

University of San Diego School of Law

advocate

The Consummate Connector

For Ted Sichelman,
creating win-win
opportunities is a
way of life

Plus: USD School of Law welcomes
Dean Stephen C. Ferruolo, and Justice Ron
Parraguirre shares words of wisdom



LEADING THE WAY



WITH FACULTY, STUDENTS AND PROGRAMS



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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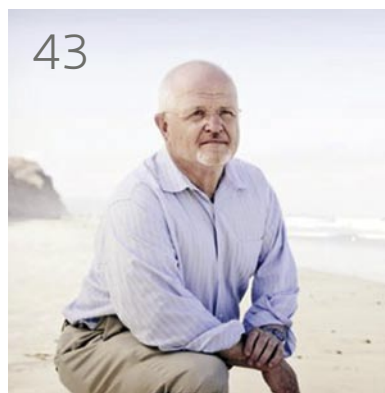


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The *Advocate* is published semiannually by the University of San Diego School of Law Communications Department

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DEAN'S MESSAGE)

BEFORE JOINING THE LAW SCHOOL AS DEAN IN AUGUST, I HAD ONLY SMALL GLIMPSES INTO THE RICH AND VIBRANT ACADEMIC COMMUNITY THAT IS USD SCHOOL OF LAW.

Over the past few months, I have often felt like a kid in a candy shop, constantly delighted by the people and activities around me. The topics covered in this issue of the *Advocate* are illustrative of what I see happening on a daily basis, making this such an exciting community:

- Impressive achievements of our students, alumni and faculty as evidenced by the numerous awards, prizes, and publications
- A richness brought to the community by our commitment to diversity
- The continuing impact of our legal clinics, advocacy programs and other centers
- Lively intellectual discourse at events such as the Neuroscience and the Law Conference and the annual Climate & Energy Law Symposium

- The variety of experience brought to USD by students in our graduate and special degrees programs like the MS in Legal Studies
- New initiatives like our partnership with the Africa Justice Foundation, which gives a global dimension to our commitment to service
- Innovative academic programs, such as the Technology Entrepreneurship Clinic, that give students practical hands-on experience and connect them (and us) more closely to business and IP communities in San Diego and nationally

Coming into academia after practicing law for more than 20 years, I am well aware that this school is not immune to the challenges facing the legal profession. To many of our students and recent graduates, the promise of a successful and satisfying legal career may seem illusory. But I remain confident that our students can, and will, succeed in finding fulfilling careers if they make optimal use of the legal training we provide, remain committed to their professional development and have the flexibility to seek new job opportunities—wherever those opportunities may be.

As I learn about the many strengths of USD School of Law, I am inspired to be ambitious in setting our goals to enhance legal education. I encourage our students and graduates to be equally ambitious in setting goals for their own legal careers.

Stephen C. Ferruolo
Dean, USD School of Law

discovery



USD Ranks Among Five Most Scenic College Campuses in the Country

Bing.com has rated USD No. 5 among America's top 14 scenic colleges, highlighting the school's location on a "dramatic mesa" with "awe-inspiring views of Mission Bay." The site also mentions the inspiration behind USD's elaborate architecture—the Universidad de Alcalá in Spain—and calls the buildings as "curvaceous and elaborately ornamented as the originals."

> Award Winners

TWO SCHOOL OF LAW PROFESSORS AWARDED 2011 THORSNES PRIZE



Steven Smith

Professor **Steven Smith** received the 2011 Thorsnes Prize for Outstanding Legal Scholarship for his book, *The Disenchantment of Secular Discourse* (Harvard University Press, 2010). Smith is one of the nation's foremost scholars in the area of law and religion. Professor-in-Residence **Junichi Semitsu** received the 2011 Thorsnes Prize for Excellence in



Junichi Semitsu

Teaching. Semitsu teaches and researches in the areas of media law and mass communications, constitutional law, privacy law, criminal law and procedure, and civil rights.

In 1995, law school alumnus and current Board of Visitors member Michael T. Thorsnes, '68, established the Thorsnes Prize for Excellence in Teaching. Awarded each year to a University of San Diego School of Law faculty member, the recipient is selected by a majority vote of upper-division law students. Established in 1999, the Thorsnes Prize for Outstanding Legal Scholarship recognizes law faculty members who have contributed significant scholarship to the national and international legal canon.



CAI Report Findings Lead Child Advocates to Sue California Department of Social Services

In September, child advocates sued the California Department of Social Services in San Diego County Superior Court. They seek to overturn regulations that allegedly allow the county to keep secret the possible causes of child deaths that occurred while it had an open child protective services file on the child. The suit was filed by Robert Butterfield, a founder emeritus board member of Promises2Kids, with USD's Children Advocacy Institute (CAI) and Morrison & Foerster law firm serving as counsel. The lawsuit alleges the regulations unlawfully block disclosure of key child death-related documents and seeks to enforce Senate Bill 39, enacted in 2007, which is meant to promote public scrutiny and an informed debate of the circumstances that led to the fatality.

*Pictured on left, USD's Methab Sandhu and
Kate Kirshbaum*



Students Excel in Evidence Competition

Third-year students Kate Kirshbaum and Methab Sandhu took third place in the 26th annual Jerome Prince Memorial Evidence Competition in April 2011. Kirshbaum also received the Best Oralist award for her advocacy in the preliminary rounds of the competition, which is one of the most prestigious tournaments on the moot court circuit. The event, which was hosted by Brooklyn Law School, provides law students from across the country an opportunity to write an appellate brief addressing evidentiary issues in a contemporary context. Thirty-six teams competed from law schools such as Duke University, Georgetown and University of Southern California. USD's team was coached by Ed Silverman, an appellate advocate and current partner at Sandler, Lasry, Laube, Byer & Valdez.

➤ LAW SCHOOL HONORED FOR
DIVERSITY INITIATIVES

Minority Report

The Law School Admissions Council (LSAC) awarded USD School of Law second place in the 2011 Diversity Matters competition. LSAC's Diversity Initiatives office developed the program to honor law schools that demonstrate a commitment to diversity and justice. In 2010-11, the law school sponsored programs that educated high school and early college minority students about the preparation for law school and the practice of law.



Alumni and Faculty Named Top Attorneys in San Diego County

USD SCHOOL OF LAW CONGRATULATES ALUMNI AND FACULTY RECOGNIZED BY THE *SAN DIEGO DAILY TRANSCRIPT* AS SAN DIEGO COUNTY'S TOP ATTORNEYS

USD Alumni: Bing Ai, '02; Olga Alvarez, '02; Jeffrey B. Baird, '98; Julie R. Barnes, '95; Krista Meredith Cabrera, '97; John M. Carson, '88; Charles B. Christensen, '73; Phillip R. Finch, '93 (BBA), '96 (JD); Robert J. Francavilla, '79 (BBA), '82 (JD); Cynthia A. Freeland, '95; Mary F. Gillick, '84; Jerilyn S. Jones, '84; Alex L. Landon, '71; Marty B. Lorenzo, '93 (BA), '96 (JD); Monty A. McIntyre, '80; Paul H. Neuharth, '89; Brian T. Seltzer, '77; Janis K. Stocks, '74; Walter F. Spath, '95 (JD), '96 (LLM); Elise Streicher, '81; Michael J. Weaver, '73.

USD School of Law Faculty: Frank Partnoy, George E. Barrett Professor of Law and Finance; Allen C. Snyder, Professor of Law.



Legal Dynamo

➤ INAUGURAL LEONARD ARMATO '78 SCHOLARSHIP FUND RECIPIENT ANNOUNCED

Second-year law student [Jordon Gaytan](#) was selected as the recipient of the 2011 Leonard Armato Entrepreneurial Scholarship. Gaytan received a \$20,000 scholarship and mentorship opportunities with the scholarship's namesake, Leonard Armato, '78, chief marketing officer and president of the Fitness Group at Skechers USA. The fund provides financial support and real-world experience to dynamic law students pursuing careers in entertainment law, sports law or entrepreneurship.

campus briefs



USD Law

Cherie Blair spoke at USD Law about implementing the rule of law in Africa.

Partners With Africa Justice Foundation

It's absolutely vital as lawyers that we don't just think of the laws in our own country," said Cherie Blair, well-known barrister, wife of former British Prime Minister Tony Blair and co-founder of the African Justice Foundation. "We have to think globally when we talk about the rule of law and ensure the law is seen as a force for good."

USD School of Law Dean Stephen C. Ferruolo welcomed Blair to campus on September 14 to announce a new partnership with the Africa Justice Foundation (AJF), which provides legal education to high-ranking African government officials. Armed with this advanced legal training, officials can then return to their respective countries prepared to incorporate clear, progressive and internationally recognized legal principles into



Skip Horne

“USD’s graduate programs are small enough to offer individual attention to the special needs of international students, but large enough to offer an esteemed faculty of leading legal scholars and expert practitioners as well as key centers and institutes of legal study.” — Skip Horne, Director of Graduate Programs and Continuing Education



*Dean Stephen C. Ferruolo
with Cherie Blair*

their country’s business laws. Now in its third year, AJF began providing legal training to government officials in Rwanda, but has now expanded to Nigeria, Ghana and Ethiopia.

USD is the first law school in the United States to partner with the Africa Justice Foundation.

Blair, who is also a respected human rights advocate, spoke with faculty and students during her September visit to discuss how she felt the rule of law can help rebuild many of Africa’s war-torn countries. She explained that companies are hesitant to invest in Africa because they’re not sure their money would be safe or their contracts would be honored. Likewise, government officials are frustrated because their lack of training in commercial contracts leaves them feeling vulnerable in negotiations.

AJF chose USD based on the school’s well-known and internationally respected Master of Laws (LLM) in Comparative Law program. USD will provide two scholarships each academic year. The program’s

first student, Fekadu Senbeta, from the Ethiopian Ministry of Justice, will begin classes in January 2012.

“USD’s graduate programs are small enough to offer individual attention to the special needs of international students, but large enough to offer an esteemed faculty of leading legal scholars and expert practitioners, as well as key centers and institutes of legal study,” said Skip Horne, director of Graduate Programs and Continuing Education at USD School of Law.

Funding for the program comes from a variety of sources. Students are traditionally sponsored by a mix of support from the law school they will attend, a law firm in the school’s region and the prospective student’s home country government.

Ferruolo added that AJF’s goals blend nicely with the university’s own interests in social justice and global entrepreneurship.

On March 11, 2011, USD School of Law welcomed Yale Law School Dean and Sol & Lillian Goldman Professor of Law Robert Post for the 27th Nathaniel L. Nathanson Memorial Lecture. Post discussed “Academic Freedom as a Constitutional Principle.”

Idealists would like to believe that professors have unlimited freedom for academic speech, buttressed by their First Amendment rights and intellectual autonomy guaranteed through tenure. Post refuted this assertion, saying that, yes, the First Amendment will protect a professor’s right to make any assertion, but it will not keep that professor tenured.

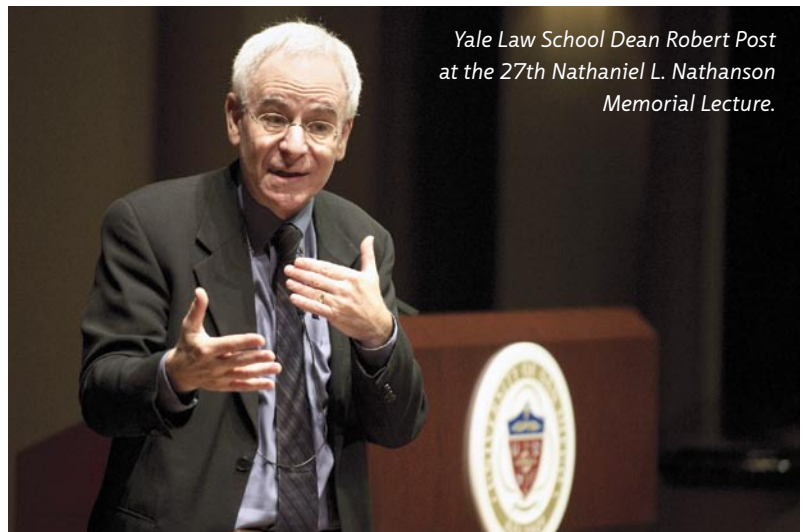
The American Association of University Professors (AAUP) defines academic freedom as “freedom of inquiry and research; freedom of teaching within the university or college; and freedom of extramural utterance and action.”

So, who owns academic freedom? If the university owned academic freedom, it would be free from litigation and free to regulate professors based on their comments. If professors owned academic freedom, they would be free from litigation and reprimand. As a professor and administrator, Post understands the importance of resolving this ambiguity. The AAUP intended to provide the profession with opportunities to pursue truth while requiring professors to fall within a set of disciplinary norms.

Academic freedom, then, does not refer to the individual’s right to speak or to an institutional right of independence, but to the health of ongoing disciplinary practices of knowledge creation and dissemination.

Post suggested that academic freedom is derived not from the First Amendment but from “the constitutional value of democratic competence.” This refers to the creation and dissemination of knowledge necessary for the maintenance of democratic self-determination.

Academic Freedom as a Constitutional Principle



Yale Law School Dean Robert Post at the 27th Nathaniel L. Nathanson Memorial Lecture.

Oliver Wendell Holmes in the dissenting opinion for *Abrams v. United States*, suggested that the “best test of truth is the power of the thought to get itself accepted in the competition of the market.” This statement has been interpreted to conceptualize the university as a “marketplace of ideas,” which applies the concept of a free market to the proliferation of knowledge. Post discarded that interpretation because the “marketplace of ideas” is inherently egalitarian. His experience with the profession has shown otherwise.



Members of the 2010-11 USD Moot Court Executive Board. From left to right, back row: Ted Sanders, Natalie Price, Nicholas Fox, Tyler Hazen, Bill Healy, Kate Kirschbaum and Dane Voris. Middle row: Joy Utomi, Miriam Milstein, Camille Lucidi, Kianne Holnagel, Andrew Minear, Brooke Meling, Andrew Mullen and Methab Sandhu. Front row: Tyler Lopez, Jessica Liu, Janet Chen, Claire Auther, Amy Carroll, Christine Wu and Lauren Gonzalez.

Mastering Moot Court

On March 2, 2011, USD School of Law hosted the final round of the annual Paul A. McLennon Sr. Honors Moot Court Competition to resolve the fictional case *Oak Park Unified School District v. Wayne*. In the case, the school principal suspended a 17-year-old student for posting an offensive rap song online.

Arguments were heard by a three-judge panel consisting of the Honorable Carlos T. Bea, circuit judge for the U.S. Court of Appeals, Ninth Circuit; the Honorable Larry Alan Burns, district judge for the U.S. District Court, Southern District of California; and the Honorable Judith McConnell, presiding justice of the First Division, California Fourth District Court of Appeal.

For moot court purposes, the court reviewed whether the petitioner had authority over the respondent's off-campus speech and, if so, whether the discipline was proper in accordance with the Supreme Court's special rules regarding school speech.

Melissa McKellar, '12, appearing on behalf of the petitioner, discussed pervasive cyber bullying and the need for policy enforcement in schools. She argued that civil and criminal litigation for cyber bullying is inefficient, impractical and contrary to the public's desire to resolve schoolyard disagreements.

Craig TenBrook, '12, for the respondent, argued that the rap song did not create a sufficient disruption to warrant suspension. Furthermore, First Amendment concerns for students far outweigh the desire to control writing in a genre that is inherently violent and vulgar.

The judges congratulated the finalists as well as the 58 other participants in the competition. Though both sides offered poised, reasoned arguments, the judges awarded the top honor to Craig TenBrook.

Professor Michael Devitt and his family endowed the moot court competition in 2001 to honor long-time family friend, attorney and naval officer Paul A. McLennon Sr., who passed away on October 11, 2011. The competition provides students an opportunity to develop their brief-writing and advocacy skills by testing them in an open and rigorous competition.

USD School of Law Advancing a Clean Energy Future

On April 15, 2011, USD School of Law's Energy Policy Initiatives Center (EPIC) and *San Diego Journal of Climate & Energy Law* hosted the third annual Climate & Energy Law Symposium. The symposium, "Advancing a Clean Energy Future," examined emerging law and policy approaches to encourage clean energy. Speakers stressed the importance of shifting to cleaner energy in order to mitigate climate change and limit our impact on the environment.

The symposium brought together three panels of legal and policy experts from across the country, including USD's own Professor of Law Lesley McAllister, Adjunct Professors of Law Michael Reed and Nilmini Silva-Send, and EPIC Director Scott Anders.

Panelists addressed a variety of issues, including the coordination of state and federal roles in the clean energy sector; the design of policies and markets for renewable energy and energy



Jon Wellinghoff, chairman of the United States Federal Energy Regulatory Commission, spoke at the Climate & Energy Law Symposium in April. He discussed ways to "squeeze out the inefficiency" in the energy market.

JOSHUA ROBERTS / GETTY IMAGES

efficiency; and the balance between energy and environmental protection. This year's keynote speaker was Jon Wellinghoff, chairman of the United States Federal Energy Regulatory Commission (FERC).

In 2009, President Obama appointed Wellinghoff chairman of FERC, the agency that regulates wholesale electricity transactions, interstate electricity transmission and natural gas transportation in the United States. His priorities at FERC include opening wholesale electric markets to renewable resources, providing a platform for participation of demand response and other distributed resources in wholesale electric markets, and promoting greater efficiency in our nation's energy infrastructure through the institution of advanced technologies and system integration.

During the symposium, Wellinghoff spoke of the tremendous amount of inefficiency in energy use in the United States. He showed the audience artist Chris Jordan's piece titled *Running the Numbers: An American Self-Portrait*—which uses 28,000 42-gallon barrels, the amount of oil consumed in the United States every two minutes, to depict the Earth and its magnetic field—and discussed his goals of “squeezing out the inefficiencies in the system” and getting the system to “function more efficiently given the jurisdiction and technology we have.”

“We believe we have the technology to make this work,” Wellinghoff said. “We have to figure out how to all work together—to use the technology that we already have and to develop new technology—in order to create a construct, put it to use and work in an efficient manner.”

Wellinghoff's goal is clear: clean, efficient and affordable energy. He spoke about the obstacles and barriers to this ultimate target, citing the overpricing

“We believe we have the technology to make this work. We have to figure out how to all work together—to use the technology that we already have and to develop new technology—in order to create a construct, put it to use and work in an efficient manner.”

of energy and inefficiency as roadblocks. He also pointed out constructs that do work, mentioning South Korea's improved efficiency and green automobiles as assets to a cleaner energy future.

Wellinghoff recognized specific companies that are moving in the right direction, such as OPower, a customer engagement platform for the utility industry. The platform helps people use energy more efficiently with the incentive of saving money on energy bills and, in doing so, is helping to reduce energy use. He pointed to new companies like OPower as a step in the right direction.

Visit law.sandiego.edu/webcasts to watch video of Wellinghoff's keynote speech and the three panels.

Finance Expert Gains Edge With Legal Training From USD Law

USD's Master of Science (MS) in Legal Studies program offers specialized legal education for non-attorneys. It is designed for graduate students and professionals who do not aspire to be attorneys but would benefit from further study of the legal system. Brad Lunn, 47, is one of three new additions to the program this year. He has a background in finance and spoke to the *Advocate* about starting the program at USD:

Q: Where did you attend college?

A: I attended the University of Colorado and Harvard University, where I studied finance. I also have a master's degree from Claremont Graduate University in management.

Q: Are you currently working?

A: Yes, I am working full-time for General Atomics, as the director of operations and planning. I am also a corporate director and audit chair for USA Taekwondo, which is part of the Olympic family.

Q: What was your previous career?

A: I spent 13 years at McDonnell Douglas and Boeing, working in the finance sector, as well as in mergers and acquisitions and corporate finance.

Q: Did your work in finance spur your desire to study law?

A: Yes. Complex business issues have, at their core, very complex legal issues, so it is artificial to try to separate them. Having people on the team who have both legal and business acumens will lead to better results. I took a course in corporate

governance at Harvard Business School, which was taught by a professor from the law school, making it obvious that legal dimensions to business are growing.

Q: What exactly were you looking for in a legal studies program?

A: I did not want to enroll in an online program because I wanted to witness interactions between very capable colleagues and professors. The online approach might be more convenient, but my priority was to find a high-quality, rigorous program. The search took a long time, and I didn't expect to find the program in my backyard [Lunn lives in Carlsbad.]

Q: What attracted you to USD?

A: The program is really ideal for someone like me who is not interested in practicing law but wants to leverage what can be learned from the legal field into business experiences. It also provides me with adequate flexibility while maintaining a rigorous curriculum.

Ideal candidates for the MS in Legal Studies program include graduate students in other disciplines or professionals from different fields who will benefit from studying law but do not wish to become attorneys. The application deadline for Fall 2012 is July 1, 2012. For more information on the program, go to law.sandiego.edu/msls.



Professor Adam Kolber returned to USD as a panelist for the Institute for Law and Philosophy's Neuroscience and Law event.

Legal Mind Reading

In September 2011, USD School of Law's Institute for Law and Philosophy assembled a panel of academic experts from around the country to discuss the intersection of neuroscience and the law. The six distinguished panelists discussed the implications of using neuroscience and its findings as a legal tool.

Panelists included former USD Law Professor Adam Kolber of Brooklyn Law School along with Deborah Denno of Fordham University School of Law; Michael Pardo of the University of Alabama School of Law; Stephen Morse of the University of Pennsylvania; Michael Moore of the University of Illinois; and Walter Sinnott-Armstrong of Duke University.

Kolber sees neuroscience as complementary to the subjective analysis of evidence used today. Magnetic resonance imaging (MRI) scans of the brain could provide important functions such as lie detection and subject experience analysis for the legal community.


In the past, pain, anxiety, panic and emotional distress were often downplayed by the law because they are difficult to measure. Neuroscience may change that.

So, how do the courts measure fair compensation for subjective claims? The current tort system does not say, for example, that a broken arm is worth \$10,000 or a broken leg is worth \$20,000 because there is no way to definitively assess pain or duress.

Kolber says new technologies could be used to reveal, validate and measure a person's claim of emotional distress or pain: "It's only a matter of time before a court's going to be presented with a question about whether this evidence should be admissible."

Pardo cautioned that the use of MRIs as a legal tool raises philosophical questions related to a suspect's right to plead the Fifth Amendment to be protected from self-incrimination.

View the complete panel discussion at law.sandiego.edu/webcasts.



students for startups³

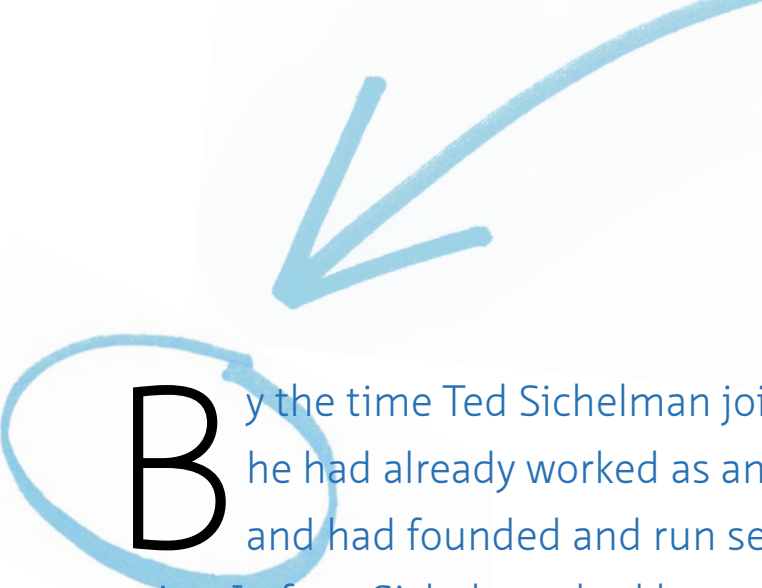
An innovative program matches new tech companies needing legal advice with law students needing experience

by Karen Gross



MARSHALL WILLIAMS

Associate Professor of Law Ted Sichelman runs USD School of Law's new Technology Entrepreneurship Law Clinic (TEC).



By the time Ted Sichelman joined USD's law faculty in 2009, he had already worked as an intellectual property (IP) lawyer and had founded and run several successful startup companies. In fact, Sichelman had been an entrepreneur since high school and was determined to combine this entrepreneurial spirit with his high-tech business know-how, and fold it into the law school's curriculum. Sichelman, an associate professor, wanted to offer students a more hands-on, practical approach to IP and corporate law involving startups. After trading ideas with lawyers and businesspeople in the community, and looking at what other law schools in the country were doing, Sichelman and former law school Dean Kevin Cole came up with a brilliant plan.

Cole approached San Diego's CONNECT—widely regarded as the world's most successful program linking technology-focused entrepreneurs with mentors and resources—and pitched a different kind of startup: one that would partner local startup businesses with the law school and its students.

"I was already familiar with CONNECT," recalls Sichelman, "because one of the companies I founded was a CONNECT startup. We decided to go to them for the clinic because they have a huge set of startup companies that could benefit from pro bono legal work."

The idea for the clinic involved pairing law students with young companies that would likely require a lot of legal research and advice, but didn't have the means to pay for it. The partnership quickly became a three-way arrangement between the law school, CONNECT's

flagship Springboard program, and several San Diego law firms, which are also CONNECT sponsors. It's known as the Technology Entrepreneurship Law Clinic, or TEC, and is now in its second year. Last year, 12 students participated in the course, and this year, 11 will be involved—culled from a group of about 50 applicants each year.

"We treat it just like getting a summer associate or an associate position," says Sichelman, who runs the classroom component of the course and supervises the students throughout the semester. Résumés and applications are forwarded to the law firms; firms then interview and select students. Participants are overseen directly by either partners or associates, and all of the work they do is pro bono, which means the startups pay nothing for the legal services they receive from



USD School of Law alumnus Matthew Bresnahan, '07, is an associate specializing in patent law at the San Diego office of Wilson Sonsini Goodrich & Rosati.

says interns like Kwon are playing a key role in the service the firm provides. Wilson Sonsini works with a huge roster of startups and also happens to have been involved with a company called Google, back when it really was little.

"I'll give the students as much as they can take on," Bresnahan says. "There's always going to be an attorney there reviewing it at the end, but we're so busy here. I'd love for the students to be able to run a client meeting and ask the right questions."

Third-year student Hanna Kang was given ample opportunity at the firm Knobbe Martens Olson & Bear, where she says her contact with three clients over two

"It was very appealing," says Kevin Kwon. "The opportunity to work for a firm in San Diego while getting credit for it was ideal."

the students as well as the supervisory time from the lawyers. The students get full academic credit for their work.

"It was very appealing," says Kevin Kwon, a third-year law student who won a spot at the San Diego office of Wilson Sonsini Goodrich & Rosati, and was mentored by Matthew Bresnahan, '07, an associate specializing in patent law. "The opportunity to work for a firm in San Diego while getting credit for it was ideal."

Kwon, who worked 10 to 20 hours per week, says he spent his time helping to prepare patent charts prior to litigation, researching patent infringement and learning how to formulate arguments in intellectual property cases.

And Bresnahan, who spent countless unpaid hours supervising not just Kwon but other students as well,



USD School of Law student Kevin Kwon worked 10 to 20 hours per week at Wilson Sonsini Goodrich & Rosati for his TEC internship.



Top: Associate Professor of Law Ted Sichelman with special guest lecturer Neil Senturia in the TEC classroom. Students Brian Headman and Stuart Sherman are pictured below.

semesters taught her a lot about customer service and putting legal theory into practice. The clinic also provided her contacts that have already proven invaluable.

“We would have a lot of interaction with the clients,” Kang remembers. “It was almost as if they were my clients, with the supervision of the partner, of course. So, I definitely enjoyed that part.” Kang also believes the experience helped her land two more internships—one with the pharmaceutical giant Pfizer and the other with a district court judge in San Diego.

So far, the TEC partnership has generated enthusiasm among all of its participants. While it’s still early to gauge its long-term impact, the initial reviews are very positive.

“It’s a win-win-win for Springboard and particularly for the startup companies,” says Ruprecht Von Buttlar, director of CONNECT’s Springboard program. “They need to think about how to protect their technologies and their scientific disclosures. This gives them

inexpensive but effective ways to do that.”

Marc Zimmerman, founder and CEO of the Language Express Inc., grabbed the opportunity when Von Buttlar offered it. Springboard connected his startup with two law firms, both of which actively vied for his business. Zimmerman ended up signing with Bresnahan at Wilson Sonsini and describes the experience as seamless.

“Working with the student was just like working with a regular attorney,” says Zimmerman, who adds that the USD law student listened well, researched his ideas and made sure that he wasn’t infringing on anybody else’s intellectual property. While the student’s work was pro bono, Zimmerman’s company also struck a deferral agreement with the law firm, which means that the Language Express will be able to focus on developing its business and won’t have to be concerned with paying any legal fees until it secures outside funding.

So, what’s in it for powerhouse firms like Wilson Sonsini, Knobbe Martens, and others whose lawyers are mentoring and supervising USD students pro bono, and in some cases offering discounted or deferral deals to Springboard’s fledgling startups? That’s obvious, according to Springboard’s Von Buttlar.

“The law firms eventually get a client,” he says. “This is pure and simple business development that they get in a very inexpensive way.”

And if things work out, says Wilson Sonsini’s Bresnahan, law firms like his solidify a potentially long-term, lucrative relationship with a successful new business.

“The ideal situation for the firm is for these clients to become mature companies, and we can service them in any way they need.”

Leonard Svensson, a partner with Birch, Stewart, Kolasch and Birch LLP, adds that there are other



Matthew Bresnahan, '07, with Marc Zimmerman, founder and CEO of Language Express Inc., and third-year law student Kevin Kwon.

“The ideal situation for the firm is for these clients to become mature companies,” says Matthew Bresnahan, “and we can service them in any way they need.”

benefits that don't necessarily contribute anything to the firm's bottom line.

“Part of it is just giving back, helping the community as a whole,” he says. “It's also a recruitment tool. If you have an intern that's really good, maybe you've found somebody that you'd like to hire when he or she has finished law school.”

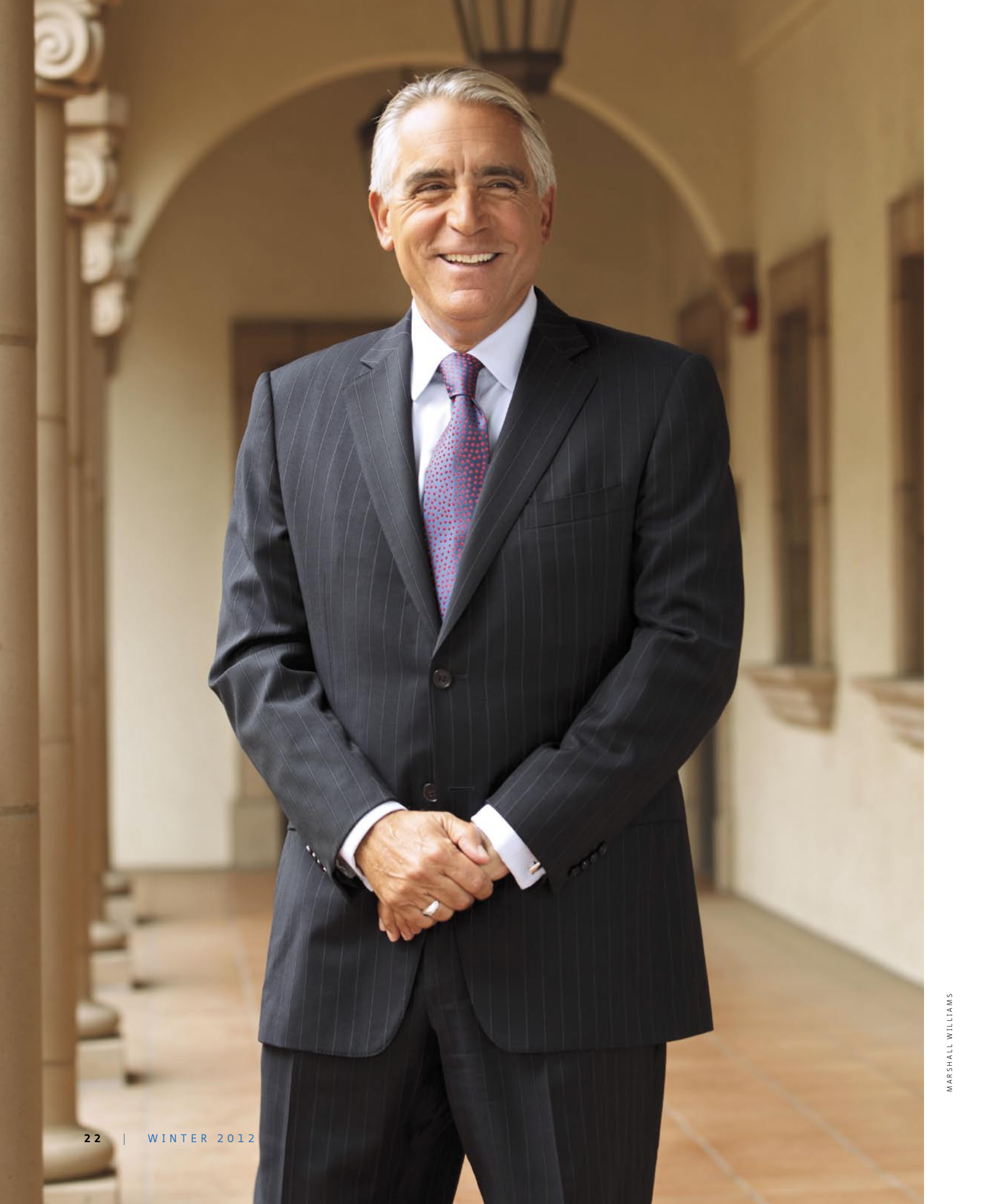
At the law school, the TEC program has already attracted far more applicants than it can handle, and Ted Sichelman knows why.

“It's extremely valuable,” he says, “because law firms today want students who actually know what

they're doing, and teaching from casebooks only is just not sufficient to give them that training.”

Like any other startup, the partnership's principals are working hard to ensure their model yields promising results and to bring their backers a solid return on their investment. So far, seven law firms remain with the program, and Sichelman, with his impressive success rate, is aiming for an expansion down the road.

“At the end of the day, you need to do something where students get real-world experience,” says Sichelman. “That's what we're giving them here.” [a](#)



by Ashley Vitale

practice makes perfect

Stephen C. Ferruolo
brings practical
experience to the
dean's office at
USD School of Law

■ Choosing an attorney in private practice to lead an academic institution may seem like an unconventional move. However, University of San Diego School of Law's newly appointed dean—Stephen C. Ferruolo—is no stranger to academia.

“This new role as USD School of Law's dean presented a rather unique and wonderful opportunity,” says Ferruolo. “It was a chance for me to integrate two distinct parts of my career—as a teaching scholar and a legal practitioner.”

Ferruolo assumed his new duties as the 10th dean of USD School of Law on August 1, 2011.

After graduating from Wesleyan University (*magna cum laude*), earning his Master of Philosophy and European History from Oxford University as a Rhodes Scholar, and obtaining his MA and PhD in history from Princeton University, Ferruolo spent the next 10 years as a history professor at Bennington College and Stanford University. His book on the origins of the university, published by Stanford University Press in 1985, has been widely cited and remains the authoritative work in the field.

In 1987, Ferruolo decided to shift gears and pursue his law degree at Stanford. He graduated with honors from Stanford Law School in 1990.

Now an accomplished scholar and author with more than two decades of legal experience, Ferruolo is using his combination of skills to ensure USD School of Law students get the best legal education possible.

“[Ferruolo] is a rare combination—an attorney who has practiced law extensively at the highest levels and who also has a deep understanding of academic excellence and students’ needs,” says USD Provost and Executive Vice President Julie Sullivan.

Sullivan believes Ferruolo is ideally suited both to enhance USD’s impact on the region and to further the law school’s national reputation for scholarly and educational quality.

Before joining USD, Ferruolo worked with Goodwin Procter LLP and Heller Ehrman LLP, focusing on transactional law, with an emphasis on corporate finance and governance, as well as mergers and acquisitions. He represented technology and life science companies not only in San Diego, but nationally and internationally. He is the vice chairman of BIOCUM/San Diego, the largest

regional life sciences association in the world.

Since the mid-’90s, Ferruolo has also been involved with CONNECT, which is regarded as the world’s most successful regional program linking investors and entrepreneurs with resources for the commercialization of products.

The law school’s Technology Entrepreneurship Law Clinic (TEC) works with CONNECT to pair students with established local practitioners, helping startups with corporate, intellectual property and employment legal needs. Results from the clinic’s first year have been outstanding. Students enjoy the hands-on experience and direct client interaction, while startup clients appreciate the pro bono work and often request that students continue to work with them even after the academic year is over (see article on page 16).



“I think about the contrast when I started law school in the late 80s, when everything seemed so wide open and no one was questioning the value of a legal education. Today, the legal marketplace is much different, but I still firmly believe that a solid, strong legal education opens doors to a wide variety of opportunities.”



So, how does the new dean feel about joining USD School of Law at a time when the viability of a legal education has been called into question?

Ferruolo is not daunted.

“I think about the contrast when I started law school in the late '80s, when everything seemed so wide open and no one was questioning the value of a legal education,” says Ferruolo. “Today, the legal marketplace is much different, but I still firmly believe that a solid, strong legal education opens doors to a wide variety of opportunities.”

USD School of Law provides students an understanding of the law in its most complete sense by

combining academic rigor and critical thinking, along with practical, professional training.

The school's distinguished faculty has a reputation for excellence in scholarship and teaching, which supports USD's reputation for producing top-notch legal professionals who practice law at big law firms across the country. This creates a strong national network of alumni who help students and graduates find career opportunities that stretch far beyond San Diego and California. In addition, the law school's many academic centers, institutes and clinics provide students with hands-on legal experience, allowing them to put legal

theory into practice before graduating from law school.

Ferruolo is particularly focused on steadily expanding the law school's breadth and depth of curricula in the emerging field of biotechnology. As innovation in the field of biotech and life sciences continues to flourish, the need for well-trained intellectual property lawyers continues to grow.

“For the past 20 years, my career has focused on biotech law, and the professional relationships I made during that time are positive ones,” says Ferruolo. “There's been enthusiastic support from partners in law firms in San Diego and elsewhere.”

Ferruolo continues to build on these professional relationships. He is the school's best advocate, communicating with biotech and life science professionals about the stellar classroom and hands-on training that USD has provided through its intellectual property program for many years.

And he's not just looking for opportunities focused on intellectual property law.

Ferruolo envisions an education that goes beyond basic legal knowledge so that graduates can have an edge in the job market. He said one way to do that is by offering joint degrees in fields such as nursing, biology, engineering and business administration. [a](#)

Brave New World

› The Honorable Ron Parraguirre Tells the Class of 2011 to Be Ready for Changes on the Legal Landscape

WHERE WILL YOUR PATH LEAD YOU?

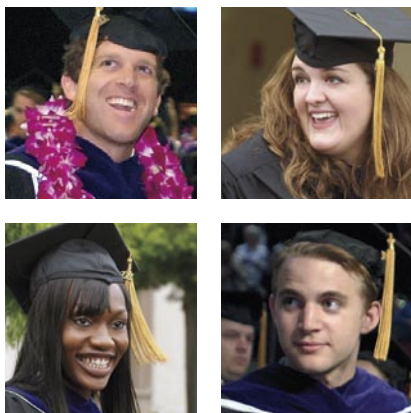
Whether it be difficult or prosperous economic times, professional success depends upon a lawyer's ability to adapt. Within change lies opportunity. This was the main message of the keynote address delivered by Nevada Supreme Court Chief Justice and USD School of Law alumnus Ron Parraguirre, '85, at the commencement and conferral of law degrees on Saturday, May 14, 2011.

"I believe there are changes occurring right now that will, in fact, be permanent changes as a result of the economy," said Parraguirre. "Within these changes, opportunities await."

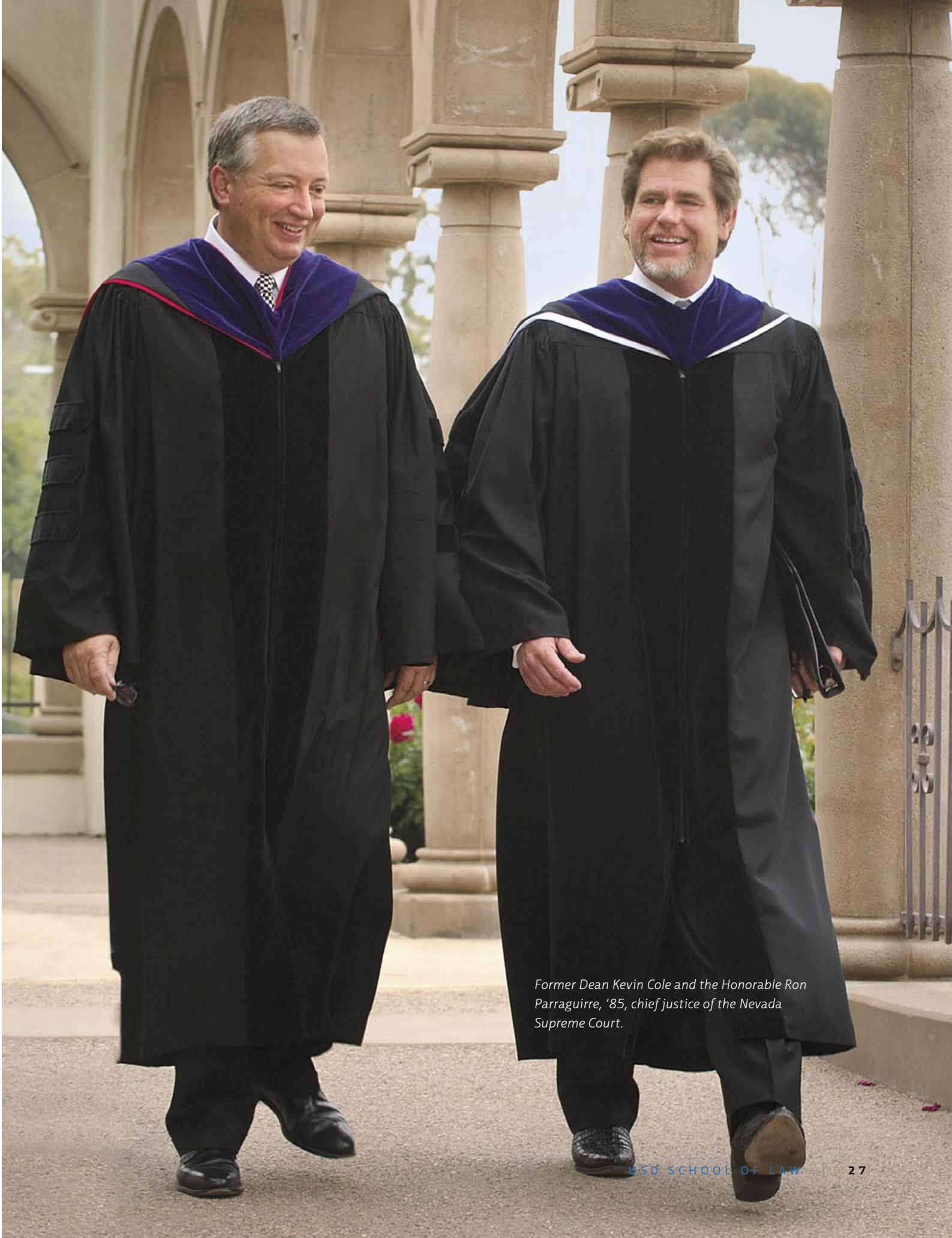
Explaining one such change, Parraguirre pointed out the cost of litigation is far beyond what most of the general population can afford. As a result of the slow and often painful process, parties are turning away from traditional, expensive litigation practices and demanding alternative dispute resolution methods. Mediation and arbitration are becoming the preferred mechanism for resolving disputes.

Recently, Parraguirre and his colleagues on the Nevada Supreme Court passed rules to allow for private-stipulated jury trials. The parties determine and control the litigation costs and the length of the process, and ideally end up with a swift and cost-effective way to resolve their disputes.

Practitioners who have been able to spot this opportunity are prospering. Law firms now are adding fully equipped courtrooms to their offices, shifting the practice emphasis to meet this need.



“The point here is: Be flexible, be adaptable and don't be afraid to challenge tradition. Therein lies your opportunity.”



Former Dean Kevin Cole and the Honorable Ron Parraguirre, '85, chief justice of the Nevada Supreme Court.



“The point here is: Be flexible, be adaptable and don’t be afraid to challenge tradition,” Parraguirre stated. “Therein lies your opportunity.”

Adaptability is the key. He knows this firsthand, as he adapted to circumstances he could not possibly have foreseen in his own career.

Parraguirre graduated from USD School of Law in 1985 determined to enter civil litigation in Las Vegas. After completing an internship in Washington, D.C., he accepted a position as a counsel with the Senate Judiciary Committee. Parraguirre was then unexpectedly called back to Nevada in 1987, where he spent a few years in private practice.

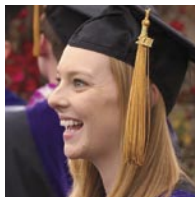
When a bench position opened in Las Vegas, he and some friends put together a campaign on a whim, with Parraguirre as the candidate. He won. Twenty years later, Parraguirre now serves as the chief justice on the Nevada Supreme Court and cannot imagine doing anything else.

Parraguirre told the candidates not to worry if they didn’t have a clear career plan right now and to be open to any career option that presented itself. Many of the decisions made in legal careers are unplanned. Lawyers are trained to be logical, contemplative thinkers and make the most of opportunities that arise.

“I stand here 20-some years later, and I don’t regret any of those unplanned decisions that I made,” said Parraguirre. “I am here because of a series of circumstances that I couldn’t have foreseen. That’s something I want you to understand. Your path is going to take you where it takes you, and you’re all going to be fine.”

Parraguirre concluded his remarks with a brief discussion about responsibility, reinforcing in students their responsibility to the public, to fellow legal professionals and to themselves.

He reminded the students that law is a service profession. The individuals



“You will never feel as fully compensated as when you see the relief and the gratitude in a pro bono client’s face as you stand with them navigating a complex and very frightening process.”

“Realize there’s a distinction between zealous advocacy and commando lawyering.”

most in need cannot afford legal representation, so the system relies on practitioners to provide pro bono service.

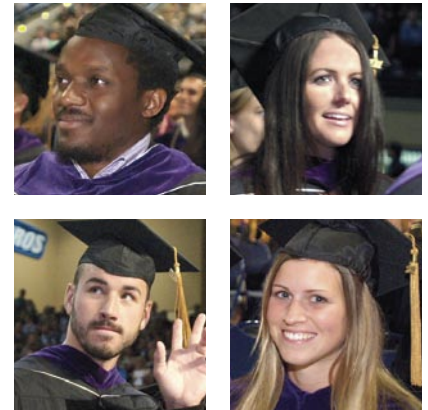
“It’s good for your souls,” he said. “You will never feel as fully compensated as when you see the relief and the gratitude in a pro bono client’s face as you stand with them navigating a complex and very frightening process.”

Lawyers are painted with a very broad brush; the bad conduct of just a few reflects on all. Parraguirre asked the students to do their part to build the reputation of the profession and strive for civility in their dealings with clients, office staff, judges and other attorneys.

“Realize there’s a distinction between zealous advocacy and commando lawyering.”

Making his point about personal responsibility, Parraguirre encouraged graduates to stay grounded and balanced. With all that lawyers do professionally, they must make time to develop and nurture their own interests and pursuits in order to keep life balanced and fulfilling.

“Success is not the key to happiness,” Parraguirre concluded, quoting Albert Schweitzer. “Happiness is the key to success. If you love what you are doing, you will be successful. Congratulations. You have a magnificent future ahead of you.”



Above: JD and LLM candidates from the 2011 commencement. Left: Commencement ceremonies at USD’s Jenny Craig Pavilion. Opposite page, above: Justice Parraguirre addresses 2011 candidates. Opposite page, below: JD and LLM candidates from the 2011 commencement.

faculty footnotes



From publishing scholarly legal articles and books to organizing conferences, the USD 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.

Lawrence Alexander

Lawrence Alexander had numerous articles published in 2011, including "Duff on Attempts," in *Crime, Punishment, and Responsibility: The Jurisprudence of Antony Duff* (R. Cruft, M. Krause and M. Reiff, eds.) (Oxford University Press, 2011); "Culpability," in *The Oxford Handbook on the Philosophy of Criminal Law* (J. Deigh and D. Dolink, eds.) (Oxford University Press, 2011); "Beyond the Special Part," in *Philosophical Foundations of Criminal Law* (with Ferzan) (A. Duff and S. Green, eds.) (Oxford University Press, 2011); "Constitutionalism," in *Encyclopedia of Jurisprudence* (D. Reidy, ed.) (forthcoming, 2012); "Freedom of Expression," in *Encyclopedia of Modern Political Thought* (G. Claeys and L.T. Sargent, eds.) (Taylor and Francis Group, forthcoming, 2012); "Freedom of Expression," in *Encyclopedia of Applied Ethics* (R. Chadwick, ed.) (Academic

Press, forthcoming, 2012); "Simple-Minded Originalism," in *The Challenge of Originalism: Essays in Constitutional Theory* (G. Huscroft and B.W. Miller, eds.) (Cambridge University Press, 2011); "Legal Objectivity and the Illusion of Legal Principles," in *Institutionalized Reason: The Jurisprudence of Robert Alexy* (M. Klatt, ed.) (Oxford University Press, forthcoming, 2012); "Fletcher on the Fault of Not Knowing," in *Essays on Criminal Law* (with Ferzan) (R. Christopher, ed.) (Oxford University Press, 2011); "Risk and Inchoate Crimes: Retribution or Prevention?" in *Seeking Security: Pre-empting the Commission of Criminal Harms* (with Ferzan) (G. R. Sullivan et al., eds.) (Hart, forthcoming, 2012); "Precedential Constraint, Its Scope and Strength: A Brief Survey of the Possibilities and Their Merits," in *On the Philosophy of Precedent* (T. Bustamante et al., eds.) (Ashgate, forthcoming, 2012); "Self-Defense," in *The Routledge Companion to Philosophy*

of Law (A. Marmor, ed.) (Routledge, forthcoming, 2012); and "Voluntary Enslavement," in *Paternalism: Theory and Practice* (C. Coons and M. Weber, eds.) (forthcoming, 2012).

Alexander also has many forthcoming essays to be published in 2012, including: "There Is No First Amendment Overbreadth (But There Are Vague First Amendment Doctrines); Prior Restraints Aren't 'Prior'; and 'As Applied' Challenges Seek Judicial Statutory Amendments," in *Constitutional Commentary* (forthcoming, 2012); "Michael Moore and the Mysteries of Causation in the Law," in *Rutgers Law Journal* (forthcoming, 2012); "Deontological Constraints in a Consequentialist World: A Comment on Law, Economics, and Morality," in *Jerusalem Review of Legal Studies* (forthcoming, 2012); "What's Inside and Outside the Law," in *Law and Philosophy* (forthcoming, 2012); "You Got What You Deserved," in *Criminal Law and Philosophy* (forthcoming, 2012); "Redish on Freedom of Speech," in *Northwestern University Law Review* (forthcoming, 2012); "The Method of Text and ?: Jack Balkin's Originalism with No Regrets," in *University of Illinois Law Review* (forthcoming, 2012); "'Moore or Less' Causation and Responsibility," in *Criminal Law and Philosophy* (with Ferzan) (forthcoming, 2012); and "Danger: The Ethics of Preemptive

Action," in *Ohio State Journal of Criminal Law* (with Ferzan) (forthcoming, 2012).

Alexander was an organizer and participant in the "Conference on the Morality of Preventive Restrictions of Liberty" in San Diego (April 2011); an organizer and participant in the "Analytic Legal Philosophy Conference" in San Diego (April 2011); a presenter at the "Meeting of the American Philosophical Association, Pacific Division" in San Diego (April 2011); a presenter at "Conference on Targeted Killing" in Philadelphia (April 2011); a presenter at "Conference on Jack Balkin's Living Originalism" in Champaign, Ill. (April 2011); and a presenter at "Conference on Paternalism" in Bowling Green, Ohio (April 2011).

Laura Berend

Laura Berend completed *Criminal Litigation in Action, 2nd Ed.* (with Ramirez) (Carolina Academic Press, forthcoming, 2012). She also presented "Procedural Stages in the Criminal Trial Court" at the University of California, San Diego Global Leadership Institute.

Roy L. Brooks

Roy L. Brooks published his fourth casebook, *The Law of Discrimination* (with Selmi and Carrasco) (LexisNexis, 2011). He also contributed "Reparative Justice and Modern Slavery," to an edited

› **In the News:**
In May 2011, Professor Nancy Carol Carter was interviewed on KPBS radio's *Midday Edition* about the maintenance, preservation and proposed renovation of San Diego's beloved Balboa Park, which will celebrate its centennial in 2015. A student of San Diego history, Carter discussed the history of the park and a few of the unconventional ideas that have been proposed over the past century. To learn more or to hear the full interview, go to law.sandiego.edu/balboapark.

In the News:
Professor Lesley McAllister was awarded a Fulbright Scholar grant to pursue research at the University of Granada in Spain during the 2011-12 academic year. McAllister will conduct research on Spain's implementation and enforcement of the European Union emissions trading scheme, a cap-and-trade program established in 2005 to promote European compliance with the Kyoto Protocol.

collection on modern slavery that will be published in the United Kingdom; "The Psychology and Socioeconomics of Slavery in 21st Century America," to *Race/Ethnicity*; and "Making the Case for Atonement" to a symposium issue of *The Journal of Gender, Race and Justice*. His reflections on culture have been abstracted in the current issue of *The Review of Metaphysics*. *The Monist*, one of the world's oldest philosophy journals, will publish an article based on his works in 2012. Brooks also delivered numerous speeches and papers, including "Juridical Subordination," at Maryville University (January 2011), "Critical Theory," at Bloomsburg University (April 2011); the keynote address "Modern Slavery, Redress and Human Development," at York University in Toronto (June 2011); "The Right to Privacy and Full Faith and Credit in International Law," at The Law and Society Association annual meeting in San Francisco (June 2011); and "The Problem of Race in the Age of Obama," at the University of San Diego (September 2011). He was also appointed to the advisory board of a new legal publication, *The Journal of Law*.

Karen Burke

Karen Burke completed the casebook *Corporate Taxation* (with Yin) (Aspen Law and Business, 2012). She also

published two articles: "Reframing Economic Substance," in 31 *Virginia Tax Review* (forthcoming, 2012) and "Illusory Partnership Interests and the Anti-Anti-abuse Rule," in 132 *Tax Notes* 813 (with McCouch) (2011). In addition, she presented "Reframing Economic Substance" at the University of Virginia (March 2011) and the University of Florida (October 2011).

Nancy Carol Carter

Nancy Carol Carter published the chapter "Native American Tribal Law," in *The Fundamentals of Legal Research, 9th Ed.* (forthcoming) and "U.S. Federal Indian Policy: An Essay and Annotated Bibliography," in 30 *Legal Reference Services Quarterly* 210 (2011). She was the keynote speaker at the Committee of 100 Annual Luncheon in San Diego (May 2011).

Lynne Dallas

Lynne Dallas completed "Short-Termism, the Financial Crisis and Corporate Governance," in 36 *Journal of Corporation Law* (2011).

Robert C. Fellmeth

Robert C. Fellmeth published his book, *Child Rights and Remedies, 3rd Ed.* (Clarity Press, 2011). Fellmeth serves as the executive director of the Children's Advocacy Institute (CAI)

and holds the Price Chair in Public Interest Law.

Mark Hoose

Mark Hoose reported on the “Dividend Taxation Under Tax Treaties and EU Law” conference in Milan, Italy. His report from the conference will appear as a chapter in a book to be published by the International Bureau of Fiscal Documentation (IBFD) in early 2012. Hoose also addressed both the San Diego County Bar’s Young Tax Lawyer’s Group (August 2011) and the County Bar’s Tax Section (November 2011) on the topic of the federal government’s debt ceiling controversy and overall fiscal situation. He acted as a panel moderator for the USD-Procopio International Tax Institute. Hoose acted as a guest lecturer in USD Professor Avi Spiegel’s international relations class. He has been invited to teach a class in international taxation at USD’s School of Business in Summer 2012.

Bert Lazerow

Bert Lazerow completed chapters on United States historic preservation and moral rights for his forthcoming book, *Mastering Art and Museum Law*. The chapter on U.S. historic preservation covers historic preservation, archaeology on land, underwater archaeology, and the treatment of Native American

remains and artifacts. The moral rights chapter deals with the moral rights of attribution and integrity as well as artist’s resale rights.

Orly Lobel

Orly Lobel is currently working on the completion of her book on innovation, human capital and intellectual property (Yale University Press, forthcoming, 2012). She had numerous articles



Professor Orly Lobel Invited to Present at Chinese Law Symposium

University of San Diego School of Law Professor and Herzog Endowed Scholar Orly Lobel was invited to participate in Beijing University’s Symposium on the Practice and Theory of Soft Law and Regulation. As one of a few international invitees, Lobel presented information on how behavioral economics informs law and governance in the United States.

“Soft law means all sorts of things,” states Lobel, “but the Chinese wanted to learn about comparative approaches to regulation, enforcement and compliance in different legal systems, including use of private ordering, public/private cooperation and the interactions between multilevel regulatory agencies.” With much of Lobel’s legal scholarship translated into Mandarin and Cantonese, her work is well respected amongst the Chinese. She was invited to sit on a panel with Bixin Jiang, vice president of the Supreme People’s Court.



Professor Frank Partnoy featured on NPR's *Fresh Air*

On the August 17 episode of NPR's *Fresh Air*, Professor Frank Partnoy joined host Dave Davies to discuss Standard and Poor's decision to downgrade the U.S. default rating. Partnoy's message was comforting. "It doesn't actually tell us anything about the chances of the United States defaulting."

Originally, credit rating agencies were created to determine the value of railroad bonds. Today, the scope of ratings agencies is vast. Many investment firms rely on the analysis of the Big Three—Moody's Investors Service, Fitch Ratings and Standard & Poor's—for investment strategies and market forecasting. According to Professor Partnoy, that dependence is to blame for the recession.

"The credit rating agencies were absolutely at the center of the crisis," he alleged. "They enabled and facilitated all of the complex financial instruments that really were at the core of why the markets melted down."

The ratings agencies evaluated the default risk of the subprime mortgages that led to our housing bust. Had their analysis been more accurate, banks would not have purchased the bonds. So, before you flee the AA+ United States for the AAA rated Isle of Man, remember what they said about those subprime mortgages.

published, including: "Whistleblowers and Social Enforcement," in *Explaining Regulatory Compliance* (with Yuval Feldman) (Nielsen and Parker, eds.) (Elgar, 2011); "Employment and Labor Law and Economics," in *Law and Economics* (with Feldman) (Procaccia

and Luria, eds.) (forthcoming, 2012); and the chapter "New Governance as School of Thought and Policy Approach," in *Oxford Handbook on Governance* (Fagerberg, Mowery and Nelson, eds.) (Oxford University Press, 2011). In August 2011, Lobel won an award from Tilburg University in Holland for her research on risk and health/pension policy. In June 2011, Lobel participated at Beijing University's Symposium on Regulation. As one of a few international invitees, Lobel illustrated how behavioral economics informs law and governance in the United States. Her article on regulation and governance, published in the *Minnesota Law Review*, was translated into Chinese and published in a book by the Peking University Press. Lobel also presented her research at the University of Pennsylvania School of Law, the Law and Society Association Annual Meeting in San Francisco, the American Law and Economics Association, the University of Pittsburgh School of Law, Pepperdine Law School and Boston University School of Law (Spring and Summer 2011). She also participated in the National Health Policy Conference at Arizona State University as part of her Robert Wood Johnson Foundation grant to study behavioral economics insights for regulating health policy. Lobel serves on the advisory board of the San Diego lawyer chapter of the American Constitution

Society and the Employee Rights Center. She is an international advisory board member for *Oxford Handbook on Governance* and the academic advisory board of the Government Accountability Project, Washington, D.C., and also serves as vice chair in the Section of Administrative Law and Regulatory Practice of the American Bar Association.

Lesley K. McAllister

Lesley K. McAllister published "The Enforcement Challenge of Cap-and-Trade Regulation," 40 *Environmental Law* 1195 (2011) and "Enforcing Cap and Trade: A Tale of Two Programs," 2 *San Diego Journal of Climate and Energy Law* 1 (2011). As faculty advisor to the *San Diego Journal of Climate & Energy Law*, she organized the law school's Third Annual Climate and Energy Law Symposium in April 2011, "Advancing a Clean Energy Future." McAllister gave lectures and colloquium talks at Florida State University College of Law (February 2011), Stanford Law School (June 2011) and at the University of Utah School of Law as the 2011 Wallace Stegner Center Young Scholar (November 2011). She also spoke on panels at the *Brigham Young University Law Review* Conference on Disasters and the Environment (February 2011), International Law Weekend—West (February 2011), the Rocky Mountain

Mineral Law Foundation Natural Resources Law Teachers Institute (May 2011), the Law and Society Association Annual Meeting (June 2011), and the annual American Bar Association Water Law Conference (October 2011). McAllister serves as a member of the American Bar Association Section of Environment, Energy, and Resources Task Force on Policy and Coordination, and as a member scholar of the Center for Progressive Reform. McAllister also contributes to the Environmental Law Prof Blog, which may be viewed at lawprofessors.typepad.com/environmental_law.

Grayson McCouch

Grayson McCouch published *Federal Estate and Gift Taxation, 10th Ed.* (with Bittker and Clark) (Thomson/West, 2011), *Federal Estate and Gift Taxation, 7th Ed.* (with McNulty) (Thomson/West, 2011), and "Illusory Partnership Interests and the Anti-Anti-abuse Rule," in 132 *Tax Notes* 813 (with Burke) (2011). He also presented "Illusory Partnership Interests and the Anti-Anti-abuse Rule," at the University of Florida Levin College of Law (September 2011).

David McGowan

David McGowan published *Developing Judgment About Practicing Law* (West,

› **In the News:**
Professor Grant Morris was named Professor of Law Emeritus as voted by the law school's faculty and approved by the university's Board of Trustees. Appointment to emeritus status may be granted for uncommonly meritorious teaching, scholarship or service to the university. Morris, who joined the law faculty in 1973, has taught and written in the areas of torts and law, and psychiatry. Morris served as a Superior Court mental health hearing officer and is currently a member of the Atascadero State Hospital Advisory Board.

In the News:

Mary Jo Wiggins, who has served as associate dean of academic affairs since July 2006, was appointed vice dean of academic affairs in September 2011. As vice dean, she will focus on academic planning and faculty development efforts. A favorite of USD School of Law students, Dean Wiggins will continue teaching classes in property, bankruptcy, debtor-creditor law and legal theory at the law school.

2011), the first casebook to treat legal ethics as a problem of judgment and strategic decision-making. The Association of American Law Schools selected his paper "Lawspeech" for presentation at their annual meeting, where he will participate in a panel. Professor McGowan moderated a panel on antitrust and open-source software hosted at Stanford Law School by the American Bar Association (October 2011), and spoke on judicial ethics at the annual meeting of the Association of Business Trial Lawyers in Santa Barbara, Calif. (October 2011).

Jean Ramirez

Jean Ramirez completed *Criminal Litigation in Action*, 2nd Ed. (with Berend) (Carolina Academic Press, 2012).

Lisa Ramsey

Lisa Ramsey spent the spring as a visiting scholar at the University of Melbourne, where she researched Australian trademark and free speech law. Her book review of *Australian Trademark Law*, by Robert Burrell and Michael Handler, was published in the *Media and Arts Law Review* (2011). While in Australia, Professor Ramsey presented "Brandjacking on Social Networks: Trademark Infringement by Impersonation of Markholders,"

at the Sydney and Melbourne offices of the law firm Baker and McKenzie (March 2011). *The Law Report's* Damien Carrick interviewed her on the topic of brandjacking on social networks on Australian national radio (March 2011). In addition, Ramsey presented "How Trademark Law Harms Free Speech and What to Do About It," to the law faculty at Melbourne Law School at the University of Melbourne (March 2011) and TC Beirne School of Law at the University of Queensland in Brisbane, Australia (March 2011). In June 2011, Ramsey served on a panel at the Law and Society Association annual meeting and discussed technology, social media and liminal IP (June 2011). She presented "What the United States Can Learn from Australian Trademark Law" at the 11th Annual Intellectual Property Scholars Conference (August 2011) and "Hot Topics in Trademark Law for Non-IP Attorneys," at the California State Bar annual meeting (September 2011).

Michael Ramsey

Michael Ramsey coedited *International Law in the U.S. Supreme Court: Continuity and Change* (with Sloss and Dodge) (Cambridge University Press, 2011). In addition to serving as an editor, Professor Ramsey authored or coauthored several chapters in the book, including "International Law in the Supreme Court to 1860," and

"Customary International Law in the Supreme Court, 1901-1945." *The Texas Law Review* accepted his review (with Prakash) (forthcoming, 2012) of Eric Posner and Adrian Vermeule's book, *The Executive Unbound*. He also gave presentations on the constitutional status of international law in Melbourne, Australia, at Monash University and the University of Melbourne, as well as in San Francisco at the Association of American Law Schools' annual meeting. Ramsey debated University of California, Berkeley, Professor John Yoo at Stanford Law School on the constitutionality of the Libya intervention and participated in a panel discussion at Pepperdine Law School on corporate liability for international human rights violations. Ramsey also presented a work-in-progress article on customary law at the Harvard Law School foreign affairs law workshop.

Ted Sichelman

Ted Sichelman published "Life After *Bilski*," 63 *Stanford Law Review* 1315 (with Lemley, Risch and Wagner) (June 2011) and "Taking Commercialisation Seriously," 33 *European Intellectual Property Review* 200 (January 2011). Sichelman also contributed "Fixing the First Inventor to File One-Year Grace-Period Provision of the Patent Reform Bills," on PATENTLY-O (April 12, 2011), and "What We Said (and Didn't Say) in the Berkeley Patent

Study," also on PATENTLY-O (with Merges and Samuelson) (August 5, 2011). He presented: "Purging 'Private Law' from Patent Law Remedies," at Northwestern Law School (September 2011); "Commercialization of IP and the America Invents Act of 2011," at the University of Nevada, Las Vegas School of Law (September 2011); and "Purging 'Private Law' from Patent Law Remedies," at DePaul Law School (August 2011).



Professor Lisa Ramsey Discusses Social Media's Dark Side

In March, Damien Carrick of *The Law Report* on Australia's ABC National Radio hosted Professor Lisa Ramsey to discuss brand-jacking on social networks.

Brandjacking is "the unlawful use of trademarks online." As companies strive to connect with their customers, some individuals have taken the opportunity to defame brands and exploit their followers. In one case, a fraudulently named Facebook group, "Nine West Model Auditions," invited women to send in pictures of their faces, bodies and feet, along with personal contact information for a chance to win a free trip to New York to model the brand. By the time Facebook removed the site more than 400 women had applied.

Can a brand take action against these violators?

For now, the answer is uncertain. "In the United States, you have to use the trademark in commerce...one of the challenges in these cases is that a lot of people are engaging in noncommercial expression."



Professor-in-Residence Junichi Semitsu's Paper Lands on Top Download List

Professor-in-Residence Junichi Semitsu's paper "From Facebook to Mug Shot: How the Dearth of Social Networking Privacy Rights Revolutionized Online Government Surveillance" (31 *Pace Law Review* 291) secured a spot on the list of top 10 recent Social Science Research Network (SSRN) downloads of criminal law and procedure e-journals. The article explores the privacy policies of popular social networking sites and their relation to the Fourth Amendment. How can Facebook users ensure that their content will not be released to the general public? Semitsu says, "Don't die." Social networking evolves so fast, if you do not check the Facebook site governance page every day, you might risk having yourself exposed.

Jorge A. Vargas

Jorge A. Vargas published his latest work on the law of the sea, *Mexico and the Law of the Sea: Contributions and Compromises* (Martinus Nijhoff Publishers, 2011).

Mary Jo Wiggins

Mary Jo Wiggins revised, updated and published six chapters of *Collier on Bankruptcy*. She finished a draft article on the bankruptcy jurisprudence of Supreme Court Justice Clarence

Thomas. She gave welcome remarks to prospective students at each Campus Visit Day admissions event in the Spring semester. Wiggins also chaired the USD School of Law Dean Search Committee, a search that culminated in the appointment of Dean Stephen C. Ferruolo. Wiggins was recently promoted to vice dean of the law school. Wiggins made numerous presentations to the law school community and to various external constituencies throughout the year. She also served as coach and faculty advisor to the law school's Duberstein Bankruptcy Moot Court team for the seventh consecutive year. Wiggins continues to serve as a faculty member to the law school's Center for the Study of Corporate and Securities Law as well as the faculty advisor to the Women's Law Caucus.

ADJUNCT FACULTY

Alex Landon

Alex Landon published *A Parallel Universe* (with Halleck) (Poetic Matrix Press, 2011). The book explores the effect of laws enacted in the aftermath of brutal child abductions and murders on those accused of lesser sexual crimes or those falsely accused, on society as a whole.

Paul Horwitz (University of Alabama) "Introduction to First Amendment Institutions," (Harvard University Press, forthcoming), February 11.

Richard Albert (Boston College) "Democratic Revolutions," February 25.

Paolo Butturini (Università degli Studi di Verona) "Modifications of the Information Right of Members of Italian S.r.l. and US LLCs: Do They Serve Public Interests?" March 10.

Aline Darbellay (University of San Diego) "Regulating Rights: the Credit Rating Agency Oligopoly From a Regulatory Perspective," March 29.

Josh Blank (New York University) "In Defense of Tax Privacy," March 31.

Nancy Leong (William and Mary) "Making Rights," April 1.

Richard Abel (University of California, Los Angeles) "Championing the 'Defenseless' and 'Oppressed,' Protecting 'Widows and Children,' of Lawyers on Trial—Understanding Ethical Misconduct," (Oxford University Press, 2010), April 15.

Iddo Porat (University of San Diego/Ramat Gan Law School, Israel) "The Use of Foreign Law in Israeli Constitutional Jurisprudence," August 26.

D. Daniel Sokol (University of Florida) "Cartels, Corporate Compliance and What Practitioners Really Think About Enforcement," September 2.

Michael Pardo (University of Alabama) "The Nature and Purpose of Evidence Theory," September 15.

Ryan C. Williams (University of Pennsylvania) "The One and Only Substantive Due Process Clause," September 23.

Pardee Legal Research Center (University of San Diego) "What's New," September 29.

Glynn S. Lunney Jr. (Tulane University) "Not So Obvious After All: Patent's Nonobviousness Requirement, KSR, and the Fear of Hindsight Bias," October 7.

Adam Hirsch (Florida State University) "Incomplete Wills," October 13.

Sarah Lawsky (University of California, Irvine) "Modeling Tax Law's Uncertainty," October 14.

David Fagundes (Southwestern University) "Norms-Based Regulation of Intellectual Property: the Case of Roller Derby Pseudonyms," October 21.



calendar

JANUARY 2012

January 3

New York USD Law Alumni Reception
7 – 9 p.m.
The Chatwal, Home of the Lambs Club
Register online:
law.sandiego.edu/alumni/ny

January 5

Washington, D.C., USD Law Alumni
Reception
7 – 9 p.m.
Lebanese Taverna
Register online:
law.sandiego.edu/alumni/dc

January 23

Nathaniel L. Nathanson Memorial Lecture
Welcomes Harvard Law School Dean
Martha L. Minow
5:30 – 7 p.m.
Mother Rosalie Hill Hall

January 23 – 26

Career Services Spring Mock Interviews
6 – 8 p.m.
Warren Hall, Room 113
Contact Heather Harrigan, Esq., hharrigan@sandiego.edu, or (619) 260-2752

FEBRUARY 2012

February 8

Careers in the Law
5:30 – 7:30 p.m.
Warren Hall
Register online:
law.sandiego.edu/careersinthelaw

February 28

USD School of Law Judges Reception
5:30 – 7:30 p.m.
Location TBD

MARCH 2012

March 1

USD Law Alumni Association Board of
Directors Meeting No. 3
5:30 – 8 p.m.
Warren Hall

March 5

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

March 9

USD Law Board of Visitors Spring Meeting
8:30 a.m. – 12:30 p.m.
Joan B. Kroc Institute for Peace & Justice

March 13

Dean's Mixer & Battle of the Brains
Sponsored by the Diversity Committee
4 – 6 p.m.
Hahn University Center – Forums A – C
Contact Christiana Vetterman, cvetterman@sandiego.edu or (619) 260-4692

March 15

Riverside/San Bernardino USD Law
Alumni Luncheon
12 – 1:30 p.m.
Avila Terrace
Register online:
law.sandiego.edu/alumni/riverside

March 15

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

March 26

Campus Visit Day Luncheon
12 – 1:15 p.m.
Hahn University Center Forum C
Contact Christiana Vetterman, cvetterman@sandiego.edu, or (619) 260-4692

March 28

Sacramento USD Law Alumni Reception
6 – 8 p.m.
The Firehouse Restaurant Courtyard
Register online:
law.sandiego.edu/alumni/sacramento

March 29

Palo Alto USD Law Alumni Luncheon
12 – 1:30 p.m.
California Café, Stanford Barn
Register online:
law.sandiego.edu/alumni/paloalto

March 29

San Francisco USD Law Alumni Reception
6 – 8 p.m.
The Olympic Club City Clubhouse
Register online:
law.sandiego.edu/alumni/sanfrancisco

APRIL 2012

April 13

Campus Visit Day Luncheon
12 – 1:15 p.m.
Hahn University Center Forum C
Contact Christiana Vetterman, cvetterman@sandiego.edu, or (619) 260-4692

April 19

San Diego USD Law Alumni Reception
6 – 8 p.m.
La Gran Terraza
Register online:
law.sandiego.edu/alumni/sandiego

April 23

Campus Visit Day Luncheon
12 – 1:15 p.m.
Hahn University Center Forum C
Contact Christiana Vetterman, cvetterman@sandiego.edu, or (619) 260-4692

April 28

2012 USD Alumni Honors
6 p.m.
Shiley Theatre and Camino/Founders Patio
Register online:
sandiego.edu/alumni/honors/

MAY 2012

May 3

USD Law Alumni Association Board of
Directors Meeting No. 4
5:30 – 8 p.m.
Warren Hall

May 11

2012 Graduation Mass
2:30 p.m.
Founder's Chapel

May 12

2012 Law School Commencement
9 a.m.
Jenny Craig Pavilion

May 23

Seattle USD Law Alumni Luncheon
12 – 1:30 p.m.
Columbia Tower Club
Register online:
law.sandiego.edu/alumni/seattle

May 24

Denver USD Law Alumni Reception
5:30 – 7:30 p.m.
Holland & Hart LLP
Register online:
law.sandiego.edu/alumni/denver

May TBD

Class of 2011 One-Year Reunion
Location TBD

May TBD

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

JUNE 2012

June 7

Board Appreciation Dinner
6 – 8:30 p.m.
La Gran Terraza

June TBD

California Bar Swearing-In Luncheon
12 – 1:30 p.m.
Location TBD
Register online:
law.sandiego.edu/swearing-in

JULY 2012

July 22

USD Wine Classic
All USD Alumni Event
2 – 5 p.m.
Joan B. Kroc Institute for Peace & Justice
Garden of the Sea
Register online: usdwineclassic.com



AUGUST 2012

August 16

USD Law Connect Student Orientation
Luncheon With Alumni
12 – 1:30 p.m.
Hahn University Center Forums A – C
Contact Christiana Vetterman, cvetterman@sandiego.edu, or (619) 260-4692

August TBD

Career Services Fall Mock Interviews
Warren Hall, Room 113
Contact Heather Harrigan, Esq.,
at hharrigan@sandiego.edu, or
(619) 260-2752

SEPTEMBER 2012

September TBD

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

September TBD

USD Law Alumni Association Board of
Directors Meeting No. 1
5:30 – 8 p.m.
Warren Hall

September TBD

USD Law Board of Visitors Fall Meeting
8:30 a.m. – 12:30 p.m.
Joan B. Kroc Institute for Peace & Justice

OCTOBER 2012

October 1

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

October 6

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

October TBD

USD Law Connect Lunch & Learn:
First-Year Survival Skills
12 p.m.
Warren Hall Room 131

NOVEMBER 2012

November 16

Distinguished Alumni Awards Luncheon
11:30 a.m. – 1:30 p.m.
Westin Gaslamp Quarter
Register online:
law.sandiego.edu/daa

DECEMBER 2012

December TBD

California Bar Swearing-In Luncheon
12 – 1:30 p.m.
Location TBD
Register online:
law.sandiego.edu/swearing-in

December TBD

USD Law Alumni Association Board of
Directors Meeting No. 2
5:30 – 8 p.m.
Warren Hall

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.

'66

Fulwider Patton partner **Vern Schooley** received the Distinguished Service Medal from the Linn Inn Alliance of the American Inns of Court. Schooley focuses on intellectual property law.

'68

Michael Thorsnes was designated one of the Top 100 lawyers of Irish-American descent in the country by *The Irish Voice* newspaper and *Irish America* magazine in 2010. He was also awarded the Irish-American Bar Association of New York's Wild Goose Award, given for "talent, creativity and uniqueness" outside the practice of law.

'70

Matthew Paul Fischer Jr., of Mesa, Ariz., has been included in the *Strathmore's Who's Who Worldwide Edition* for his outstanding contributions and achievements in the field of law. Currently, he is president of the law firm of M. Paul Fischer PC.

'75

Former Iowa Supreme Court Justice **Michael J. Streit** has joined the law firm of Ahlers & Cooney PC as of counsel in its litigation, dispute resolution and investigations practice area.

'78

California Governor Jerry Brown has announced the

appointment of **Frederick Schenk**—a partner with the law offices of Casey Gerry, Schenk, Francavilla, Blatt and Penfield—as a member of the Board of Directors, 22nd District Agricultural Association (San Diego County Fair Board), which runs the San Diego County Fair and oversees all operations at the state-owned fairgrounds in Del Mar. Members of the volunteer nine-member board are appointed by the sitting governor to four-year terms.

'82

Ed McPherson is a partner at McPherson Rane LLP, an entertainment litigation firm in Los Angeles. He was recently awarded an AV-Preeminent rating



Coast Guardian

➤ **GALE FILTER: WATER WARRIOR**
Gale Filter, '89, a former environmental prosecutor, has been appointed executive director for San Diego Coastkeeper, the region's largest professional organization working on inland and coastal water issues. San Diego Coastkeeper works to protect the region's inland and coastal waters for the communities and wildlife that depend on them by blending education, community empowerment and advocacy.

Previously, Filter worked as deputy executive director for consumer, environmental and legal services at the California District Attorneys Association, and also as deputy director of enforcement and emergency response for the California Environmental Protection Agency's Department of Toxic Substances Control. A lifelong environmentalist, Filter started his official environmental work in California in 1991 as a prosecutor in the Imperial County district attorney's office. Filter's work mainly focused on environmental crimes.

As executive director for Coastkeeper, Filter aims to increase community involvement and focus on identifying water problems. In September, he was immersed in the 1.9 million gallon sewage spill in Los Peñasquitos, which saw the Coastkeeper monitoring and organizing volunteers to provide data to the public.

Filter's main goal is a difficult one—to focus on protecting and restoring San Diego's waters through community action and enforcement. Yet, when asked what he enjoys most about his job, the answer is simple, "Protecting the environment."

by Martindale-Hubbell and has been recognized as a Southern California Super Lawyer by *Los Angeles* magazine every year since 2006. After building a home in Manhattan Beach, Calif., for the last few years, he and his family moved into it in February.

'84

Brookfield Homes San Diego President **Steve Doyle** was honored as a Distinguished Alumni at a luncheon on November 4. The award is presented to law school alumni who have distinguished themselves in the legal field or other chosen profession at an exemplary level, and who embody the high ethical standards and commitment

to community service that USD School of Law seeks to instill in its graduates.

'87

Denver Mayor Michael Hanacock named Greenberg Traurig lawyer **Doug Friednash** as city attorney.

'88

Partner **Roger Haerr** was named practice leader of Luce Forward, San Diego's real estate and environmental litigation group.

Catherine A. Richardson has joined the San Diego office of Klinedinst, a business litigation firm with four offices throughout California.

Glass Act



GLASS OFFERS SWIFT JUSTICE

The Honorable Jackie Glass, '84, the Clark County (Nev.) District Court judge who sentenced O.J. Simpson to prison, took over for Nancy Grace on the syndicated television show *Swift Justice* in September. The Emmy-nominated courtroom program, now in its second season, features engaging litigants, cases, experts, videos and more.

Previously, Glass presided over specialty courts such as drug court, felony DUI court and mental health court. In 2008, she sentenced Simpson to nine to 33 years in prison for kidnapping and armed robbery. Glass called Simpson, who played a role in an armed confrontation with sports memorabilia dealers, both “arrogant” and “ignorant.”

Glass' experience as a journalist and her previous handling of high-profile cases, such as the Simpson one, made her an ideal replacement for Grace. Best known for her straightforward sentencing and strong personality in the courtroom, Glass shares Grace's “get-it-done” attitude.

Glass has been a district judge in Clark County for eight years. In addition to her judgeship, she helped create the Clark County Mental Health Court in 2003. In her last year on the bench, she oversaw Clark County district's drug and alcohol treatment courts.

Swift Justice airs on CBS weekly.

'91

Scott Sumner received the 2010 Ian Herzog Appellate Lawyer of the Year Award. A partner at Hinton, Alfert, Sumner & Kaufmann in Walnut Creek, Calif., Sumner focuses on product liability and catastrophic personal injury.

Reed Smith LLP has named **Rhona Kisch**, formerly of Mintz, Levin, Cohen, Ferris, Globsky & Popeo, a new partner in its New York City Real Estate Practice Group.

Fagen Friedman & Fulfrost has added **Kathleen McKee** as a partner in the San Diego office. McKee is cochair of the business facilities and real estate practice group.

'92

Seattle executive **Dyana Veigele**, Esq., general counsel and president of

Law Dawgs – Quid Pro Quo Global, has been named to the University of Washington's Certificate in Paralegal Studies Advisory Board.

'94

San Diego-based trial litigation boutique Chapin Fitzgerald Sullivan LLP has named **Frank A. Bottini** as a partner. The firm is now called Chapin Fitzgerald Sullivan & Bottini LLP.

'95

San Diego plaintiff lawyer **Blair Nicholas** was at the forefront of two major securities litigation successes in 2010, one of which involved backdating. The backdating case (In re Maxim Integrated Products Inc. Securities Litigation) earned the biggest payout ever for that kind of class action in the Ninth Circuit and was

the third largest payout ever in the United States, according to Nicholas, a partner at Bernstein Litowitz Berger & Grossmann.

'97

Tax and patent attorney **Curt Harrington** was appointed to the California Board of Legal Specialization of the State Bar of California as an at-large member for a three-year term.

Howard & Howard Attorneys PLLC attorney **Wade B. Gochnour** has been named to Mountain States Super Lawyers 2011.

Partner **Amy Giannamore** is now the assistant practice leader of the real estate securities and finance group of Luce Forward in San Diego.

Aaron C. Harp was named city attorney for the city of Newport Beach, Calif.

'98

Lewis and Roca is pleased to announce that **Don G. Martin** has joined the firm's Las Vegas office. Martin is a

partner in the firm's business section.

'99

The Austin employment attorneys of Melton Kumler LLP announce that partner **John Melton** has been included on the 2011 list of Super Lawyers. This honor is given to attorneys that have been recognized by their peers as an outstanding lawyer in their field.

Amanda F. Benedict has joined the San Diego office of Klinedinst, a business litigation firm with four offices throughout California.

'02

Melanie Ronen was named partner at Keesal, Young & Logan. Ronen, who is in the firm's Long Beach, Calif., office, focuses on securities and employment litigation.

Toyota Material Handling, U.S.A. Inc. (TMHU) has announced the appointment of **Kody Diaz** to national legal department manager and managing counsel, where he will oversee all

In Memoriam

'72

James Edward Dremann passed away on September 21, 2011. He had been an active member of the California State Bar since 1972, spent nearly five years as an assistant district attorney for the County of San Francisco, was an instructor at the San Francisco Police Academy, was appointed and served nearly five years as Sierra County district attorney, and spent nearly 30 years in private practice in Nevada County.

'74

Robert Batchelder's family was by his side as he passed away on August 12, 2011, from complications of gastric cancer and after a 20-year battle with multiple sclerosis. A position with the U.S. Department of Transportation's Honors Attorney program brought Batchelder and his wife, Sai, to northern Virginia, which they called home for the past 23 years.

'78

Pamela Mary "Pam" Slick, a native of Fort Wayne, Ind., died on June 21, 2011, in San Diego. She served as a lecturer, presenter, coplaner and moderator in multiple venues, including USD School of Law.

FRIENDS OF USD SCHOOL OF LAW

Charles Ray Waldie passed away at home, July 28, 2011, after a battle against pulmonary fibrosis. He worked as director of budget and administration at USD School of Law.

CLASS ACTION

legal activities on behalf of TMHU. Diaz formerly served on the company's legal counsel team.

'03

Elizabeth "Betsy" Kinsley was hired as the new chief of staff for the president's office at California Polytechnic State University in San Luis Obispo, Calif.

'04

Snell & Wilmer associate **Jeff Singletary** has been

appointed to the board of directors for the Mariposa Women & Family Center in Orange, Calif. Singletary concentrates his practice on business litigation in state and federal courts.

Fagen Friedman & Fulfroost has added **Dean Adams** as a partner in the San Diego office. Adams is co-chair of the student practice group.

'05

Drew Bordages has joined Specific Media as its senior

vice president, general counsel. In his new capacity, Bordages is responsible for managing the company's global legal affairs and leads Specific Media's data protection and privacy efforts.

'06

Ryan Stack has left the Salt Lake City Prosecutor's Office for a position with the Summit County Attorney's Office.

'07

Melodie Ann Whitson and James Matthew McAlpin were married in 2010.

'08

Wilson Turner Kosmo, a San Diego-based litigation law firm, has hired **Marissa Lyftogt** as an employment law associate whose practice focuses on claims of discrimination and harassment, as well as wage and hour lawsuits.

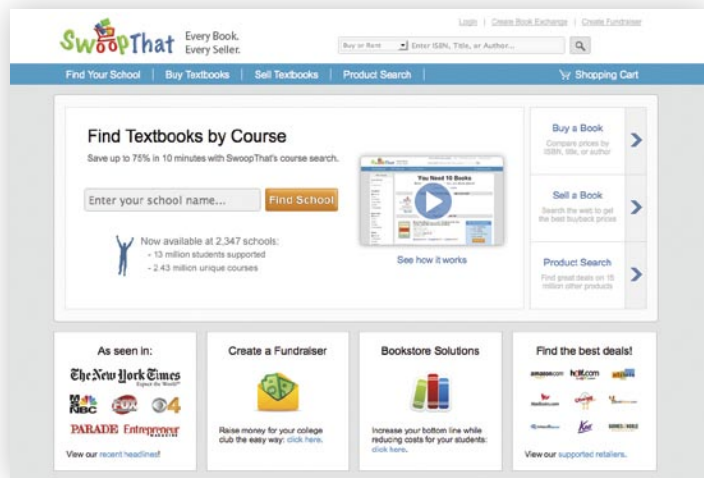
USD School of Law Alumni Reunions

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 available online at law.sandiego.edu/reunions.



Swoop Savings

➤ BEN CARSON HELPS CREATE SITE TO SAVE STUDENTS MONEY

It wasn't too long ago that Ben Carson was a student himself, so he knows how expensive textbooks can be for students. Tired of over-paying, Carson co-founded SwoopThat.com, a website that helps students determine the best places to buy and sell their textbooks online. Carson, '10, started the company with SwoopThat CEO Jonathan Simkin during his last year of law school. He was looking for a way to combine his friend's business skills with his own recently acquired legal knowledge. The two first launched a price comparison search engine for textbooks as an afterthought to another project.

The search engine went viral. Carson and Simkin immediately realized the necessity of creating a site to help students save both money and time when buying their books.

Carson's law degree has certainly been useful. His role at the company is largely to front its broad-based legal work. He is the liaison between SwoopThat and its outside attorneys, preparing everything from LLC paperwork to independent contractor agreements and provisional patents. Long term, Carson aims to work with schools and bookstores to make college more affordable, and to create a free software suite for these bookstores.

"Working with SwoopThat has involved so many areas of the law that nearly all the courses I took in law school have been applicable in some form or another," says Carson. "USD really prepares its students well for thinking like a lawyer when doing basic practical tasks like writing up a contract or reviewing online terms of use."

'09

Christopher Foerch joined Studley's Manhattan office as an assistant director. Foerch will be responsible for market research and legal analysis, as well as transaction management for existing clients and client development.

Joanna Fuller has joined Fish & Richardson as an associate in the San Diego office as a member of the intellectual property litigation group.

David Yaegashi has joined Fish's IP litigation group in New York.

'11

San Luis Obispo-based Honest Label Foods, founded by **Taylor Ernst**, launched both iPhone and Android apps to help

consumers understand food labels.

Correction

An item in the Class Action section of the Spring 2011 issue (26:2) should have read: The Honorable **Kenneth J. Medel**, '79, was appointed to a Superior Court Judgeship by then Governor Arnold Schwarzenegger in 2010.

SCENE OF THE CRIME

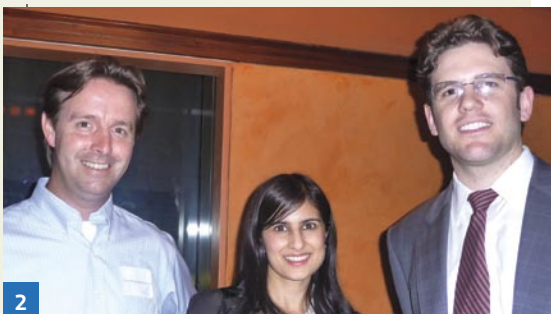
Spotlighting members of the USD School of Law community at reunions, receptions and other special events.



NEW YORK ALUMNI RECEPTION AT BOBBY FLAY'S BAR AMERICAIN

1. **Enge Lee** and USD School of Law Board of Visitors member and Professor-in-Residence **John I. Forry**.

2. **Thomas P. Fitzgerald**, '03, JD/LLM; **Sara H. Yousuf**, '03; and **Benjamin E. Shifan**, '09.



SAN DIEGO NEW ALUMNI WINE TASTING AT LA GRAN TERRAZA

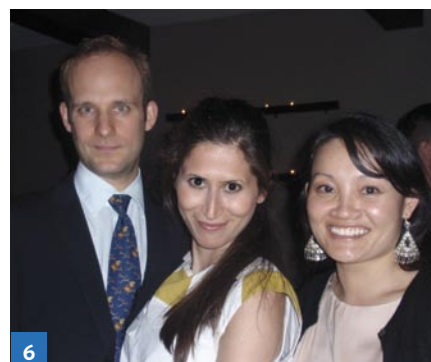
3. **Ali Taylor**, **Brian J. Lawler**, '02; Law Firm Challenge agent **Jeff Hood**, '01; and **Ryan Caplan**, '07 enjoying the terrace view of La Gran Terraza.

4. Alumni and guests with **Dean Stephen C. Ferruolo**.



WASHINGTON, D.C., ALUMNI RECEPTION AT SONOMA

5. **David L. Pena**, '78; U.S. Representative **Dave Camp**, '78, Chairman, House Committee on Ways and Means; and **Jan P. Fladeboe**, '78.



6. **Nils Cousin**, '06; **Rasha Bakit**; and Alumni Board member and 2011 Rising Star Recent Alumni Award Honoree **Catherine L. Tran**.

**MILESTONE REUNIONS:
1971, 1981, 1986, 1991, 2001**

7. The **Class of 1971** celebrates its 40-year reunion with a reception and dinner at Mother Rosalie Hill Hall.



8. The **Class of 1986** celebrates its 25-year reunion with a reception and dinner at the Jenny Craig Pavilion's Warren Hall Hospitality Suite with alumni traveling from Salt Lake City, Indianapolis, Washington, D.C., and Miami.



9. The **Class of 1991** celebrates its 20-year reunion at a reception and dinner held in Warren Hall with alumni traveling from New York, Arizona and cities throughout California.



10. The **Class of 2001** celebrates its 10-year reunion at a reception held in the Degheri Alumni Center with alumni traveling from throughout California and from New York, Arizona, Florida, Colorado and Texas.

11. Reunion Committee member Mark A. Krasner addresses the **Class of 1981** at its 30-year reunion reception and dinner at La Gran Terraza.





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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.

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November 16, 2012

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