

University of San Diego School of Law

advocate



Justice Is **SERVED**

Members of USD School of Law's Appellate Clinic helped an unjustly incarcerated U.S. resident avoid wrongful deportation

Plus: Congressman David Camp '78 shares words of wisdom with the Class of 2012

Fall 2012



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More than just another law school, USD School of Law is leading the way to a brighter tomorrow. As a world-class center for legal education, the law school is making a profound impact around the globe. Through the work of our distinguished faculty, talented students, and innovative centers and programs, we are educating future leaders while seeking solutions to some of today's largest legal challenges.

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In his inspiring keynote speech at USD School of Law's 55th Conferral of Law Degrees, U.S. Congressman David Camp, '78, discussed the many privileges and responsibilities that come with choosing a legal career.





On the cover, from left: Appellate Clinic students Natasha Wu, James Baumann, Jamie Ritterbeck, Jessica Sudweeks and Ryann Sweeney, with Professor Michael Devitt (center).

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Editor

Ashley Vitale

Section Editors

Jonathan Jekel '14
 Tina Safi '14

Contributors

Shari Baurle
 Michael Devitt
 Raymond Penney
 Patrick Riedling

Photographers

Larry Blankenbecler
 Alan Decker
 Grace Goodale
 Tim Mantoani
 Pablo Mason
 Marshall Williams
 Allen Wynar

Design

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Please address all correspondence to:

The *Advocate*
 University of San Diego School of Law
 5998 Alcalá Park
 San Diego, CA 92110-2492
 Phone: (619) 260-4207
 Email: lawpub@sandiego.edu
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“THIS IS WHY WE CAME TO LAW SCHOOL.”

In recent months, hardly a day passes without more negative news about the state of the legal profession, legal education and law schools. In newspapers, on television and the radio and, above all on the Internet and in blogs, discussing the shortcomings of law schools, the difficulties law graduates confront finding jobs and the diminished value of a law degree has become a national pastime.

As you read this issue of the *Advocate*, you will see that, despite all this, our law school remains vibrant and focused on its mission. We are unwavering in our plans to build a stronger, albeit smaller, law school and to further enhance the high-quality legal education we offer. In leading these efforts as dean, I am inspired by the achievements of our students, our graduates and our faculty highlighted in this publication.

“This is why we came to law school,” says James Bauman, ’12, one of the members of the

USD Appellate Clinic team that won the release of a 35-year legal resident of the United States from federal custody and likely deportation. This commitment to public service has long been exemplary of our students and remains the primary motivation for many of those who come to USD law school. It persists throughout the careers of many of our exemplary graduates, such as our commencement speaker, Congressman David Camp, ’78, the alumni who received our 2011 Distinguished Alumni and Rising Star Awards, and others recognized in this issue of the *Advocate*. That these students and graduates so often attribute their success to the professors who taught them at USD is no surprise given our faculty’s distinguished record of tackling the most important and complex legal issues of our times in their teaching and scholarship, as well as through their own public service and advocacy.

“*This is why we came to law school.*” I remain unabashed in encouraging talented and passionate students like those on our Appellate Clinic team to come to USD School of Law. What could possibly be more valuable to our society than teaching and learning the skills to win freedom for someone wrongly incarcerated? As you read through this issue, you will be reminded of all the great things that can be achieved with a law degree and the reasons why you came—and should encourage others to follow in your footsteps and come—to USD School of Law.

Stephen C. Ferruolo
Dean, USD School of Law

discovery



New Website for Regional Climate Education

In January 2012, USD launched the San Diego Regional Climate Education Partnership website. The website provides updates on an emerging strategic plan to effectively communicate climate science findings and policy to the public. Funded by a National Science Foundation grant, this initiative allows USD and its partners to take the lead in increasing public understanding of climate science. This project is a collaboration between the Energy Policy Initiatives Center, USD, California State University San Marcos, the San Diego Foundation, the Steve Alexander Group, and the Scripps Institution of Oceanography. Visit sandiego.edu/climate to learn more.

SAN DIEGO JUDICIAL RECEPTION

Honoring Local Judges

USD School of Law hosted the inaugural San Diego Judicial Reception at the Hahn University Center on February 28, 2012. The event recognized distinguished members of the San Diego bench and provided students with the opportunity to interact with judicial members. More than 45 judges attended this event, which welcomes local judiciary to campus during the academic year. The next San Diego Judicial Reception will be held on October 23, 2012.





Distinguished Alumni & Rising Stars

USD SCHOOL OF LAW BESTOWS
2011 DISTINGUISHED ALUMNI AND
RISING STAR AWARDS

*Clockwise from top left:
Kristen E. Rizzo, '06;
Stephen P. Doyle, '84;
Catherine L. Tran, '08; and
J. Richard Haden, '74.*

On November 4, 2011, USD School of Law honored four outstanding graduates at the 2011 Distinguished Alumni Awards luncheon. Stephen P. Doyle, '84, president of Brookfield Homes San Diego, and J. Richard Haden, '74, San Diego Superior Court judge (ret.), received USD School of Law's Distinguished Alumni Award, which honors alumni who have distinguished themselves in their field at an exemplary level and who embody high ethical standards and a commitment to community service.

In addition, Kristin E. Rizzo, '06, of the Rizzo Law Firm, and Catherine L. Tran, '08, of Cubic Transportation Systems Inc., were awarded the inaugural Rising Star Recent Alumni Award. Bestowed upon law school graduates of the past 10 years, the award recognizes alumni who have demonstrated a high level of community involvement and who have made significant achievements in their chosen field.

USD School of Law Hosts Special Sitting of U.S. Ninth Circuit Court of Appeals

On February 6, 2012, USD School of Law hosted a special sitting of the U.S. Ninth Circuit Court of Appeals. The three-judge panel included (from left to right) the Honorable Milan D. Smith, United States Circuit judge; the Honorable M. Margaret McKeown, United States Circuit judge; and the Honorable Rudi M. Brewster, United States District judge. The judges heard appeals of decisions by the U.S. district courts for the Central District of California and the District of Nevada. Following the hearings, all three judges answered general questions from students and audience members.



CSCO RECEIVES PRESTIGIOUS GRANT FROM DARLING FOUNDATION

Originalism Update

Professor and Center for the Study of Constitutional Originalism (CSCO) Director Michael Rappaport has been named the school's first Hugh & Hazel Darling Foundation Fellow in Constitutional Originalism. The Hugh & Hazel Darling Foundation recently awarded CSCO a grant of \$250,000 to support the expansion of the school's constitutional originalism speaker series and to sustain the center's annual Works-in-Progress Conference.

TOP (3): ALAN DECKER; BOTTOM: PABLO MASON



Moot Court Team Wins Best Respondent Brief at National Competition

In January 2012, the moot court team of second-year students Chantal McCoy and Hayat Succar was awarded Best Respondent Brief at the Western Regional competition of the Frederick Douglass Moot Court Competition (FDMCC). The team was coached by Joy Utomi, '11, deputy attorney general at the Office of the Attorney General.

“In preparation for the competition, Hayat and Chantal had two to three practices a week for several weeks, where they faced intense questioning from local attorneys,” said Utomi. “Their hard work in the practices definitely paid off, and I’m impressed with the level of advocacy they achieved.”

The FDMCC is an annual competition organized by the National Black Law Students Association (NBLSA), the largest student-run organization in the United States, with nearly 6,000 members.

WILLIAM KRISTOL ON THE 2012 ELECTION



In October 2011, William Kristol discussed “Liberalism, Conservatism and the Tea Party: The Meaning of the 2012 Election” at the annual Joan E. Bowes-James Madison Lecture. The lecture focused on how the 2008 election looked like the end of a 28-year conservative era and the dawn of a liberal era. However, results of the 2010

election put this judgment in doubt. Kristol discussed alternative paths conservatives and liberals might take in the 2012 election and the “constitutionalist” sentiments captured by the Tea Party.

Kristol is editor of the influential Washington-based political magazine *The Weekly Standard*. He is recognized as one of the nation’s leading political analysts and commentators.

campus briefs



Scholarships & Awards

Rosibel Mancillas Lopez '13 Honored for Public Service Commitment

Five outstanding USD School of Law students received leadership awards and key scholarships during the 2011-12 school year: the Cardinal Bernadin New Leadership Award, the Earl B. Gilliam Award, and the Higgs Fletcher & Mack Scholarship.

Cardinal Bernadin New Leadership Award

Rosibel Mancillas Lopez, '13, was selected as the national recipient of the Cardinal Bernadin New

Leadership Award. This honor is given by the Catholic Campaign for Human Development to one young adult who has demonstrated extraordinary leadership in efforts against poverty and injustice in the United States.

"Rosibel's care for immigrants and other people in need is exemplary of the compassionate service that characterizes our very best law students," said USD School of Law Dean Stephen C. Ferruolo. "We are confident that she

will make valuable use of her legal education to serve others throughout her life.”

Earl B. Gilliam Bar Association Awards
Three USD School of Law students were recognized at the Earl B. Gilliam Bar Association’s (EBGBA) 35th Annual Awards and Scholarship Dinner.

Tatiana Kline, '13; Kimberly Washington, '12; and Michael Swift, '13, received scholarships ranging from \$1,000 to \$5,000. These scholarships were given to law students who have attained a high level of academic excellence and demonstrated a commitment to public service. Kline received one of the largest scholarships of the evening:

“We are proud to collectively help one USD student lessen the financial burden of law school.”

-Steve Cologne, Partner, Higgs Fletcher & Mack

\$5,000 funded by Carothers DiSante and Freudenberger LLP.

The Earl B. Gilliam Bar Association is named in honor of the late Earl B. Gilliam, the first African-American U.S. District Court judge for the Southern District of California and the first African-American to serve as a San Diego County Superior Court judge. EBGBA represents the interests of African-American attorneys,

judges, law professors and students in the county of San Diego.

**Higgs Fletcher & Mack LLP
Diversity Scholarship**

Higgs Fletcher & Mack LLP awarded a \$10,000 diversity scholarship to Mellissa Tell, '13. In addition to the funds, Tell will shadow the firm for a day and attend a reception honoring her and the donors.

Tell was awarded the scholarship based on her superior academic achievement, test scores, leadership, service, talent and other personal qualities.

Higgs Fletcher & Mack is a full-service law firm that serves the diverse people and industries of San Diego.

“This scholarship supports our firm’s commitment to promoting diversity in the San Diego legal community,” said Steve Cologne, partner at Higgs Fletcher & Mack. “We are proud to collectively help one USD student lessen the financial burden of law school.”

From left: Tatiana Kline, '13; Michael Swift, '13; Kimberly Washington, '12; and Mellissa Tell, '13.



On January 23, 2012, USD School of Law welcomed Matha L. Minow, Harvard Law School dean and Jeremiah Smith Jr. Professor of Law, for the 28th installment of the Nathaniel L. Nathanson Memorial Lecture series. Minow presented “*Brown v. Board* in the World: How the Global Turn Matters for School Reform, Human Rights, and Legal Knowledge.”

Minow’s lecture explored how global perspectives can and should contribute to this nation’s understanding of our laws. She used the landmark case of *Brown v. Board of Education* as her example.

“This case, which was controversial in 1954 when it was decided, is widely viewed as great and just and also as one of the most memorable decisions of the court,” Minow said.

Minow argued that the decision in *Brown* galvanized the social movement, leading to major legislative and social change, including the Civil Rights Act of 1964, and moving the nation to achieve notable progress toward integration in the 1970s.

“It was a world that we can’t imagine, but that changed because of this ruling,” Minow said. “Today, beyond just race, the treatment of gender, religion and economic class has changed.”

According to Minow, from the perspective of other nations, the decision in *Brown v. Board* serves as a symbol of inspiration. For example, in 2000, the chief justice of Israel’s Supreme Court cited *Brown* in a decision, rejecting a movement by land administrators denying Arabs the right to build homes in certain areas. Minow also mentioned the work of lawyers and advocates in South Africa in the 1970s, who worked to help people of color overcome struggles they faced under apartheid. The South African court has repeatedly cited *Brown* in cases, including a recent one involving Afrikaans-speaking students.



Martha Minow

The Enduring Impact of *Brown v. Board of Education*

Minow concluded by underscoring the importance of a legal education that emphasizes a global perspective. “American legal education should never forget to maintain a strong focus on traditions in our own country and approaches that we have developed here, but we lose crucial insight about our own traditions and possibilities if we do not maintain and deepen a global perspective,” Minow said.

Nathaniel L. Nathanson taught at USD School of Law from 1977 to 1983. The lecture series was initiated in 1984, one year after Nathanson’s death, to memorialize Nathanson, who was beloved by students and faculty. In August 2010, the Nathanson Lecture Series was endowed with a gift from the estate of Leah Nathanson.



Professor Frank Partnoy Holds Financial Institutions Accountable

One of the world's leading experts on the complexities of modern finance and financial market regulation, USD School of Law Professor Frank Partnoy was interviewed on *60 Minutes* in December 2011. Partnoy, the George E. Barrett Professor of Law and Finance, discussed financial whistleblowers who said they tried to warn superiors about defective and even fraudulent mortgages. He explained that, despite legislation designed to fight financial fraud, prosecutors have been reluctant to bring cases.

Partnoy has testified as an expert regarding various aspects of financial markets and regulation before both houses of Congress and advises regulators and major corporations. A prolific author, Partnoy writes regularly for the *New York Times* and the *Financial Times*. His latest book, *Wait: The Art and Science of Delay* (Public Affairs), was published in July.

He is a frequent speaker and a featured expert on radio and television, appearing on such programs as *Fresh Air*, *60 Minutes*, *PBS NewsHour*, and *The Daily Show with Jon Stewart*. During a recent appearance on *Frontline*, Partnoy explained how Wall Street has become good at getting around the law: "They're very good at figuring out a complicated financial structure that achieves some objective that you couldn't achieve otherwise in a legal way."

“Oliver Wendell Holmes said that the law's a prediction of what a judge will do. And we don't have very many people on Wall Street who are worried about what a judge will do in the future. They're not thinking about future consequences.”

—Frank Partnoy on *Frontline*, February 12, 2012

CCSL Welcomes Top Financial Experts to Campus



From left: Consumer advocate Robert Gnaizda, SEC Director of Enforcement Robert S. Khuzami and banking analyst Mike Mayo.

In the past year, the law school's Center for Corporate and Securities Law (CCSL) featured nationally acclaimed experts for conferences on corporate governance, financial regulation and other business law topics.

Navigating Today's Volatile Financial Markets

In October 2011, a panel of distinguished financial experts provided insight and guidance to investors about volatility in the financial markets, the Dodd-Frank Wall Street Reform and Consumer Protection Act of 2010, the role of credit rating agencies, new Commodity Futures Trading Commission derivatives rules, and the link between corporate governance and financial performance. The panel featured Robert Gnaizda, consumer advocate and co-founder of the Greenlining Institute; Yaron Brook, Ayn Rand Institute president and executive director; George Wilder, Commodity Futures Trading Commission legal counsel; and Christianna Wood, International Corporate Governance Network chair.

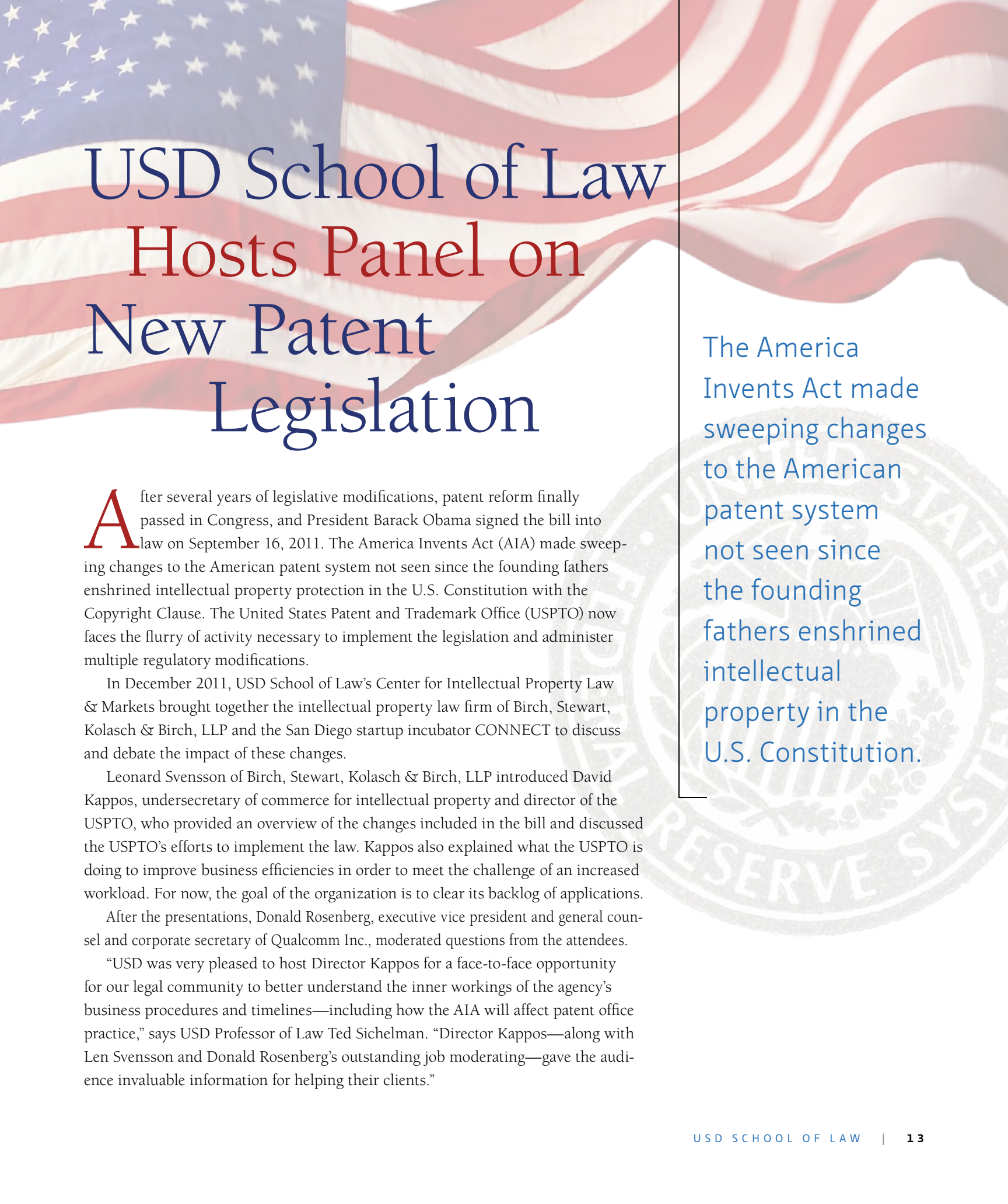
A Conversation with SEC Director of Enforcement Robert S. Khuzami

In January 2012, Securities and Exchange Commission (SEC) Director of Enforcement Robert S. Khuzami spoke

on a number of issues related to enforcement actions by the SEC. Among the highlighted topics were the 10 percent increase in class action cases from 2010 to 2011 and the steps he has taken to revitalize the Enforcement Division. Khuzami also provided some "myth busters" to help attendees understand how the SEC functions to protect the investing public and its cutting-edge use of technology to identify misconduct as quickly as possible.

An Evening with Banking Analyst Mike Mayo

Also in January 2012, CCSL hosted Mike Mayo, banking analyst for Credit Lyonnais Securities Asia. Mayo, often described as a maverick analyst, is the author of *Exile on Wall Street: One Analyst's Fight to Save the Big Banks from Themselves*, which identifies and discusses the three primary causes of the recent financial collapse. Mayo was among the first to determine that the financial crisis actually began in 2007, not 2008.



USD School of Law Hosts Panel on New Patent Legislation

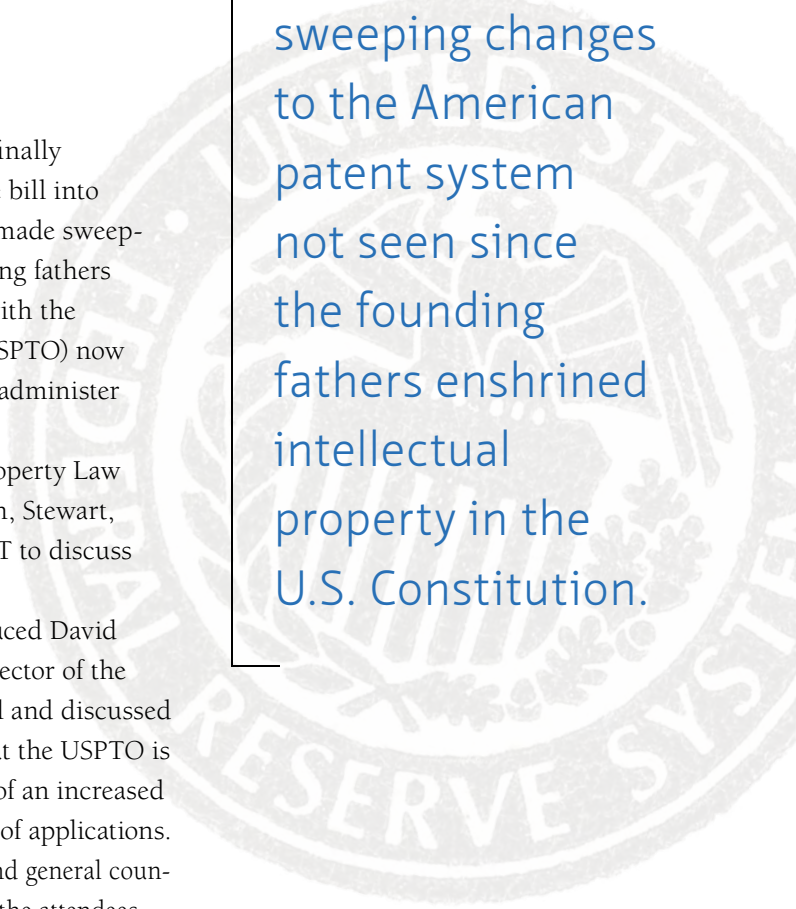
After several years of legislative modifications, patent reform finally passed in Congress, and President Barack Obama signed the bill into law on September 16, 2011. The America Invents Act (AIA) made sweeping changes to the American patent system not seen since the founding fathers enshrined intellectual property protection in the U.S. Constitution with the Copyright Clause. The United States Patent and Trademark Office (USPTO) now faces the flurry of activity necessary to implement the legislation and administer multiple regulatory modifications.

In December 2011, USD School of Law's Center for Intellectual Property Law & Markets brought together the intellectual property law firm of Birch, Stewart, Kolasch & Birch, LLP and the San Diego startup incubator CONNECT to discuss and debate the impact of these changes.

Leonard Svensson of Birch, Stewart, Kolasch & Birch, LLP introduced David Kappos, undersecretary of commerce for intellectual property and director of the USPTO, who provided an overview of the changes included in the bill and discussed the USPTO's efforts to implement the law. Kappos also explained what the USPTO is doing to improve business efficiencies in order to meet the challenge of an increased workload. For now, the goal of the organization is to clear its backlog of applications.

After the presentations, Donald Rosenberg, executive vice president and general counsel and corporate secretary of Qualcomm Inc., moderated questions from the attendees.

"USD was very pleased to host Director Kappos for a face-to-face opportunity for our legal community to better understand the inner workings of the agency's business procedures and timelines—including how the AIA will affect patent office practice," says USD Professor of Law Ted Sichelman. "Director Kappos—along with Len Svensson and Donald Rosenberg's outstanding job moderating—gave the audience invaluable information for helping their clients."



The America Invents Act made sweeping changes to the American patent system not seen since the founding fathers enshrined intellectual property in the U.S. Constitution.



Chief Judge Randall Rader (right) performed with his band, DeNovo.

Patent Attorneys Rock the House at Law Conference

Earlier this year, USD School of Law's Center for Intellectual Property Law & Markets (CIPLM) held its Second Annual Patent Law Conference. Titled the Future of Patent Law, the conference featured many distinguished judges, scholars and attorneys, including Randall Rader, Chief Judge of the Court of Appeals for the Federal Circuit.

The opening evening included a dinner and performance at the House of Blues in downtown San Diego. Attended by nearly 200 attorneys, judges, professors and students, the evening featured four acts, headlined by Chief Judge Rader's classic- and '80s-rock cover band, DeNovo.

"That was the entertainment event of the century for patent lawyers," said CIPLM Director and Professor of Law David McGowan.

The attendees returned to USD the next morning for a day of panels on the future of patent law. The opening session featured U.S. District Judges Marilyn L. Huff, Southern District of California, and Janis L. Sammartino, Southern District of California, as well as Cathy Ann Bencivengo, Southern District of California, and Chief Judge Rader.

The panel was moderated by John Whelan, the former solicitor of the United States Patent and Trademark Office and current dean of IP Studies at George Washington Law School. The judges and Dean Whelan provided invaluable advice to attendees about litigating patent cases and explained the



Above left, from left: Sean Cunningham, DLA Piper; Jeff Guise, Wilson Sonsini Goodrich & Rosati; Carol Johns, Kilpatrick Townsend; Joe Reisman, Knobbe Martens; Alex Rogers, Qualcomm; Professor Ted Sichelman, USD School of Law. Above right: Conference presenters and attendees mingle at a reception.

Provocative panels and a roof-raising performance at the House of Blues made this year's Patent Law Conference an unforgettable event

intricacies of the new Patent Pilot Program, which is underway in 10 districts throughout the country, including the Southern District of California.

Next was a panel of highly regarded patent attorneys and in-house counsel, including Sean Cunningham, DLA Piper; Jeff Guise, Wilson Sonsini Goodrich & Rosati; Carol Johns, Kilpatrick Townsend; Joe Reisman, Knobbe Martens; and Alex Rogers, Qualcomm. This panel discussed the America Invents Act, trends in patent litigation and prosecution, and international patent strategies.

Chief Judge Rader then provided a keynote address on the inner workings of the Federal Circuit and said that implementing electronic filing was his top near-term priority. He described the process by which opinions are reviewed, *en banc* procedures and the court's recent remodeling. Afterward, he answered questions about prior cases and diverse patent law topics, living up to his billing as not only

a judge but also a professor of patent law.

"Chief Judge Rader's keynote was insightful and entertaining, and we're pleased he accepted our invitation to present," said Ted Sichelman, USD law professor and event co-organizer.

After lunch, Sichelman and two other leading patent law professors—Mark Lemley from Stanford Law School and Rob Merges from University of California, Berkeley, School of Law—discussed the America Invents Act.

Finally, Professors Colleen Chien of Santa Clara School of Law and Shine Tu of West Virginia University School of Law presented informative empirical findings in the areas of patent litigation and prosecution.

Overall, the Patent Law Conference was a great success. The House of Blues evening was described by several well-known attorneys as the best patent law event they had ever attended.



From left: Jessica Sudweeks, '12; Natasha Wu, '12; James Baumann, '12; Professor Michael Devitt; Jamie Ritterbeck, '12; Ryann Sweeney, '12.



Students Ensure Justice Is Served

Members of USD School of Law's Appellate Clinic helped a longtime resident of the United States avoid wrongful deportation

Wrongfully incarcerated for more than two years in a federal detention center and awaiting deportation to his native Mexico, Ricardo Oviedo-Cortez wondered if he would ever be able to hold his newly born grandson. He dreamed of once again walking his 7-year-old daughter to school as a free man in the United States—a country he had called home for 35 years. Oviedo-Cortez never gave up hope, but his options for righting the injustice that resulted in his detention and ordered deportation were quickly diminishing. He never imagined that five USD School of Law students, armed with intelligence and tenacity, would rescue him.



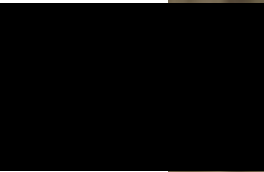
In August 2011, USD School of Law students James Baumann, '12; Jamie Ritterbeck, '12; Jessica Sudweeks, '12; Ryann Sweeney, '12; and Natasha Wu, '12, were selected as members of two USD Appellate Clinic teams. They never could have foreseen that their work, under the skillful supervision of USD School of Law Professor-in-Residence and Appellate Clinic Executive Director Michael Devitt and San Diego attorney Pam Parker, would force the U.S. government to release Oviedo-Cortez and obtain a court-ordered mandate that no legal justification existed for his deportation.

USD's Appellate Clinic provides the unique opportunity for students to litigate a *pro bono* appeal from start to finish before the Ninth Circuit. "This clinic was created for our students to obtain hands-on practical experience and as an outreach to the public," said Professor Devitt. "Students are handling a case in the real world—there's nothing 'mock' about it."

Unjustifiable Deportation

Oviedo-Cortez had been in the custody of the Department of Homeland Security at the San Diego correctional facility for more than two years. A 35-year, legal, permanent resident of the United States and a green card holder, he was incarcerated awaiting deportation based on a government allegation made in a single unsigned, uncorroborated and unsubstantiated probation report containing multiple levels of hearsay.

The U.S. government claimed that this report, which stemmed from a California state criminal prosecution in December 2009, provided the basis for Oviedo-Cortez's



From left: Jessica Sudweeks, '12, and Jamie Ritterbeck, '12.

“Quite simply, the BIA overlooked the tethering component mandated by the Supreme Court,” explained clinic student Jamie Ritterbeck.



“We are not just a law school but a part of the community, and it is clear we are dedicated to serving others with our *pro bono* outreach,” stated Professor Michael Devitt.



From left: Jamie Ritterbeck, '12;
Ryann Sweeney, '12; and
Professor Michael Devitt.

deportation. He was charged with several violations of the California Penal Code, alleging identity theft to obtain money. On the recommendation of his court-appointed defender, he pled guilty to a single count of false impersonation. He was convicted of this one crime occurring on a single date and resulting in a loss of less than \$400.

Oviedo-Cortez served the sentence that resulted from his state court guilty plea. However, the federal government attempted to link him to a much larger scheme and exact an even greater punishment: immediate deportation. Although the government's arguments were without merit, both the Immigration Court and the Board of Immigration Appeals (BIA) sided with the government. This left Oviedo-Cortez with few options, one being an appeal to the Ninth Circuit Court of Appeals.

Luckily, his case found its way into the Ninth Circuit's *pro bono* program. After reviewing a multitude of available cases, USD Appellate Clinic supervisors selected the Oviedo-Cortez case to litigate.

In the fall of 2011, the five USD students began their detailed factual analysis of the record. A month into their research, the students and their supervising professors met with Oviedo-Cortez at the San Diego Correctional Facility.

"For me, this was the best part of the whole Appellate Clinic experience," said Wu. "We were finally able to put a face to the name, making this all the more real and giving us that motivation to get our client out and reunited with his family."

"This was the best part of the whole Appellate Clinic experience," said Natasha Wu. "We were finally able to put a face to the name, making this all the more real and giving us that motivation to get our client out and reunited with his family."

Analysis of Misapplied Case Law

Oviedo-Cortez was nearing the two-year anniversary of his detention. As the students continued their research, they grew convinced that both the Immigration Court and the BIA had misread and wrongfully applied U.S. Supreme Court case law, upon which the conviction and resulting deportation relied.

"Quite simply, the BIA overlooked the tethering component mandated by the Supreme Court," explained Ritterbeck. "Monetary loss must be tied to the specific counts covered by the conviction. It cannot be based on dismissed counts, general conduct or, as in this case, counts not even part of the conviction."

This incorrect application of U.S. Supreme Court authority resulted in Oviedo-Cortez being ordered deported based on the contents of a probation sentencing report, which alleged a larger fraud scheme involving multiple actors and a loss of more than \$20,000. Statutes surrounding this type of conviction allow for deportation of legal permanent residents convicted of a crime "involving fraud or deceit in which the loss to the victim exceeds \$10,000."

"Our client pled guilty to a single count of false personation. That's it. Our client was never removable," stated Sudweeks. Given this theory, the students worked feverishly to brief the case.

In December 2011, the Appellate Clinic students served the Ninth Circuit with their brief. Within weeks, the government notified the clinic that additional



Natasha Wu, '12

“My colleagues on this project are so talented and passionate,” said James Baumann. “We freed someone from federal custody. This is why we came to law school.”



From left: James Baumann, '12;
Natasha Wu, '12.

attorneys were being added to the case. The government and members of the Appellate Clinic then negotiated, signed and filed a joint motion to the Ninth Circuit for Oviedo-Cortez's case to be remanded back to the BIA. The joint motion was granted.

While the students reveled in this small victory at the Ninth Circuit, the problem still remained that Oviedo-Cortez was detained and awaiting deportation. The group continued to explore how they could have their client's removal proceedings terminated.

“We knew that deportation proceedings should never have been initiated,” recalls Sweeney. “Nonetheless, our client was in detention and we had to figure out how to unlock the prison gates.”

Swift Action, Welcome Results


This was uncharted territory for the students. With permission from USD Legal Clinics Director Margaret Dalton and extensive guidance from Professor Michael Devitt, the students filed their appearance before the BIA, a motion to terminate removal proceedings, and a motion for summary disposition.

Though the students had been told that the BIA was typically slow to act, their motions were granted swiftly.

“I called a few days after we filed to verify that the BIA had received our motion,” said Sudweeks. “To my surprise, I was told that our motion was granted. I was elated and couldn't wait to tell the team.”

After months of work by the Appellate Clinic team, removal proceedings against Oviedo-Cortez were terminated and the government had no choice but to release him.

“Finally, after two years and three months I was going home to my family. I was so happy when I got to my apartment and held both my girlfriend and my 7-year-old daughter. Next weekend, I will hold my 5-month-old grandson for the first time,” said Oviedo-Cortez in a thank-you letter to Professor Devitt. “All of you made this possible. Without your help, I would still be detained for I don't know how long. I'm sure that the students will make great lawyers because [of] all the work and effort they put on my case. I'm able to stay in this beautiful country with my family.”

The clinic students report that this hands-on legal experience was an incredibly fulfilling project. “My colleagues on this project are so talented and passionate,” said Baumann. “We freed someone from federal custody. This is why we came to law school.” 



Alexander Davis '12 Presented Oral Argument at U.S. Court of Appeals, Ninth Circuit

On April 13, 2012, Alexander Davis, a third-year law student and legal intern with the USD School of Law's Appellate Clinic, presented an oral argument to a three-judge panel at the U.S. Court of Appeals, Ninth Circuit in Pasadena under the supervision of Appellate Clinic Director and Professor-in-Residence Michael Devitt and Adjunct Professor of Law Candice Carroll.

Legal interns and third-year law students Dalia Astalos, '12, and Miriam Shoal, '12, researched and assisted in the preparation of the briefs and helped prepare Davis, who was selected to present the oral argument in a civil case that arose from a related criminal case.

The client was arrested in 1994, convicted and sentenced to 40 years in federal prison for the distribution of drugs. At the time of the arrest, personal property from his person and automobile was seized.

When he attempted to recover this property years later, the client learned that some items had been

either lost or destroyed. He sued the federal government for the property's monetary value but was denied under the rule of sovereign immunity. His case was then referred from the Ninth Circuit *pro bono* panel to USD School of Law's Legal Clinics for the appeal process.

"The issue was whether a prisoner who has brought a motion under Federal Rule of Criminal Procedure 41(g) for the return of property taken from him when he was arrested is entitled to damages if the government has lost or destroyed his property, or whether his damage claim is barred by the doctrine of sovereign immunity," said Carroll.

The opening brief was filed in November 2011. The government filed its response in late December 2011 and the Appellate Clinic filed its reply in February 2012. A resolution was not reached through this process, so the case went before the Court of Appeals in April 2012.

A Sanctuary in an Unjust World



In his graduation speech to the Class of 2012, U.S. Congressman David Camp, '78, spoke of the importance of the rule of law in today's society

David Camp, '78, offers his advice and congratulations to the Class of 2012.



University of San Diego School of Law alumnus and United States Congressman David Camp, '78 (JD), addressed graduates at the 55th Conferral of Law Degrees on Saturday, May 12, 2012, at the University of San Diego.

Congressman Camp, who represents the fourth district of Michigan and is chairman of the House Ways and Means Committee, offered his sincere congratulations and advice to his fellow alumni entering the legal profession.

"You leave here with a unique education, one that has its roots in centuries of legal tradition," said Camp. "It is an education, more than any other, that has produced leaders, change agents and history makers. It's now up to you to decide what to do with this great gift."

Camp then mentioned many of the most popular professions for JD graduates—public defender, prosecutor, judge, professor and public interest advocate—before settling upon the one in which he has the most experience: politician.

➤ "It is an education, more than any other, that has produced leaders, change agents and history makers. It's now up to you to decide what to do with this great gift."



For each student, whether a father (above) or a son (below), graduation is always a family affair.

> “The law is and always has been the foundation upon which all stable societies stand,” stated Camp. “[It] provides a protection where no other refuge exists. It is a sanctuary in many ways in what is an unjust world. That is why it must be protected.”

“The law is and always has been the foundation upon which all stable societies stand,” stated Camp. “[It] provides a protection where no other refuge exists. It is a sanctuary in many ways in what is an unjust world. That is why it must be protected.”

Camp and his fellow representatives lead debate and enact new laws in the House chamber where the portraits of 23 historical lawgivers and lawmakers from Moses to Thomas Jefferson look down upon the proceedings. Reflecting upon his own sense of professional responsibility, Camp said those faces are awesome reminders of the obligations to his constituents, to existing laws, and to the laws he and his colleagues have yet to make.

Despite the monuments, the C-SPAN cameras and the cable news talking heads, Camp said that his role in the American legal system is no more important than that of the country lawyer. The decisions of the president and Congress are not final. The president’s signature turning a bill into law marks the end of one process and the beginning of another.

Once the law leaves Washington, it goes to its rightful owners, the American people, who then examine it. The law is tested in the courts to determine its limits, meaning and powers. Many laws remain intact, passing all the tests to become a part of our shared social contract. Others are transformed and even repealed.



"It's a wondrous and messy process," said Camp. "It is a process that occurs in the smallest and largest courts in the land, and its outcome defines the character of the nation because we are a nation of laws. From the smallest traffic violation to the Constitution that guarantees our freedoms, the law of the land tells us who we are."

As an example, Camp mentioned the Affordable Care Act, the most sweeping overhaul of America's health care system in generations. "If any law illustrates the continued beauty and strength of our system," he said, "it's that one."

As one of the key lawmakers involved in the bill's progress through Congress, Camp had a first-hand view of the law's creation, followed by a front-row seat at oral arguments when the legislation was challenged before the Supreme Court. What he saw was an incredible display of the power of law and lawyers.

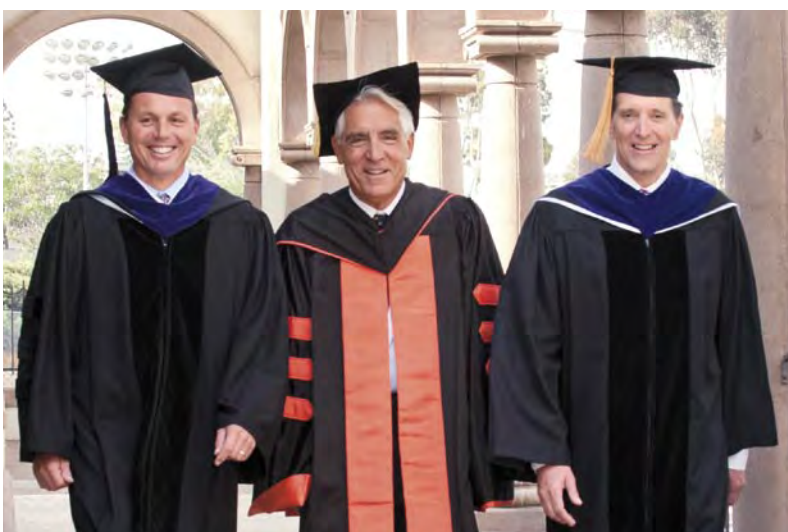
"Are we a nation whose government can compel individuals into commerce in order to achieve a desired outcome?" asked Camp. "Or are we a nation whose freedom to choose is paramount? In June we'll get some answers, but I assure you they won't be final."

Watching the attorneys and the judges debate these questions inspired Camp, and he reports that he couldn't help but be proud to be an attorney. He suggested to the graduates that if they ever have doubts about their profession, they should go online and listen to a few of those oral arguments. "They're like an adrenaline shot for the legal brain."

Camp closed his remarks to the members of the Class of 2012, encouraging them to follow their hearts to find their passion. "Of course, it's my hope that you never have doubts about your profession," said Camp, "but the reality is you will because everybody does. That's why it's so important that you follow your passion. You spent three years thinking with your brains, but to find your life's happiness through your work, you must also think with your heart." @



Above and below right: Scenes from the graduation of the Class of 2012. Below left: President of the Law Alumni Association Chad Fuller, '97; Dean Stephen C. Ferruolo; and U.S. Congressman David Camp, '78.



faculty footnotes



From publishing scholarly articles and books to organizing conferences, the USD School of Law faculty is committed to advancing the study and practice of law. In these pages, learn how our professors are transforming the global legal landscape.

Larry Alexander

Larry Alexander's book chapter "Freedom of Expression" was published in *Encyclopedia of Applied Ethics*, 2nd Ed., Vol. 2 (Chadwick, ed.) (Academic Press, 2012). His forthcoming book chapter "Confused Culpability, Contrived Causation, and the Collapse of Tort Theory" will be published in *Philosophical Foundations of the Law of Torts* (with Ferzan) (Oberdiek, ed.) (Oxford University Press, forthcoming 2013).

Professor Alexander's article "'Moore or Less' Causation and Responsibility" was published in 6 *Criminal Law & Philosophy* 81 (with Ferzan) (2012). His forthcoming articles include "Reply to Dolinko" in 6 *Criminal Law & Philosophy* 281 (with Ferzan) (2012); "Surrebuttal" in *Criminal Law & Philosophy* (with Ferzan) (forthcoming 2012); "Causing the Conditions of One's Defense: A Theoretical Non-Problem" in

Criminal Law & Philosophy (forthcoming 2012); "Is Freedom of Expression a Universal Right?" in *Law & Philosophy* (forthcoming 2013); "Did Casey Strikeout? Following and Overruling Constitutional Precedents in the Supreme Court" in *Law & Philosophy* (forthcoming 2013); and "Can Self-Defense Justify Punishment?" in *Law & Philosophy* (forthcoming 2013).

Alexander attended numerous conferences as a presenter and roundtable participant including the Originalism Works-in-Progress Conference, University of San Diego (February 2012); the Roundtable on the Jurisprudence of Sports, University of San Diego (February 2012); the Conference on Precedent of the United States Supreme Court: Theory and Practice, University of Baltimore (March 2012); and the Festschrift in Honor of Professor Martin H. Redish, Northwestern University (March 2012).

Jordan Barry

Jordan Barry's article "Prosecuting the Exonerated: Actual Innocence and the Double Jeopardy Clause" was published in 64 *Stanford Law Review* 535 (2012). His forthcoming article "Pills and Partisans: Understanding Takeover Defenses" will be published in the *University of Pennsylvania Law Review* (with Hatfield) (forthcoming 2012).

Professor Barry delivered presentations including "Empty Voting and Social Welfare" to the University of San Diego School of Law faculty (February 2012); the American Law and Economics Association Annual Meeting, Stanford University (May 2012); the National Business Law Scholars Conference, University of Cincinnati (June 2012); the 87th Annual Conference of the Western Economics Association International, San Francisco (June 2012); and the 2012 North American Meetings of the Econometric Society, Northwestern University (June 2012). He presented "Moral Coaxing" (with Sichelman) at the 7th Annual International Conference on Contracts (March 2012). Barry was involved with *Florida v. HHS*, helping draft and organize the filing of an *amicus* brief on behalf of several tax law professors. In May 2012, Barry received USD School of Law's Thorsnes Prize for Excellence in Teaching.

Abraham Bell

Abraham Bell's book chapter "Economic Analysis of Property Law" will be published in *Economic Analysis of Law* (with Parchomovsky) (Procaccia, ed. in Hebrew) (Nevo, forthcoming 2012). His article "The Case for Imperfect Enforcement of Property Rights" will be published in the *University of Pennsylvania Law Review* (forthcoming 2012).

Professor Bell presented "Property Lost in Translation" to the Emory Law School faculty (January 2012) and at the 3rd Annual Association For Law, Property and Society Meeting, Georgetown University (March 2012). He also participated in a panel discussion titled "Rescuing Human Rights" at the University of California, San Diego (May 2012).

Roy Brooks

Roy L. Brooks' recent article, "Cultural Diversity: It's All About the Mainstream," was published in 95 *The Monist* 17 (2012). Professor Brooks' two essays, "Japanese American Internment and Relocation" and "Reparations," were published in *The Encyclopedia of Race and Racism*, 2nd Ed. (Moore, ed.) (Macmillan Reference USA, 2013).

Karen Burke

Karen Burke has two forthcoming books: *Partnership Taxation*, 2nd Ed. (with

➤ **In the News:**
USD School of Law Emeritus Professor Joseph Darby was named an honorary professor of the International Faculty of Comparative Law in recognition of his 40 years of service to the group and support of its teaching and research activities. He was presented with the diploma at a dinner in Strasbourg, France.

In the News:
USD will award three law school professors for their outstanding achievements and contributions to their discipline at the University's annual convocation in August 2012. Professor Orly Lobel will receive one of only five university professorships. Professor Ted Sichelman will be named the 2012-13 Herzog Endowed Scholar, and Professor Herbert Lazerow will be named the Class of 1975 Endowed Professor.

Yin) (Aspen, forthcoming 2013) and *Federal Income Taxation of Partners and Partnerships*, 4th Ed. (West, forthcoming 2013). She presented "Illusory Partnership Interests" to the Florida State University School of Law faculty (February 2012) and participated in Implications of the Supreme Court's Mayo Foundation Decision, University of Virginia (March 2012). In addition, she was appointed to the editorial board of Commerce Clearing House, which publishes selected statutes on federal income taxation.

Lynne Dallas

Lynne Dallas presented "The Case for Time Phased Voting" at the Law and Society Annual Meeting, Honolulu (June 2012) and "The Economics of Short-Termism" at the Annual Meeting of the Society for the Advancement of Socioeconomics, Massachusetts Institute of Technology (June 2012).

Donald Dripps

Donald Dripps' book chapter "The Substance-Procedure Relationship in Criminal Law" will be published in *Philosophical Foundations of Criminal Law* (Duff and Green, eds.) (Oxford University Press, forthcoming 2013). He presented "Up from Gideon" at the Symposium on the Sixth Amendment, Texas Tech University (March 2012).

Robert Fellmeth

Robert Fellmeth had two book chapters published: "Expert Testimony in Child-Related Litigation" in *The Forensic Pathology of Infancy and Childhood* (with Chadwick) (Byard and Collins, eds.) (Springer Publishing, 2012) and "Legal Issues" in *Child Maltreatment 4E: A Clinical Guide and Reference* (Chadwick, Giardino and Alexander, eds.) (STM Learning, 2012). He also published two reports: "State Secrecy and Child Deaths in the U.S." (with Samuelson et al.) (Child Advocacy Institute, 2012) and "State Child Welfare Violations and Federal Non-Enforcement by the U.S. Department of Health and Human Services" (with Juel and Hatfield) (Child Advocacy Institute, 2012). In May 2012, Fellmeth received USD School of Law's Thorsnes Prize for Outstanding Scholarship.

Ralph Folsom

Ralph Folsom presented "Arbitration of Investor Claims Against Governments" at the 11th Annual Folsom Lecture at John Marshall Law School (February 2012). He also presented "Bilateral Investment Treaties" to officials in the Vietnamese government in Hanoi, Vietnam (February 2012).

C. Hugh Friedman

C. Hugh Friedman published his book *California Practice Guide: Corporations*, 26th Ed. (with Fotenos and Dallas) (Rutter Group, 2012).

Walt Heiser

Walt Heiser published *California Civil Procedure*, 3rd Ed. (Lexis Nexis, 2012). His article "Using Anti-Suit Injunctions to Prevent Interdictory Actions and to Enforce Choice of Court Agreements" will be published in the *Utah Law Review* (forthcoming 2012).

Mark Hoose

Mark Hoose's chapter "U.S. Report, Taxation of Intercompany Dividend Distributions Under Domestic Law, EU Law, and Tax Treaties" will be published in a forthcoming book (International Bureau of Fiscal Documentation, forthcoming 2012). His article "Trading One Danger for Another: Creating U.S. Tax Residency While Fleeing Danger at Home" will be published in *Florida Tax Review* (forthcoming 2012). He was a panelist at the 2012 Tax Executives Institute-San Jose State University Tax Policy Conference, San Jose, Calif. (January 2012) and at the American Bar Association midyear meeting, New York (February 2012). He delivered an address on international tax reform to members of the Hewlett-Packard tax

department (April 2012) and spoke on international tax to the California Society of Certified Public Accountants (June 2012). Hoose will give a federal tax update at the State Bar of California Tax Conference in November.

Bert Lazerow

Bert Lazerow taught international art law at the University of Toulouse in France in the spring of 2012.



Professor Mike Ramsey Appointed Director of International and Comparative Law Programs

Professor Mike Ramsey assumed his duties as director of international and comparative law programs on January 1, 2012.

In this position, Ramsey oversees USD's LLM in international law for U.S. students and its LLM in comparative law for the graduates of international law schools. He also leads the faculty's efforts to expand opportunities for JD students to study and gain legal experience abroad by establishing exchange programs with leading law schools throughout the world.

"I'm excited to take on this role, and I look forward to working with our distinguished international law faculty to provide students with legal skills that will help them succeed in an era dominated by globalization," said Ramsey.

Before coming to USD in 1995, Ramsey practiced international business law at Latham & Watkins, a leading global law firm in San Diego. He writes and teaches in the areas of international business law, constitutional law and foreign relations law.



Professor John Forry Appointed Director of Tax Programs

John I. Forry was named director of tax programs at USD School of Law and began his duties on January 1, 2012.

As director of tax programs, Forry oversees the LLM in taxation program, which has attracted graduate students and practicing attorneys since the program was launched in 1978.

He is also working to expand the reach and reputation of other tax-related programs at the law school, including continuing education and established events such as the annual USD–Procopio International Tax Institute, Richard Crawford Pugh Lecture on Tax Law & Policy and the Tax Law Speaker Series.

Recently, Forry played a key role in the development of the School of Law’s new Summer Tax Seminar series, which held its first session in July. The program provides continuous learning opportunities for professionals in law, accounting and financial planning as well as corporate executives and business owners.

Forry joined USD School of Law in 1997. He teaches graduate-level courses in international finance and taxation.

William Lawrence

William Lawrence published his book *Understanding Secure Transactions and Payment Systems*, 2nd Ed. (Lexis Nexis, 2012).

Orly Lobel

Orly Lobel is completing her forthcoming book, *Innovation’s Edge: the Upside of Talent Wars, Secrecy Leaks, Free-Riding, Venture Capitalism & Creative Destruction* (Yale University

Press, forthcoming 2013). In addition, she published the following articles: “Employment and Labor Law and Economics” in *Law and Economics* (with Feldman and Luria) (Procaccia, ed. in Hebrew) (Nevo, 2012); “New Governance as School of Thought and Policy Approach” in *Oxford Handbook on Governance* (Levi-Faur, ed.) (Oxford University Press, 2012); and “Liberalism and Lifestyle: Informing Regulatory Governance with Behavioral Research” in *European Journal of Risk Regulation* 17 (with Amir) (2012). Her forthcoming articles include “Non-Union Employment Representation Systems: The United States from a Comparative Perspective” in *Employment Representation Systems Around the World* (with Lofaso) (Kluwer International, forthcoming 2012) and “Rationality and Reporting: Do Protections for Blowing the Whistle Aid Individual Decision-Making?” in *South Texas Law Journal* (forthcoming 2013).

Lobel delivered many presentations including a speech on American employment law before the Japan Institute for Labour Policy and Training, Tokyo (February 2012) and a speech at IZA - Institute for the Study of Labor, Germany (March 2012). She spent her sabbatical in Israel and spoke at several conferences and workshops including the Annual Labour and Employment Law Conference, Eilat, Israel (March 2012)

and a contracts conference and a law and economics workshop at Hebrew University (January 2012).

Shaun Martin

Shaun Martin has a forthcoming book, *Modern California Pretrial Litigation* (West Publishing and Carolina Press, forthcoming 2013). His article "Appellate Divestment" will be published in *Arizona State Law Journal* (forthcoming 2012).

Lesley McAllister

Lesley McAllister has a forthcoming book, *Climate Change Law & Policy* (with Osofsky) (Aspen, 2012). Her article "Regulation by Third-Party Verification" was published in 53 *Boston College Law Review* 1 (2012). Forthcoming articles include "Environmental Advocacy Litigation in Brazil and the United States" in 7 *Journal of Comparative Law* (forthcoming 2012) and "Co-Regulation in Mexican Environmental Law" in 32 *Utah Environmental Law Review* (forthcoming 2012). In 2012, McAllister was named USD's Stanley Legro Professor in Environmental Law.

Miranda McGowan

Miranda McGowan worked with the *San Diego Union-Tribune* to follow *Florida v. HHS*. She published the following articles with her analysis in

the *San Diego Union-Tribune*: "Court's Day Is Heavy on Technical Argument" (March 27, 2012); "Justices' Questions Probe Core Constitutional Issue" (March 28, 2012); "Obamacare's Day in Court: What Kind of Conservatism Will Win?" (March 28, 2012); and "Justices Continue Questioning on Health Care Law" (March 29, 2012).

John (Jack) Minan

John (Jack) Minan expects to complete his book *Reefer Madness*, on the regulation of medical marijuana, by fall 2012. Professor Minan presented a lecture titled "California's Water Future and the Role of Desalination" at the University of California, San Diego, Osher Institute (June 2012). He has been invited to give an additional lecture in winter 2013. His interest in water supply and quality issues has led him to become a contributor to an educator's guide for a video dealing with water and conservation produced by Robert Redford's nonprofit the Redford Center.

Professor Minan was the faculty coordinator for the National Attorneys General Training and Research Institute's trial advocacy training program held at USD in March 2012. In April, he attended a series of meetings in Washington, D.C., as a member of the governing council of the ABA's Section of State and Local Government. While in Washington, he also attended meetings of the International

› In the News:
On March 27–29, 2012, the *San Diego Union-Tribune* featured a series of articles by Professor Miranda McGowan on the legal battle over health care reform. Her articles included "Court's Day Is Heavy on Technical Argument," "Justices' Questions Probe Core Constitutional Issue" and "Justices Continue Questioning on Health Care Law."

In the News:
Professor Frank Partnoy appeared on *CBS This Morning* regarding the blistering *New York Times* op-ed by former Goldman Sachs employee Greg Smith. Dubbed “The Muppet Manifesto,” Smith claimed that Goldman Sachs’ employees knowingly misled their clients to make money for themselves, calling the financial services company’s culture “toxic and destructive.”

Municipal Lawyers Association and the World Jurists Association.

Grant Morris

Grant Morris presented “Killing at God’s Command: Murder as Religion or Delusion” at the American Psychology-Law Society, San Juan, Puerto Rico (March 2012). Professor Morris also presented “Uninformed Consent: Just What the Doctor Ordered” and “Deterring the Dangerous: When Should Mentally Ill People Be Preventively Detained” at the Osher Lifelong Learning Institute at the University of California, San Diego (June 2012).

Frank Partnoy

Frank Partnoy published his fourth trade press book, *Wait: The Art and Science of Delay* (Public Affairs, 2012). His book chapter “Credit Rating Agencies and Regulatory Reform” will be published in *Research Handbook on the Economics of Corporation Law* (with Darbellay) (Elgar Press, forthcoming 2012). Professor Partnoy’s article “Goldman’s ‘Muppets’ Need Treating Like True Clients” was published in *The Financial Times* (March 15, 2012). He presented “Disclosure Strategies and Shareholder Litigation Risk: Evidence from Earnings Restatements” at the Institute for Law and Economic Policy in San Juan, Puerto Rico (April 2012);

“Progress and Implications of Financial Reform Proposals, Debt, Deficits, and Financial Instability” at the Levy Economics Institute 21st Annual Hyman P. Minsky Conference on the State of the US and World Economies at the Ford Foundation in New York (March 2012); “Dodd-Frank’s New Regulatory Regime for Derivatives” at George Washington University Law School (March 2012); and “What’s So Bad About Poison Pills, Staggered Boards and Chair/CEOs, Anyway?” at the 2012 Directors Forum in San Diego (January 2012). Partnoy also wrote a song parody in the aftermath of Greg Smith’s resignation as executive director of Goldman Sachs as of April 2012. The song, “Client or Muppet,” has been viewed on YouTube more than 40,000 times.

Lisa Ramsey

Lisa Ramsey presented “An Impersonation Theory of Trademark Law” at the 2012 Works-In-Progress Intellectual Property Colloquium, University of Houston (February 2012) and at the Second Internet Law Works-in-Progress Symposium at New York Law School (March 2012). Professor Ramsey also presented “Mechanisms for Limiting Trademark Rights to Further Competition and Free Speech,” an article she is co-writing with University of Copenhagen and USD Visiting Professor Jens Schovsbo, at the International

Intellectual Property Roundtable at Marquette Law School (April 2012) and “Trademark Year in Review” at the Los Angeles Intellectual Property Law Association’s 2012 Meeting, San Diego (June 2012). Ramsey is currently the chair of the law school’s curriculum committee.

Michael Ramsey

Professor Ramsey published “The Goldilocks Executive” in 90 *Texas Law Review* 973 (with Prakash) (2012). His article “Meet the New Boss: Continuity in War Powers?” will be published in *Harvard Journal of Law and Public Policy* (forthcoming 2012). His book *International Law in the U.S. Supreme Court: Continuity and Change* (Sloss and Dodge, eds.) (Cambridge University Press, 2011) was awarded the American Society of International Law’s Certificate of Merit for high technical craftsmanship and utility to practitioners and scholars. Professor Ramsey presented “Two Forms of Argument from Custom” to the faculty of Northwestern University Law School (January 2012). Ramsey served as co-organizer of the Hugh & Hazel Darling Foundation Originalism Works-in-Progress Conference at the University of San Diego School of Law (February 2012) and of the Human Rights Litigation in State Courts and Under State Law Conference at the University of California Irvine School of Law (March 2012).

Michael B. Rappaport

Michael B. Rappaport published “Renewing Federalism by Reforming Article V: Defects in the Constitutional Amendment Process and a Reform Proposal” in 691 *The Cato Institute* (January 18, 2012) and “The Constitutionality of a Limited Convention: An Originalist Analysis” in 81 *Constitutional Commentary* 53 (2012). His upcoming works include “Originalism and the Good



Professor Gail Heriot on the *Wall Street Journal*’s ‘Opinion Journal Live’

Professor Gail Heriot appeared on the *Wall Street Journal*’s “Opinion Journal Live” program. One of the leading affirmative action experts and a member of the U.S. Commission for Civil Rights, Heriot commented on the Obama administration’s new guidelines for increasing diversity on college campuses in light of 2003 Supreme Court rulings on affirmative action.

“The guidelines are a victory for higher education’s use of race-based admissions policies,” said Heriot, explaining the differences between the George W. Bush administration’s guidelines and those of the Obama administration. “You simply cannot decide you’re going to have a certain number of seats given to students of a particular racial group. The Obama guidelines do not mention quotas in that way.”

Heriot believes both are intended to state the law, but doesn’t think they are equally successful. She feels the Obama administration guidelines celebrate diversity and the use of racial preferences in admissions by pushing a broader interpretation of the judicial opinions of affirmative action cases.

In the News:
KPBS Evening Edition profiled USD School of Law's Bi-National Legal Education Program, which provides Mexican lawyers and law students training in light of recent legal reforms in Mexico under the current administration of President Felipe Calderón. Professor Allen Snyder traveled to Baja California to provide training in advocacy court processes.

Constitution" in *Georgetown Law Review* (with McGinnis) (forthcoming 2012). In January 2012, he became the founding editor of the *Liberty Law Blog*.

Maimon Schwarzschild

Maimon Schwarzschild published the article "Judicial Independence and Judicial Hubris" in *The Culture of Judicial Independence* (Sheetreet and Forsyth, eds.) (Martinus Nijhoff, 2012).

Steven D. Smith

Steven D. Smith published the chapter "Freedom of Religion or Freedom of the Church?" in *Matters of Faith* (Sarat, ed.) (Cambridge University Press, 2012). His article "Missing the Vision: Law and (or as) Language" will be published in *Mercer Law Review* (forthcoming 2012).

Edmund Ursin

Edmund Ursin published "The Missing Normative Dimension in Brian Leiter's 'Reconstructed' Legal Realism" in 49 *San Diego Law Review* 1 (2012). His article "Clarifying the Normative Dimension of Legal Realism: The Example of Holmes's *The Path of the Law*" will be published in the *San Diego Law Review* (forthcoming 2012).

Jorge Vargas

Jorge A. Vargas updated his *Mexican Federal Civil Code Annotated*, the

Commercial Code Annotated and the *Mexican Legal Dictionary* (WEST/Reuters, forthcoming 2012). Professor Vargas is spending his summer researching the legal implications of the U.S.-Mexico Transboundary Hydrocarbons Agreement from an international maritime law standpoint. The treaty, signed by Hillary Rodham Clinton and Patricia Espinoza on February 20, 2012, established a binational legal framework for the development of oil and gas reservoirs that cross the international maritime boundary between the two countries.

Mary Jo Wiggins

Mary Jo Wiggins presented "Don't Cry for Me, Oklahoma: The Political Economy of the \$26 Billion Dollar Mortgage Settlement" at the Symposium on Business and Commercial Law of the Business Law Center, Western State University College of Law (March 2012) and is working on an article on the same topic. She also served as faculty adviser to the law school's Duberstein Bankruptcy Moot Court team for the eighth consecutive year.

Chris Wonnell

Chris Wonnell published "Deontology, Thresholds, and Efficiency" in 17 *Legal Theory* 301 (2012).

Michael Furchtgott

(University of California, San Diego) and Frank Partnoy (University of San Diego), "Disclosure Strategies and Shareholder Litigation Risk: Evidence from Earnings Restatements," January 27.

Donald Dripps

(University of San Diego), "'Dearest Property'? Digital Evidence and the History of Private 'Papers' as Special Objects of Search and Seizure," February 3.

Jordan Barry

(University of San Diego), "Empty Voting and Social Welfare," February 10.

Robert Monks

(shareholder activist, theorist and author), "Relationships Between Investment, Corporate Governance and Shareholder Activism," February 16.

Michael Green (William and Mary Law School), "Law's Dark Matter," February 17.

Horacio Spector

(Universidad Torcuato Di Tella, Buenos Aires), "The Constitutional Jury as Guardian of the Constitution?" February 22.

Margit Cohn

(Hebrew University), "Taking a Bus from Immanuel to Mea Shearim: The Role of the HCJ in Regulating Ethnic and Gender Discrimination in Israel's Haredi, Ultra-Orthodox Sector," February 27.

Anita Bernstein

(Brooklyn Law School), "Diversity May Be Justified," March 2.

David McGowan

(University of San Diego), "California's Duty of Confidentiality: A Case Study in Code Interpretation," March 16.

Stefanie Lindquist

(University of Texas, Austin), "National Policy Preferences and Judicial Review of State Statutes at the United States Supreme Court," March 23.

Ann McGinley

(University of Nevada, Las Vegas), "Reasonable Men?" March 30.

John Duffy

(University of Virginia), "Paper Patents, Patent Trolls and the Theory of the Patent System," April 6.

Garrett Epps

(University of Maryland), "Tom, Jerry, and the Snark: Reflections on Generational Change in the Roberts Court," April 20.



calendar

AUGUST 2012

August 2, 3 & 6

Career Services Fall Mock Interview Program
Office of Career Services
Warren Hall, Room 113
Contact Career Services at lawcareers@sandiego.edu or (619) 260-4529

August 16

USD Law Connect Student Orientation
Luncheon with Alumni
12 – 1:30 p.m.
Hahn University Center Forums A – C
Register online:
law.sandiego.edu/alumniluncheon

August 16

Hawaii USD Alumni Reception
All USD Alumni Event
6 – 8 p.m.
Duke's Waikiki
Contact USD Alumni Relations at alumni@sandiego.edu or (619) 260-4819

August 19

North County San Diego USD Alumni Day
All USD Alumni Event
12 – 5 p.m.
Del Mar Racetrack
Contact USD Alumni Relations at alumni@sandiego.edu or (619) 260-4819

August 20

Los Angeles USD Law Alumni Reception
Hosted by Ryan D. Saba '97, Rosen & Saba,
LLP
The Jonathan Club Town
6:30 – 8:30 p.m.
Register online:
law.sandiego.edu/alumni/lasaba

SEPTEMBER 2012

September 5

Hugh and Hazel Darling Foundation
Judicial Lecture on Constitutional
Originalism
Featuring Hon. Diarmuid O'Scannlain,
U.S. Judge for the Ninth Circuit
Joan B. Kroc Institute for Peace & Justice
Contact tpham@sandiego.edu or
(619) 260-4208

September 7

USD Law Board of Visitors Fall Meeting
8:30 a.m. – 12:30 p.m.
Joan B. Kroc Institute for Peace & Justice
Contact Development and Alumni
Relations at lawalum@sandiego.edu or
(619) 260-4692

September 13

Las Vegas USD Alumni *Wicked* Performance
& Smith Center Tour with Dean Ferruolo
All USD Alumni Event
5 – 9 p.m.
Smith Center for the Performing Arts
Contact USD Alumni Relations at alumni@sandiego.edu or
(619) 260-4819

September 13

Washington D.C. USD Alumni Lifelong
Learning & Networking Reception:
The Election & the Economy
All USD Alumni Event
Willard Office Building, 12th Floor Terrace
6 – 8 p.m.
Contact USD Alumni Relations at alumni@sandiego.edu or
(619) 260-4819

September 19

Jane Ellen Bergman Memorial Lecture
Series Welcomes Cherie Blair
Warren Auditorium
School of Education and Leadership
Sciences
Contact usdlawevent@sandiego.edu or
(619) 260-4527

September 20

New York USD Alumni Lifelong
Learning & Networking Reception:
The Election & the Economy
All USD Alumni Event
Cosmopolitan Club
6:30 – 8:30 p.m.
Contact USD Alumni Relations at alumni@sandiego.edu or
(619) 260-4819

September 20

USD Law Alumni Association Board of
Directors Meeting #1
5:30 – 8 p.m.
Degheri Alumni Center Board Room
Contact sbaurl@sandiego.edu or
(619) 260-4692

September 22

San Francisco Giants vs. San Diego
Baseball Game & Alumni Happy Hour
All USD Alumni Event
4 p.m.: Pre-Game Alumni Happy Hour
Gordon Biersch
6:05 p.m.: Baseball Game
AT&T Park
Contact USD Alumni Relations at alumni@sandiego.edu or
(619) 260-4819

September 23

Orange County USD Alumni
Anaheim Angels vs. Chicago White Sox
Game & Tailgate
All USD Alumni Event
Angel Stadium
Game Time TBA
Contact USD Alumni Relations at alumni@sandiego.edu or
(619) 260-4819

OCTOBER 2012

October 1

Red Mass
6 – 7 p.m.
Founders Chapel
Register online:
sandiego.edu/law/forms/red_mass.php

October 4

Dean's Mixer
4 – 6 p.m.
Warren Hall Courtyard
Contact JD Student Affairs at
lawstudentaffairs@sandiego.edu or
(619) 260-4651

October 5

Class of 1962 50-Year Reunion Dinner
6 – 9 p.m.
Dean Ferruolo's Residence
Register online:
law.sandiego.edu/50yearreunion

October 6

USD Law Alumni Milestone Reunions
Classes of 1972, 1982, 1987, 1992, 2002
& 2007
Various USD Campus Locations
Register online:
law.sandiego.edu/reunions

October 9

New York USD Law Alumni Event
Time & Location TBA
Contact Development and Alumni
Relations at lawalum@sandiego.edu or
(619) 260-4692

October 11

Washington, D.C. USD Law Alumni
Reception
6 – 8 p.m.
Location TBA
Contact Development and Alumni
Relations at lawalum@sandiego.edu or
(619) 260-4692

October 13

Washington D.C. USD Alumni Hike &
Picnic
All USD Alumni Event
10 a.m. – 2 p.m.
Great Falls National Park
Contact USD Alumni Relations at [alumni@
sandiego.edu](mailto:alumni@sandiego.edu) or (619) 260-4819

October 15

Boston USD Law Alumni Event with
Dean Ferruolo
All USD Alumni Event
Time & Location TBA
Contact USD Alumni Relations at [alumni@
sandiego.edu](mailto:alumni@sandiego.edu) or (619) 260-4819

October 23

USD Law Judicial Reception
5:30 – 7:30 p.m.
Degheri Alumni Center

October 25 - 26

8th Annual USD School of Law-Procopio
International Tax Law Institute
Joan B. Kroc Institute for Peace & Justice
Contact fsl@procopio.com or
(619) 515-3225



NOVEMBER 2012

November 3

Las Vegas USD Alumni Reception
All USD Alumni Event
6 – 8 p.m.
Location TBA
Contact USD Alumni Relations at [alumni@
sandiego.edu](mailto:alumni@sandiego.edu) or (619) 260-4819

November 8

USD School of Law and School of Business
Recent Alumni Wine Tasting
6 – 8 p.m.
La Gran Terraza
Register online:
law.sandiego.edu/winetaste

November 14

Dean's Mixer
4 – 6 p.m.
Warren Hall Courtyard
Contact JD Student Affairs at
lawstudentaffairs@sandiego.edu or
(619) 260-4651

November 16

Distinguished Alumni Awards Luncheon
11 a.m. – 1 p.m.
Westin Gaslamp Quarter
Register online:
law.sandiego.edu/daa

November 27

December Graduates Reception
Time & Location TBA
Contact JD Student Affairs at
lawstudentaffairs@sandiego.edu or
(619) 260-4651

DECEMBER 2012

December 6
USD Law Alumni Association Board of
Directors Meeting #2
5:30 – 8 p.m.
Degheri Alumni Center Board Room
Contact sbaurle@sandiego.edu or
(619) 260-4692

December 7 (Tentative Date)

California Bar Swearing-In Luncheon
11 a.m. – 1 p.m.
Tom Ham's Lighthouse
Register online:
law.sandiego.edu/swearing-in-december

JANUARY 2013

January 7

Houston USD Law Alumni Reception
Time & Location TBA
Register online:
law.sandiego.edu/alumni/houston

January 8

Dallas USD Law Alumni Event
Time & Location TBA
Register online:
law.sandiego.edu/alumni/dallas

January 22-24

Career Services Fall Mock Interview Program
6 – 8 p.m.
Office of Career Services
Warren Hall, Room 113
Contact Career Services at [lawcareers@
sandiego.edu](mailto:lawcareers@sandiego.edu) or (619) 260-4529



FEBRUARY 2013

February 6

Careers in the Law
5:15 – 7 p.m.
Register online:
law.sandiego.edu/careersinthelaw

February 14

Dean's Mixer & Women's Law Caucus
Auction
4 – 6 p.m.
Warren Hall Courtyard
Contact JD Student Affairs at
lawstudentaffairs@sandiego.edu or
(619) 260-4651

February 28

McLennon Moot Court Competition
5 – 9 p.m.
Joan B. Kroc Institute for Peace & Justice
Contact usdlawevent@sandiego.edu or
(619) 260-4527

MARCH 2013

March 5

San Bernardino/Riverside USD Law
Alumni Luncheon
12 – 1:30 p.m.
Location TBA
Register online:
law.sandiego.edu/alumni/sanbernardino

March 5

Orange County USD Law Alumni Reception
6 – 8 p.m.
Location TBA
Register online:
law.sandiego.edu/alumni/orange

March 6

Los Angeles USD Law Alumni Reception
6:30 – 8:30 p.m.
Location TBA
Register online:
law.sandiego.edu/alumni/la

March 8

USD Law Board of Visitors Fall Meeting
8:30 a.m. – 12:30 p.m.
Joan B. Kroc Institute for Peace & Justice
Contact Development and Alumni
Relations at lawalum@sandiego.edu or
(619) 260-4692

March 11

USD Law Alumni Association Board of
Directors Meeting #3
5:30 – 8 p.m.
Degheri Alumni Center Board Room
Contact sbaurle@sandiego.edu or
(619) 260-4692

March 14

Dean's Mixer & Battle of the Brains
4 – 6 p.m.
Warren Hall Courtyard
Contact JD Student Affairs at
lawstudentaffairs@sandiego.edu or
(619) 260-4651

March 19

Sacramento USD Law Alumni Tax
Luncheon
12 – 1:30 p.m.
Location TBA
Register online:
law.sandiego.edu/alumni/sacramentotax

March 19

Sacramento USD Law Alumni Reception
6 – 8 p.m.
Location TBA
Register online:
law.sandiego.edu/alumni/sacramento

March 20

Palo Alto USD Law Alumni Luncheon
12 – 1:30 p.m.
Location TBA
Register online:
law.sandiego.edu/alumni/paloalto

March 20

San Francisco USD Law Alumni Reception
6 – 8 p.m.
Location TBA
Register online:
law.sandiego.edu/alumni/sanfrancisco

March TBA

2L Etiquette Dinner with Alumni
Time TBA
La Gran Terraza
Contact JD Student Affairs at
lawstudentaffairs@sandiego.edu or
(619) 260-4651

March TBA

Campus Visit Day Luncheon
12 – 1:15 p.m.
Hahn University Center Forum C
Contact Law School Admissions at jdinfo@sandiego.edu or (619) 260-4528

APRIL 2013**April 11**

Dean's Mixer
4 – 6 p.m.
Warren Hall Courtyard
Contact JD Student Affairs at
lawstudentaffairs@sandiego.edu or
(619) 260-4651

April 18

San Diego USD Law Alumni Reception
6 – 8 p.m.
Hahn University Center Forum C
Register online:
law.sandiego.edu/alumni/sandiego

April 27

USD Alumni Honors
6 p.m.
Joan B. Kroc Institute for Peace & Justice
Register online:
sandiego.edu/alumni/honors/

April TBA

Campus Visit Day Luncheons
12 – 1:15 p.m.
Hahn University Center Forum C
Contact Law School Admissions at jdinfo@sandiego.edu or (619) 260-4528

MARCH 2013**May 2**

USD Law Alumni Association Board of
Directors Meeting #4
5:30 – 8 p.m.
Degheri Alumni Center Board Room
Contact sbourle@sandiego.edu or
(619) 260-4692

May 17

2013 Graduation Mass
4 p.m.
Founders Chapel
Contact JD Student Affairs at
lawstudentaffairs@sandiego.edu or
(619) 260-4651

May 18

2013 Law School Commencement
9 a.m.
Jenny Craig Pavilion
Contact JD Student Affairs at
lawstudentaffairs@sandiego.edu or
(619) 260-4651

May 21

Washington, D.C. USD Law Alumni
Reception
6 – 8 p.m.
Register online:
law.sandiego.edu/alumni/dc

May 23

New York USD Law Alumni Reception
7 – 9 p.m.
Location TBA
Register online:
law.sandiego.edu/alumni/ny

May TBA

Legal Research in the Real World
8 a.m. – 1 p.m.
Warren Hall
Register online:
law.sandiego.edu/realworld

JUNE 2013**June TBA**

California Bar Swearing-In Luncheon
11 a.m. – 1 p.m.
Bali Hai
Register online:
law.sandiego.edu/swearing-in-june

class action



Class Action compiles personal and professional news about USD School of Law alumni from independent update submissions and international media resources. Tell us what's new with you. Submit your news online at law.sandiego.edu/keepintouch, or email your update and photo (jpg or tif format, 300dpi) to lawpub@sandiego.edu.

'75

Former Iowa Supreme Court Justice **Michael J. Streit**, mediator and arbitrator with the Ahlers & Cooney law firm, received the John F. Kennedy Profile in Courage Award on May 7.

'77

James R. Edwards has been named vice president, general counsel and corporate secretary for Cubic Corp.

'78

Ron Beck has been practicing personal injury law since 1978 and has a substantial interest in the Law Offices of Larry H. Parker as well as his own firm, Perona, Langer, Beck, Serbin and Mendoza in Long Beach, Calif. His son

Mitchell is following in his father's footsteps and is in his second year at USD School of Law.

Ann Gail (Brown) Meinster

was sworn in as a District Court judge in the 1st Judicial District, Golden, Colo., in November and will serve as the presiding juvenile judge for the 1st Judicial District.

'79

San Diego Superior Court Presiding Judge **Robert J. Trentacosta** was named vice chair of the Judicial Council's Trial Court Presiding Judges Advisory Committee for a one-year term effective February 1.

'80

The law firm of Balestreri Pendleton & Potocki has changed its name to Balestreri Potocki & Holmes, a Law Corporation. **Thomas Balestreri** is a founding member of Balestreri Potocki & Holmes.

'83

Robert Francavilla, a partner with the law offices of Casey Gerry, Schenk, Francavilla, Blatt and Penfield LLC, has been elected to the board of directors of HeadNorth, a Del Mar-based nonprofit dedicated to helping spinal cord injury survivors.

Mike Bowler had his story "Dump Truck" read on National Public Radio's "Valley Writers Read." The



Spousal Support

➤ RETHINKING STATE LICENSING RULES FOR MILITARY SPOUSE ATTORNEYS

Recognizing the licensing barriers faced by many lawyers who move to new jurisdictions with their military spouses, the policymaking body of the American Bar Association (ABA) voted to support changes in state licensing rules for military spouses with law degrees.

“Current bar admission requirements create unreasonable barriers to employment for military spouse attorneys,” said **Mary Reding**, ’02 (pictured at left with Michelle Obama), who has lived in five jurisdictions over a seven-year period.

Reding is an Air National Guard spouse and co-founder of the Military Spouse JD Network (MSJDN), which supports military spouses who pursue legal careers by providing them a support network, advocating for bar membership transferability between state bars, and encouraging the hiring of military spouses within the legal field.

The ABA Commission on Women in the Profession sponsored Resolution 108, which encourages state licensing agencies to allow lawyers who are licensed and in good standing in another jurisdiction to practice law while they are present in the state because of military orders.

“On a personal level, I feel very accomplished when I receive a phone call from a member who is struggling to balance the realities of military life with finding a way to navigate a legal career,” said Reding. “To be able to offer guidance and hope to those spouses is truly an accomplishment.”

story can be heard at www.kpvr.org/shows.php?id=867.

John Hunt, former Clark County, Nev., Democratic Party chairman, will stand before the County Commission to argue why he would be the best candidate to direct the local pursuit of justice.

Business litigator and trial attorney **James D. Crosby** has joined the San Diego office of Klinedinst PC as a shareholder. Crosby, who is a past president of the North County Bar Association, represents individuals and companies in a wide range of general and complex business matters.

’86

Ellen Serbin is a partner at

Perona, Langer, Beck, Serbin and Mendoza.

Steve Altman was appointed vice chairman of Qualcomm Inc.

’87

Craig Orent opened his own criminal defense law firm in April 2011.

’89

James T. Blomo was appointed Superior Court judge for Maricopa County, Ariz.

’90

Barry Thompson has joined Hogan Lovells’ Los Angeles office as a partner. Thompson is a member of

High Court Win

ENVIRONMENTAL ATTORNEY WINS MAJOR VICTORY

Damien Schiff, '04, a principal attorney for the Pacific Legal Foundation (PLF), has worked on a number of cases pertaining to the Endangered Species Act (ESA) and Clean Water Act (CWA). In perhaps his most important case to date, Schiff argued and won *Sackett v. Environmental Protection Agency* earlier this year for an Idaho couple before the U.S. Supreme Court.

Mike and Chantell Sackett had a long-running dispute with the Environmental Protection Agency (EPA). Claiming that the property is wetlands, the EPA halted the construction of the Sacketts' new home in Idaho. In March, Schiff challenged these actions before the U.S. Supreme Court.

Schiff faced vigorous questioning during the first 30 minutes of his presentation. He was queried about the proposed remedy and what the standard of review would be if the Sacketts won on remand.

In the end, the Supreme Court declared the Sacketts victorious—landowners nationwide can now contest EPA violations in court rather than being limited to administrative measures. The much-watched decision for the Sacketts means a triumph for individual liberty, according to Schiff.

"It was an honor to go in front of the court," said Schiff, "but it was especially gratifying because the issue the court granted review to was one that four or five courts of appeal have already argued against."

the litigation, arbitration and employment practice.

'92

Emmet M. Murphy joined Great American Insurance Group's Corporate Claims as a divisional vice president.

'93

Adam Springel, managing partner at Springel & Fink, has been selected to speak at the 2012 Annual Conference of the Claims and Litigation Management Alliance.

Deputy District Attorney

Matt Murphy is the trial prosecutor in the current death penalty case involving the strangulation and stabbing of Malinda Gibbons.

Michael Loesch has been promoted by the firm Fulbright & Jaworski LLP to join the firm's global partnership in the Washington, D.C., office.

'95

Anne Lignman Turner (LLM '01) has joined the

Jackson, Miss., office of Baker, Donelson, Bearman, Caldwell & Berkowitz, PC

'96

Tara M. Lee, co-chair of DLA Piper's transnational litigation practice, has been named managing partner of DLA Piper's Northern Virginia office in Reston.

William Derek Quan, an Imperial Valley native and longtime attorney, announced his candidacy for seat three of the Imperial County Superior Court system.

Limor Lehavi (LLM), a Newport Beach partner at Archer Norris, has been named by *Super Lawyers* magazine as one of the top attorneys in California for 2012.

Richard Stout is one of seven announced candidates for the bench seat held by retiring Judge H. Ted Hansen.

'97

Powegian Lynne Baker was named executive director of

the San Dieguito River Valley Conservancy.

The Honorable **David T. Matsuda**, maritime administrator, addressed the Maine Maritime Academy graduating class at the college's 69th commencement in May. Matsuda received an honorary doctorate from the college.

'98

Michael Gibson of Higgs Fletcher & Mack LLP was appointed as co-chair of the San Diego County Bar Association construction law section.

'99

Michelle Glasser has joined DLA Piper as an associate in the firm's San Diego office.

Nelson Goodin (LLM) has been appointed to fill a judicial vacancy on the Third Judicial District Court.

'01

Sean Banks served as the vice president of finance and general counsel for an Atlanta-based startup

company prior to joining TTV. He is currently on the board of directors for ControlScan, IAS and Chain Reaction Ecommerce Inc.

'02

Martin Bader was named a partner at Sheppard, Mullin, Richter & Hampton LLP. Bader, who works in the firm's intellectual property practice group in the Del Mar office, focuses his practice on patent and intellectual property litigation.

Brendan Ford was elected partner at Snell & Wilmer in the firm's Orange County, Calif., office. Ford focuses on product liability litigation.

The Law Office of **Joseph Dang** is opening up a new office in the Miramar community of San Diego. Dang is a San Diego car and automobile accident attorney.

'04

Cubic Transportation Systems has appointed **Ab Jenkins** as the company's new general counsel and secretary.

In Memoriam

'68

Bruce B. Yurman passed away after a courageous battle with both multiple myeloma and myasthenia gravis. He was surrounded by his family for the last week of his life.

'76

Judith Ann (Strickland) Stutz died from cancer on April 19, 2011, at the age of 64. Following graduation from USD School of Law in 1976, she served as the first attorney clients' rights advocate for the San Diego Regional Center for the Developmentally Disabled, then embarked on a career as mother and grandmother. She is deeply missed by her family, friends and colleagues.

'82

David Cooper passed away on February 3, 2012, after a four-year battle with cancer. Dave taught business law and paralegal studies at Fullerton Junior College for more than 30 years and co-authored a casebook on paralegal studies. He is survived by his wife of 25 years, Ann, and three children: Sam, Katie and Sarah.

'85

Matt Rutherford (LLM '88) passed away after a lengthy battle with cancer.

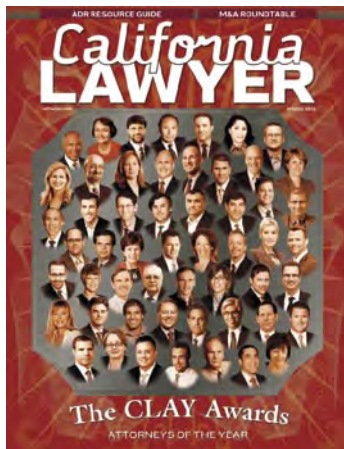
Alumni Success

CALIFORNIA LAWYER MAGAZINE NAMED THREE USD SCHOOL OF LAW ALUMNI 2012 CALIFORNIA LAWYER ATTORNEYS OF THE YEAR

Theodore J. Boutrous Jr., '87, works as a partner in the Los Angeles and Washington, D.C., offices of Gibson, Dunn & Crutcher where he co-chairs the firm's appellate and constitutional law group, its media and entertainment group, the crisis management group, and the transnational litigation and foreign judgments group. Boutrous is a 2003 recipient of USD School of Law's Distinguished Alumni Award.

Randall J. Baron, '90, is a former prosecutor who specializes in securities litigation, corporate takeover litigation and breach of fiduciary duty actions. He is a partner with Robbins Geller Rudman & Dowd.

Gene J. Stonebarger, '00, founded Stonebarger Law, where he specializes his practice in the areas of class action and complex business litigation.



California Lawyer magazine, March 2012

USD School of Law Alumni Reunions

1972 1982 1987
1992 2002 2007

Saturday, October 6, 2012

To participate on your class reunion planning or gift committee, or for more information, contact the office of development and alumni relations at (619) 260-4692 or lawalum@sandiego.edu.

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

Updated reunion information is available online at law.sandiego.edu/reunions.

Aubrey A. Haddach has joined the intellectual property team at Procopio, Cory, Hargreaves & Savitch as senior counsel. Haddach practices in the area of intellectual property law.

'05

Samin Vali Beringer, a San Diego family law attorney, has announced the formation of a new law firm in Carlsbad, Calif., the Beringer Law Firm.

John Conroy has been named a new principal in the patent group at Fish & Richardson (Munich and Southern California).

'06

Joseph Bolmarcich was named director of government contracts and Department of Defense compliance by Remington Defense.

'07

Jessica Klarer Pride, an associate attorney with San Diego-based Casey Gerry, was honored for Outstanding Service by a

New Lawyer at the San Diego County Bar Association (SDCBA) Annual Law Week Luncheon in May.

'08

Cody Cass is a member of the tax department at WeiserMazars LLP and spoke at a two-hour webcast titled "Reporting of Foreign Assets: Navigating the Latest Information Reporting Live Webcast" on March 21, 2012.

'10

Sara "Whitey" Whittington May has joined Allensworth & Porter LLP of Austin as an associate.

Jennifer Mauri has joined K&L Gates' office in Irvine, Calif.

'11

Alexandru (Alex) Masek placed 10th, one spot shy of the official final table, in the World Series of Poker Circuit at Harrah's Rincon.



Land Lady

ENVIRONMENTAL EXPERT FOUNDS NEW FIRM

"My goal is to establish a premier environmental and land-use practice," said **Tina Thomas**, '79, a prominent Sacramento attorney who recently formed the Thomas Law Group.

Thomas spent nearly three decades as a managing partner and counsel with Remy, Thomas, Moose & Manley LLP. Six current and former attorneys and staff members from the firm will join the Thomas Law Group to work on a variety of environmental cases, such as helping clients navigate the California Environmental Quality Act.

Thomas co-wrote the *Guide to the California Environmental Quality Act (CEQA)* (Solano Press, 2009) and is working with the state legislature on the California Environmental Quality Act reform. She has argued cases before the California Supreme Court, state appellate courts and federal court. Her past client base is diverse, ranging from affordable-housing developers to the National Basketball Association and Petco. She is also an advocate for *pro bono* work for social service and neighborhood groups and serves on multiple nonprofit boards, including the California Museum and Sacramento Food Bank Services.

Thomas fondly remembers her time at USD School of Law, citing property and land-use Professor John Winters as an inspiration.

SCENE OF THE CRIME

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



1

2011 DISTINGUISHED ALUMNI AWARDS AT THE WESTIN GASLAMP QUARTER

1. 2011-2012 Law Alumni Board President **Lann McIntyre**, '82; past Law Alumni Board President and Board member Hon. **Robert Trentacosta**, '79; and Board member Hon. **Carolyn M. Caietti**, '83 (BA), '86 (JD).
2. **Susan Hack**, '89; 2009 Distinguished Alumni Award Honoree and Board of Visitors member **Vickie Turner**, '82; and **Claudette Wilson**.
3. Inaugural recipients of the Rising Star Recent Alumni Award **Kristin E. Rizzo**, '06, and **Catherine L. Tran**, '08.
4. 2011 Distinguished Alumni Award honorees **Stephen P. Doyle**, '84, and Hon. **J. Richard Haden** (ret.), '74.



5



6

CAREERS IN THE LAW AT WARREN HALL

5. USD Law Alumni Board members **Jessica Wilson**, '02 (BA), '06 (JD); **Lynne Lasry**, '79 (2008 Distinguished Alumni Award Honoree); and **Briana Monahan**, '10, share advice with law students.

6. More than 250 USD law alumni and students attended the 2012 Careers in the Law event.



2



3



4

SAN DIEGO ALUMNI RECEPTION AT LA GRAN TERRAZA

7. Dean **Stephen C. Ferruolo** addressing San Diego alumni, guests and admitted students.

8. **Theresa Mathison**, '90; **Rosalind Kennedy**, '86; **Francis "Frank" Tepedino**, '74; and **Carmen Tepedino**.

9. **Summer Stech**, '06, and **Tiffany Miller**, '06.

10. **Douglas V. Brust**, '74, and Law Alumni Board member Hon. **Carolyn M. Caietti**, '83 (BA), '86 (JD), visit with an admitted law student and parent.

11. **Christopher Cooke**, '83 (MBA), '86 (JD), and Governing Board member; and Board of Trustees member **Daniel Herbert**, '82 (BBA), '86 (JD).



DECEMBER 2011 BAR SWEARING-IN AT THE SHERATON SAN DIEGO HOTEL & MARINA

12. USD law alumni celebrate at the State Bar of California Bar Swearing-In Breakfast and Ceremony.



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San Diego, CA 92110-2492

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USD School of Law Milestone Alumni Reunions

1972 1982 1987
1992 2002 2007

Saturday, October 6, 2012

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

To participate on your class reunion planning or gift committee, or for more information, contact the office of development and alumni relations at (619) 260-4692 or lawalum@sandiego.edu.

Updated reunion information is online at law.sandiego.edu/reunions.

Distinguished Alumni Awards

November 16, 2012

Westin Gaslamp Quarter
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.

Platinum Sponsor



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