Attorney's Office since 1998 and an adjunct professor at USD since 2014. She fills the vacancy created by the retirement of Judge Susan D. Huguenor.

Corey has been in private practice in Anchorage since 1985, first with Wuestenfeld & Corey, LLC, and then with Jermain, Dunnagan & Owens, PC. He fills the vacancy created by the retirement of Judge Sen Tan.

Hail to the Chief

FRIEDNASH NAMED COLORADO GOVERNOR'S CHIEF OF STAFF

Doug Friednash, '87 (JD), was named Colorado Governor John Hickenlooper's chief of staff, effective February 2, 2015.

Friednash previously served as a shareholder at Brownstein Hyatt Farber Schreck, where he managed government relations and public policy. Prior to that, Friednash served as the Denver city attorney.

As chief of staff, Friednash will oversee the management of state agencies, advise the governor and cabinet members on state issues and provide crisis management support, help fill critical positions within the cabinet and senior staff, and support Alan Salazar as he continues to oversee policy and legislative initiatives.

Reserve Appointment

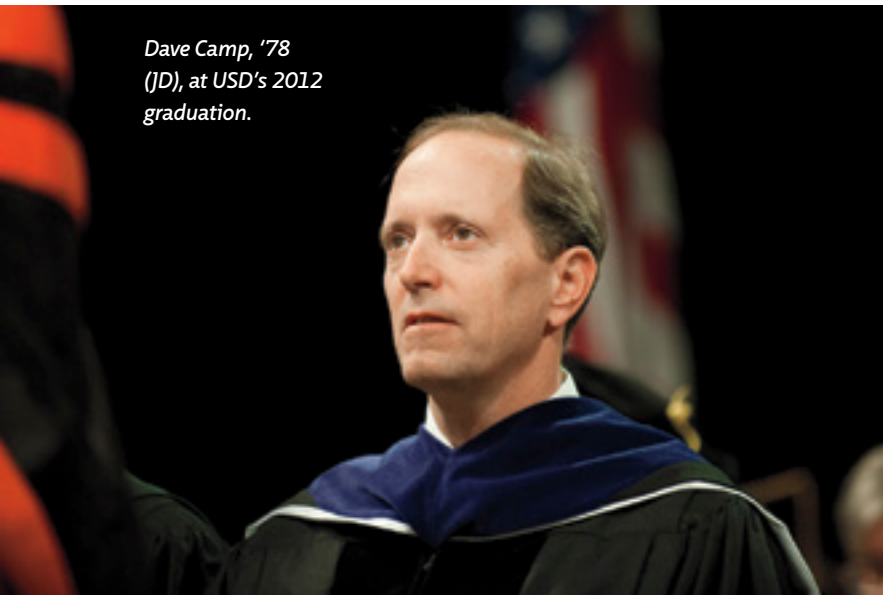
GLEASON NAMED TO FEDERAL RESERVE BANK BRANCH BOARD

In January 2015, the Federal Reserve Bank of San Francisco appointed **Robert H. Gleason**, '98 (JD), to the board of directors of its Los Angeles branch.

Gleason, appointed president and CEO of San Diego-based Evans Hotels in 2014, spent 15 years as the company's chief financial officer and general counsel.

In his role on the board, Gleason will oversee management of the Reserve Bank and its branches, participate in the formulation of national monetary and credit policies, and act as a link between the government and the private sector.

Dave Camp, '78 (JD), at USD's 2012 graduation.



Olga Alvarez named certified legal specialist in estate planning, trust and probate law by the State Bar of California Board of Legal Specialization.

Paul Greco named chief deputy district attorney of Santa Barbara County Santa Maria office.

Jesse Hindman promoted to partner in DLA Piper's downtown San Diego office.

Elsa Ramo honored in the 2015 Women Impact Report from *Variety* and dubbed one of the "Women to Watch" by Sydney Levine from *Indiewire*.

'04

Anthony Golden elected partner at Fisher & Phillips LLP's Las Vegas branch.

Lee Taylor named vice president of technology sourcing of Edison Nation Medical.

'05

Candice Kim named shareholder at international law firm Greenberg Traurig, LLP.

Amit Parekh elected partner at Bryan Cave LLP.

Brian Pick elected partner at Downey Brand LLP.

Lauren Rinsky, '05 (JD), '06 (LLM), joined Royse Law Firm as an associate.

'07

Erin Del Val joined Faegre Baker Daniels' Des Moines, Iowa, office.

Camp Joins PwC

CAMP TAKES CONGRESSIONAL EXPERIENCE AND SKILLS TO PRICEWATERHOUSECOOPERS

Former U.S. House of Representatives' Ways and Means Committee Chairman **Dave Camp** (R-Mich.), '78 (JD), joined PricewaterhouseCoopers (PwC) as a senior policy advisor based in its Washington, D.C., national tax services practice in March 2015.

Recognized for his leadership in advancing federal tax reform, Camp led the Ways and Means Committee for the last four years until retiring from Congress in 2015. In his role at PwC, he will continue to focus on the economic, tax, international trade and health care policy issues that were his responsibility during the 24 years he served in the House.

Camp provides his perspective to PwC clients on important federal policy issues, including tax reform, the economy and the impact of proposed policy changes on businesses. He helps clients navigate the dynamic legislative and regulatory process to develop successful strategies and advance policies meant to improve economic growth and competition in global markets.

Camp also provides valuable insight on the global business environment, including issues specific to initiatives forwarded by the Organisation for Economic Co-operation and Development, the Paris-based global cooperative that promotes policies that improve the economic and social well-being of people around the world.

Fortune 500

➤ **CAMPION NAMED NIKE CFO**
Andrew Champion, '98 (LLM), '96 (JD), has been named chief financial officer for Nike, the Beaverton, Ore.-based worldwide leader in athletic footwear, apparel and fitness accessories.

Champion joined Nike in 2007 as the vice president of global planning and development, responsible for managing Nike's long-range financial and strategic planning. In 2010, he became CFO of the Nike Brand, responsible for leading all aspects of financial management for nearly 90 percent of Nike's business. In 2014, he was promoted to senior vice president of finance, strategy and investor relations.



Catherine Hanna-Blentzas named shareholder at Sullivan Hill.

John Teague named a "Rising Star" in the annual list of the Top Attorneys in San Diego by *Super Lawyers Magazine*.

'08

Hali Anderson graduated from the Leadership Council on Legal Diversity's 2014 Fellows Program.

Haley Morrison joined Tonkon Torp LLP's labor and employment practice group.

'09

Jason Jones awarded for distinguished public service at the 62nd Annual Attorney General's Awards Ceremony.

'10

Laura Brooks joined Ballard Spahr LLP as an associate in the business and finance group.

Annie Hu joined Snell & Wilmer's Orange County office as an associate.

James Rudolph, (LLM), appointed to a one-year Franklin Fellowship at the U.S. Department of State in Washington, D.C.

'13

Seth Bradley joined Winstead PC's real estate finance practice group.

Shannon Finley joined Petit Kohn Ingrassia & Lutz as an associate.

Stephanie Sweat joined Lewis Roca Rothgerber's Denver office as an associate.

AZ's AG

BRNOVICH ELECTED ARIZONA'S NEW ATTORNEY GENERAL

Mark Brnovich, '91 (JD), won the race to become Arizona's next Attorney General.

Brnovich is a former senior fellow at the Goldwater Institute in Phoenix. He also served as director of the organization's Center for Constitutional Government. Before joining the Goldwater Institute, Brnovich served for five years as an assistant attorney general for the state of Arizona and six years as a deputy county attorney for Maricopa County.

> Alumni

'62

Judge Harvey Hiber Jr. passed away on June 23, 2014, at St. Paul Health Center in Denver, from cancer. He is survived by his three daughters and eight grandchildren. Hiber was a former Navy SEAL and, after 25 years as a partner at a San Diego firm, was appointed to the bench.

'63

Gus Pappas passed away on March 9, 2015. He is survived by his wife, two sons and three daughters.

'64

Col. Fred Tschopp (ret.), 83, passed away on December 30, 2014, from complications following a stroke in early 2014. He is survived by his wife and three sons. Tschopp proudly served his country, having retired from the United States Marine Corps (Reserves) after 30 years of service. In retirement, he continued to use his law degree by doing *pro bono* work for the Ventura County Bar Association.

'65

Judge William Draper Jr., 79, passed away on January

18, 2015. He is survived by his wife, three children, six grandchildren and three great-grandchildren. Draper joined the San Diego District Attorney's Office and served as a deputy district attorney until 1985. He was then appointed to the San Diego Municipal Court bench. Draper was later elevated to the Superior Court bench, where he served until retiring in 2002.

John Roche, 85, alumnus and former USD law professor, passed away on November 25, 2014.

Alonzo Kendall Wood, 77, passed away on July 4, 2014. He is survived by his wife, two daughters and four grandchildren.

'66

Philip Altfest, 74, passed away peacefully at his home in Del Mar, Calif., on June 30, 2014, after a lengthy illness. He is survived by his wife, Barbara; his four children; and his grandson.

'72

Sister Sally Furay, 88, passed away on January 10, 2015. She was academic vice president and provost at USD for 25 years, taught courses in English and in law, and held

administrative roles as dean of arts and sciences and department chair.

'73

Walter Shaffer Jr., 87, passed away on March 23, 2015, and is survived by his wife, six children, 12 grandchildren and three great-grandchildren. He worked for the State Board of Equalization, where he was district administrator for San Diego and Imperial counties. Shaffer retired from the state in 1988 and continued to practice law.

'74

Frederick Hill, 72, passed away on March 14, 2015, after a long illness. He is survived by his two sons and two grandsons. Lt. Col. Hill served in the Air Force from 1964 to 1969 and retired from the Reserves in 1992.

William Seligman, 88, passed away on October 6, 2014. He is survived by his wife, two children, three grandchildren and two great-grandchildren.

'76

Lezetta Davis, 91, passed away on November 5, 2014. She maintained a private practice for more than 20 years in San Diego.

'79

David Lucey, 62, passed away on June 24, 2014. Lucey was a devoted father, a dedicated practitioner of the law, a passionate writer and reader, and a true believer in the power and value of philosophical inquiry. He is survived by his brother, sister and daughter.

Raymond Noonan passed away on February 4, 2015, following a brief illness. He practiced law in California for many years before relocating to Pawtucket, R.I. He continued to practice law and was a member of the Rhode Island bar.

'85

Gail Atkinson, 67, passed away on December 14, 2014, in Florida at the end of a Caribbean voyage. She practiced law as a research attorney for the state of California.

Bonnie Brown, 54, passed away on July 13, 2014.

Barry Vrevich, 57, passed away on January 12, 2015, and is survived by his wife and three children. He was a founding partner of the law firm Maxie, Rheinheimer, Stephens and Vrevich, LLP and Vrevich & Associates, APC.

'90

David Morgan, 54, passed away on February 1, 2015.

'91

Jon Milliken, (LLM), passed away at his home in Ramona, Calif., on October 12, 2014. He is survived by his wife, two children, three grandchildren, and great-grandson. He retired in 1990 as a senior officer and attorney from the Navy's Judge Advocate General's Corps.

'97

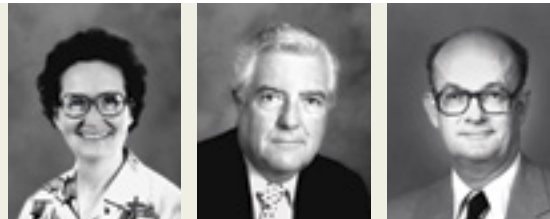
Derek Kurtz, 45, passed away on December 15, 2014, after a long fight with lung cancer. He is survived by his five daughters and soul mate.

'02

Jeff Bullingham Jr., 38, passed away on November 27, 2014, in Tarzana, Calif., following a brief illness.

'07

Brian Glassco, 34, passed away peacefully in his sleep on December 11, 2014. He is survived by his wife and two young children.



From left: Sister Sally M. Furay, '72 (JD); Peter J. Hughes; and Josiah L. Neeper.

Honoring Legacies

Law school alumna and former USD administrator **Sister Sally M. Furay**, '72 (JD); USD Board of Trustees emeritus **Peter J. Hughes**; and former USD general counsel and adjunct professor **Josiah L. Neeper** were among five attorneys honored at the Distinguished Lawyer Memorial (DLM) Ceremony on April 22, 2015.

The DLM gives special and permanent recognition to deceased lawyers and judges of the San Diego County Bar who demonstrated superior legal skills and high ethical standards throughout careers of significant length and who demonstrated commitment to the entire community.

Sister Furay served as academic vice president and provost at USD for 25 years. She also taught courses in English and law and held administrative roles as dean of arts and sciences and department chair. Beginning in 1968, while dean, she attended law classes in the evenings, earning her JD degree in 1972. Sister Furay died on January 10, 2015. She was 88.

Hughes was trustee emeritus at USD, sitting on the Board of Trustees from 1973 to 2009. He was chairman from 1996 to 1999. Hughes died on December 5, 2014, after suffering a heart attack at his home. He was 86.

Neeper served as general counsel to USD and was an adjunct professor of labor law at USD School of Law for over 20 years. He suffered from Parkinson's disease and passed away peacefully at his home on October 29, 2012. He was 82.

calendar



Visit the alumni calendar for a current listing of events and registration: law.sandiego.edu/alumni-events.

Regional alumni events are regularly held in San Diego/North County, Los Angeles, Orange County, San Francisco, Silicon Valley, Sacramento, Riverside/San Bernardino, Washington, D.C., New York, Phoenix, Las Vegas, Salt Lake City, Portland, Denver, Dallas, Austin, Houston, Boston, Chicago and Seattle.

SEPTEMBER 2015

September 9

Las Vegas Alumni Happy Hour

September 19

Orange County Alumni Chapter Kick-Off

OCTOBER 2015

October 5

Red Mass

October 14

Portland Alumni Happy Hour

October 29

Boston Alumni Happy Hour

NOVEMBER 2015

November 17

Phoenix Alumni Reception

DECEMBER 2015

December 8

Denver Alumni Holiday Party

December 10

San Diego Recent Alumni Holiday Party

December 12

USD Alumni Mass

JANUARY 2016

January 5

Washington, D.C. Alumni Happy Hour

January 7

New York Alumni Happy Hour

January 23

USD Beer Classic

FEBRUARY 2016

February 2

Dallas Alumni Happy Hour

February 3

Austin Alumni Happy Hour

February 4

Houston Alumni Happy Hour

February 23

Careers in the Law

MARCH 2016

March 22

Orange County Alumni Reception

March 22

Riverside Alumni Luncheon

March 23

Los Angeles Alumni Reception

APRIL 2016

April 7

San Diego Alumni Reception

April 12

Sacramento Alumni Reception

April 13

San Francisco Alumni Reception

April 14

Silicon Valley Alumni Luncheon

MAY 2016

May 13

Graduation Mass

May 14

School of Law Commencement

Spotlighting members of the USD School of Law community at reunions, receptions and other special events



DISTINGUISHED ALUMNI AWARDS

1. 2014 Distinguished Alumni Award honoree **Todd F. Stevens**, '88 (JD), and 2014 Rising Star Recent Alumni Award honorees **Buck B. Endemann**, '07 (JD), and **Scott Martinez**, '06

(JD), at the Westin Gaslamp Quarter in downtown San Diego.

2. Dean **Stephen C. Ferruolo** and 2014 Distinguished Alumni Award honoree **John L. Morrell**, '84 (JD).



BAR SWEARING-IN

3. Attendees of the December 2014 Bar Swearing-In Luncheon at Roy's San Diego Waterfront.

4. Class of '14 law alumni **Alexandra L. Preece**, **Jazmine J. Gregory** and **Katherine L. Pruitt** at the December 2014 Bar Swearing-In Luncheon.





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2015 REUNIONS

5. Class of '64 reunion committee members **Betty Evans Boone**, the second female graduate of the law school; **Larry Campbell**; **L. Forrest Price**; and Hon. **Chuck Wickersham** (ret.) with all reunion attendees.

6. Class of '74 reunion committee members **John S. Adler**, **Daniel F. Bamberg**, Hon. **Patricia D. Benke**, **David S. Casey Jr.**, **Susan V. Cook**, **Steven P. Daitch**, Hon. **J. Richard Haden** (ret.), **George G. Strong Jr.**, **Francis "Frank" J. Tepedino**, **John D. Thelan** and **Pat Zaharopoulos** with reunion attendees.

7. Class of '84 reunion committee members **Beth K. Baier**, **Steven J. Cologne**, **Stephen P. Doyle**, **Robert J. Gaglione**, **Andrew B. Kaplan**, **Janet M. Madden** and **Debbie J. Rider** with reunion attendees.



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8. Class of '94 reunion committee members **Margaret A. Dalton**, **Denise M. Hickey**, **Peter J. Salmon**, **Christine G. Thoene** and **Emil J. Wohl** pictured with reunion attendees.

9. Class of '04 reunion committee members **Sarah R. Brubaker**, **Bibianne U. Fell**, **Kyle E. Rowen**, **Laurie G. Rowen**, **Jeffrey M. Singletary**, and **Suzanne E. Skov** with reunion attendees.

10. Class of '09 reunion committee members **Chuck Billinger**, **Anna Gabriele**, **Ashley T. Hirano**, **Lois (Seong) Kim**, **Amos Alexander Lowder**, **Dana Nicholas**, **Christine (Diaz) Reynolds**, **Marshall Stone**, **Sherlin Tung** and **Taylor (Wallace) Israel** pictured with reunion attendees.



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USD School of Law Milestone Alumni Reunions

1965

Saturday, October 3

1975, 1985, 2010

Friday, October 23

1995, 2005

Saturday, October 24

Reunion news will be sent by email, so please update
your contact information:
law.sandiego.edu/alumniupdate.

For more information, contact the Office of Development
and Alumni Relations at (619) 260-4692 or
lawalum@sandiego.edu.

View updated reunion information:
law.sandiego.edu/reunions.

Distinguished Alumni Awards

Friday, November 20

Holiday Inn
San Diego Bayside
11:30 a.m.

For more information and for sponsorship
opportunities, call (619) 260-4692 or email
lawalum@sandiego.edu.

Visit the Distinguished Alumni Awards
website at law.sandiego.edu/daa.

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