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NDLS Update 02/2001

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NDLS Update

News from the Notre Dame Law School

*Vol. X, No. 6
February, 2001*

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KELLEY COLLINS, DESIGNER*

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Peter Horvath Joins Law School Administration

Director of Career Services Gail Peshel has announced that South Bend native Peter Horvath joined the CSO staff on February 12th as Assistant Director for Career Services. Peter earned his J.D. in 1999 from Indiana University School of Law - Indianapolis, and his B.A. in history and speech in 1992 from Wabash College in Crawfordsville, Indiana, where he was also a three-year letter winner and co-captain of the college's football team. In law school, he served as president of the Student Bar Association and was co-founder and vice president of the St. Thomas More Society. For the past year and a half, he has worked as an associate attorney at Konopa & Murphy, P.C., in South Bend.

NDLS Alumna Joins President Bush's Administration

Townsend Lange McNitt '93J.D. has been named special assistant to President George W. Bush for legislative affairs for the U.S. Senate, in the White House Office of Legislative Affairs. Ms. McNitt worked in the Senate for the past six years, most recently as administrative assistant and counsel for Senator Judd Gregg of New Hampshire.

Congratulations, Warren Rees!

Warren Rees, research librarian in the Kresge Law Library, was the only member of the Law School community to win a prize from the 2000-01 United Way Campaign at Notre Dame. He enjoyed "One Starry Evening," a night of viewing the stars and planets atop Nieuwland Science Hall, courtesy of the University's Department of Physics. Warren reports that they enjoyed their prize "last fall on a clear, crisp evening in October. A professor and a few students

set up telescopes on the roof of Nieuwland Science Hall and we were treated to views of Saturn, Jupiter, and the Moon while we [enjoyed] delicious desserts." Congratulations, Warren!

Center for Civil & Human Rights News and Notes

Center Receives \$750K Grant from Ford Foundation

In early February, CCHR director and Professor Juan Méndez announced that the center had received a three-year, \$750,000 grant to conduct academic, research and advocacy activities on accountability for gross human rights abuses, a subject for which the center is well known. Professor Méndez has indicated that the general theme encompasses a number of specific issues including truth and justice in transitions to democracy, universal jurisdiction, internal criminal justice and the International Criminal Court, and the ethical and political dimensions of achieving truth, justice and reconciliation under complex circumstances.

During the course of the three-year grant, the center will work to strengthen Kresge Law Library holdings on the topic, to help turn NDLS into an important resource center on accountability for serious human rights violations. The center will also invite practitioners with rich experiences in these matters to join the center as visiting fellows for a short time, which will enable them to reflect on lessons they can share with others. Professor Méndez also hopes to organize a conference and to publish the results of scientific research. In addition, the grant will help the center attract to its LL.M. and J.S.D. programs young lawyers from around the world who demonstrate a strong commitment to study seriously all aspects of accountability.

In explaining the significance of the grant, Professor Méndez commented: "The Ford Foundation has decided to initiate a very strong investment over the next few years on what they call 'transitional justice,' and I am proud to say that we are among the first institutions chosen by Ford to launch this new strategic area. That fact will allow us to cooperate extensively with a new International Center for Transitional Justice (ICTJ) that will form the centerpiece of Ford's initiative." In early February, Professor Méndez participated in the ICTJ's first experience in providing advisory services to governments and civil society when he and three other international experts traveled to Lima, Peru, to advise the post-Fujimori government in its plans to establish a truth commission. Professor Méndez believes that the grant will allow the center to complement the work of the ICTJ with strong academic, research and documentation support.

Professor Méndez further notes, "It is particularly significant that the Ford Foundation, whose generous contribution got this center started in 1973 at Father Hesburgh's request, continues to show a high degree of confidence in us and in our ability to work at the new horizons of human rights protection."

CCHR Faculty News

Center Director **Juan Méndez** attended the November 9, 2000, board meeting of the John Merck Fund, a foundation to which he provides advisory services on strategies to promote human rights and democracy in Latin America. He participated in a conference on "The Legacy of Abuse - Justice and Reconciliation in a New Landscape" organized by the Aspen Institute at its conference center in Wye, Maryland, November 10-12. Participants from several countries and institutions discussed prosecutions, truth commissions and efforts at reconciliation in countries overcoming a recent past of massive human-rights violations. Juan and several other participants had attended a similar Aspen Institute meeting in 1989, which launched many advocacy ideas about these.

Also in November, on the 13th, he participated in a panel discussion on "Human Rights and Human Wrongs: How Far Have We Really Come?" organized by the Carr Center for Human Rights Policy at the Kennedy School of Government, Harvard University. Co-panelists included Canadian historian and analyst Michael Ignatieff. The event served as the occasion to launch the book, *Realizing Human Rights* (St. Martin's Press 2000), edited by Samantha Power and Graham Allison, which includes an article Juan wrote on Latin American contributions to the human rights movement.

In Washington, D.C., on December 6, he presented the amendments to the regulations of the Inter-American Commission on Human Rights at a conference at the Organization of American States on the reform of the system of human rights protection. Both the Inter-American Court and the Commission have recently amended their court rules and regulations as part of a larger package of reforms. As one of the commissioners, Juan was asked to present the highlights of the

Inter-American Commission changes to the audience of diplomats and practitioners.

Juan then traveled to Spain later in December to participate in a tribunal to hear the defense of a dissertation at the Universidad de Navarra, a Catholic university in Pamplona, on "The Rights of Migrant Workers to Family Life Under European Community Law." The tribunal was presided over by Prof. Jose A. Pastor Ridruejo, the Spanish judge in the European Tribunal on Human Rights. During that same trip, Juan lectured at the Universidad de La Coruña on "The Inter-American System of Human Rights Protection."

On January 8-13, 2001, Juan visited Quito and Guayaquil, Ecuador, under the auspices of the U.S. Department of State and the office of the U.S. Cultural Attache in that country in response to an invitation by the Program on Human Rights at the Pontifical Catholic University of Ecuador, in Quito. He delivered two lectures on "Human Rights and Democracy in Latin America: Balance and Perspectives," and one on "The Future of the Inter-American System of Protection," as well as three four-hour-long workshops. In addition to lecturing at the Pontifical Catholic University of Ecuador, he lectured at the Universidad Central (the state-run university) in Quito, and at the Universidad Espíritu Santo in Guayaquil.

On January 23, he addressed the Human Rights Program of Columbia Law School on the ongoing reforms to the Inter-American System of Protection from the perspective of the Inter-American Commission on Human Rights.

Juan visited Lima, Peru, on February 1-3, to attend a conference on "Truth, Justice and Reconciliation" organized by several local non-governmental organizations to assist the efforts of a task force recently formed by the new government to set up a Truth Commission to deal with the legacy of human-rights abuses by the Fujimori and previous governments. The Ministry of Justice of the caretaker Paniagua administration has asked him to serve as one of five international consultants to this Task Force.

He contributed *Comments on "From Minors to Citizens"* to a book edited by Fr. Ernest Bartell and Dr. Alejandro O'Donnell, *The Child in Latin America: Health, Development and Rights* (Notre Dame Press). The article commented on a paper by Emilio García Méndez, a prominent Latin American expert on children's rights, concerning the U.N. Convention on the Rights of the Child. He also contributed *International Human Rights Law, International Humanitarian Law and International Criminal Law and Procedure: New Relationships* to *International Crimes, Peace and Human Rights: The Role of the International Criminal Court* (Transnational Publishers), edited by NDLS Professor Dinah Shelton. The book is the result of a conference organized by the CCHR and the University's Joan B. Kroc Institute for International Peace Studies in March 1999. And, with Helena M. Olea '00LL.M., Juan contributed *Derechos y Deberes Civiles y Políticos* to the second edition of the *Diccionario Electoral*, published by the Inter-American Institute on Human Rights in San Jose, Costa Rica.

* * *

Dinah Shelton delivered a paper titled "Compliance with Environmental Soft Law" at a symposium on November 17, 2000, sponsored by the International Center for Environmental Compliance Assessment, Kagawa University, Japan. She spoke on the Inter-American human rights system at the Lisbon Forum 2000 on "Regional and Universal Systems of Human Rights Protection: Their Contribution to the Universality and Indivisibility of Human Rights," held November 23-24, 2000. She organized and chaired the "Workshop on Consent and Compliance: The Role of Non-Binding Norms in the International Legal System," sponsored by the American Society of International Law, November 3-4, 2000. She also served as a workshop professor at the "Workshop on Implementation of International Environmental Law," a training program for government officials and professors from Laos, Cambodia and Vietnam sponsored by the United Nations Training and Research Institute, Bangkok, on January 9-13, 2001.

Professor Shelton edited and contributed to *International Crimes, Peace and Human Rights: The Role of the International Criminal Court* (Transnational Press 2000), and contributed *Droits et justice pour chaque citoyen de la planète?* to *Mondialisation et Sociétés Multiculturelles: L'Incertain du Futur* (M. Ricciardelli, S. Urban and K. Nanopoulos, eds., PUF 2000).

Faculty News and Notes

Joe Bauer has published the 2001 annual supplements to the 11-volume series, Kintner & Bauer, *Federal Antitrust Law* (Anderson Publishing Co.).

* * *

Rick Garnett published *Taking Pierce Seriously: The Family, Religious Education, and Harm to Children*, in volume 76 of the *Notre Dame Law Review*.

In early February, Rick participated in a symposium sponsored by the Minnesota Law Review on "The Freedom of Expressive Association," serving on a panel discussing "Religious Freedom and Institutional Autonomy: Free Exercise, Establishment and Expressive Association." The essays from the symposium will be published in volume 85, issue 6, of the law review.

He is also a faculty resource for the University on the topic of school vouchers. He believes that choice-based reforms are needed to meet the social justice goals of the Supreme Court's landmark decision in *Brown v. Board of Education*. In that ruling, the Court "promised equal education opportunity to all children, regardless of race," Rick commented. "As a nation, we have failed to make good on that promise. Many people of good will now believe, and the evidence tends to suggest, that school choice and educational pluralism - not special-interest politics and bureaucracy - are our best hope for achieving *Brown's* goals."

Rick gave a presentation on "A Few Thoughts on the Meaning of the Universe and the Mystery of Human Life" to a meeting of the student pro-life group *Jus Vitae* on January 31.

* * *

William P. Hoye, associate vice president and counsel, with Dr. Gary M. Rhodes of the University of Southern California, published *An Ounce of Prevention Is Worth . . . The Life of a Student: Reducing Risk in International Programs*, in volume 27, issue 1 of *The Journal of College and University Law*. The article evaluates the risks involved in university foreign-study programs, and focuses on ways both to eliminate unnecessary risk and to manage inherent risk while still maintaining the academic integrity of such programs. He also wrote *What a Difference a Millennium Makes: Tort Litigation in Higher Education, Circa Y2K* for *West's Education Law Reporter*, Vol. 147, No. 3 (December 7, 2000).

As chair of the University's Task Force on Anti-Sweatshop Initiatives, Bill helped to organize the formational meeting of the Living Wage Association, held February 2-4, 2001, on campus. The association is a consortium of universities formed to address living-wage issues including: developing a working definition and formulae for the living wage; sharing costs associated with living-wage studies; providing opportunities for collaboration in implementing the living wage in specific instances; and researching the effects of the various modes of implementing a living wage.

Bill presented "Professional Responsibility and Contemporary Law Practice" to the American Council of Life Insurance in Chicago, Illinois, on February 5, 2001.

* * *

Cathy Kaveny gave the Baker-McKenzie Lecture on Law and Ethics at a "Conference on Law and Religion" sponsored by the Loyola University Chicago Law Journal in early February. She spoke on "Billable Hours and Ordinary Time: A Theological Critique of the Instrumentalization of Time in Professional Life."

* * *

John Nagle participated in a symposium sponsored by the Minnesota Law Review on "The Freedom of Expressive Association." He served on a panel discussing "Collective Political Speech: The First Amendment and Campaign Finance Reform 25 Years After *Buckley v. Valeo*." The essays from the symposium will be published in volume 85, issue 6, of the law review.

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Associate Dean **Jack Pratt** contributed *A New Vocabulary for a New Constitutional Law: United States v. Carolene Products (1938)*, in *Leading Cases of the Twentieth Century* (Round Hall 2000).

* * *

Jay Tidmarsh was elected Chair of the Section on Civil Procedure at the annual meeting of the Association of American Law Schools in San Francisco in January.

Administration & Staff News and Notes

Congratulations to Career Services Office Director Gail Peshel, on the birth of her second grandchild, Gage Michael Peshel, born December 22, 2000, at Porter Memorial Hospital. He weighed 8 pounds, 4 ounces, and was 20 inches

long. Gage is the son of Gail's son and daughter-in-law, Brian and Ann Peshel, and joins sister Sylvia Addison Peshel, who is two-and-a-half years old.

Please pray for Tina Jankowski's father, Lloyd Bentley, who underwent surgery for a tumor on his bladder on Wednesday, January 31. Tina reports that he came through the surgery well and has been recovering at home.

In Memoriam

Please pray for the following deceased alumni and their families.

George Bariscillo '44, '49J.D., of Ocean Township, New Jersey, died Thursday, January 4, 2001, in his home. Mr. Bariscillo had been a partner at Carten, Witt, Arvantis and Bariscillo in Asbury Park, New Jersey, until about five years ago. He has served as president of the Monmouth Bar Association and as a member of the New Jersey Supreme Court's Committee on the Unauthorized Practice of Law. He also served as a commissioner in Bradley Beach, New Jersey, from 1955 to 1960.

After earning his undergraduate degree from Notre Dame, Mr. Bariscillo joined the U.S. Army Signal Corps and served during World War II in Luzon, New Guinea, and in the Southern Philippines. He then returned to Notre Dame to study law, and clerked for Hon. Haydyn Proctor before entering private practice.

Mr. Bariscillo is survived by his wife of 41 years, Susan Perella Bariscillo, his daughters Cindy (Brian) Buck and Melissa (Luke) Falk, his son George III, two grandchildren and his brother, Jack Bariscillo.

* * *

Charles J. Griffin Jr. '63J.D., of Hinsdale, Illinois, died Thursday, January 25, 2001. Born in Chicago, Mr. Griffin had studied to become a priest, but had changed routes when offered a full scholarship to NDLS, where he graduated first in his class in 1963. He spent two decades with Seyfarth, Shaw, Fairweather and Geraldson before co-founding the firm Matkov, Griffin, Parsons, Salzman and Madoff. Mr. Griffin left in 1987 to become a partner in Wildman, Harrold, Allen and Dixon, where he remained until his retirement in 1999. Mr. Griffin was known for his encyclopedic knowledge of labor law, and he specialized in employment law, focusing on discrimination, labor contracts and arbitration, union-representation elections and collective bargaining. Despite the often contentious venue, Mr. Griffin was a respected adversary.

He was a member of the board of directors at Illinois Forge, Inc., of Rock Falls, Illinois, and was a member of the NDLS Order of St. Thomas More, as well as the Brotherhood of St. Andrew, an Episcopal men's fellowship and philanthropic organization. A parishioner at All Saints Church in Western Springs, Mr. Griffin was active in vestry, the bridge club and book group. A golfer, Mr. Griffin also took up piano at age 49.

Survivors include his wife, Nancy; three sons, Matthew, John and Charles; two daughters, Catherine Ilyavi and Mary Kantor; his mother, Sarah; a sister, Therese Guzaitis; three brothers, Robert, John and Joseph; and five grandchildren.

* * *

Word has reached us belatedly of the deaths of two other NDLS alumni last fall.

Anthony T. Scolaro '36, '37J.D. died on October 28, 2000, in Park Ridge, Illinois. He had been with Pizzo Produce in Schaumburg, Illinois, before his retirement. He is survived by his wife Lola.

James L. Lamb '45, '50J.D., died on October 14, 2000, in Grand Forks, North Dakota. Mr. Lamb had worked with Camrud Maddock Olson & Larson, also in Grand Forks.

Alumni News and Notes

Class E-Mail Listservs

Class listservs have been developed for a number of classes at the request of the respective class secretaries. Members of the NDLS Classes of 1958, 1969, 1975, 1985, 1986, 1987, 1993, 1995 and 1999, as well as alumni from the Center for Civil and Human Rights and the London LL.M program, who wish to join these new listservs but who have not yet received notification that they have been added should contact the Law School Relations Office by e-mail at lawalum@nd.edu

1950s

Carl F. Eiberger '52, '54J.D., a sole practitioner in Golden, Colorado, and a member of the Notre Dame Law Association board of directors, was recently honored for 25 years of service to the Prospect (Colorado) Recreation & Park District and as founder of Applewood Park in Colorado.

1960s

Thomas R. Curtin '68J.D., a partner in Graham, Curtin & Sheridan in Morristown, New Jersey, and current president of the Notre Dame Law Association, was elected the New Jersey state delegate to the American Bar Association House of Delegates. Prior to his election to the 50-member house, he represented the New Jersey State Bar Association to the house. His goal in his new role will be to give New Jersey a broader voice in developing ABA policy, while working to steer the ABA away from taking positions on social issues that have no impact on the daily practice of law for most lawyers.

Robert J. Konopa '63, '67J.D., a member of Konopa & Murphy, P.C., in South Bend, has been named a Diplomat by the Defense Trial Counsel of Indiana.

J. Scott Maxwell '63, '66J.D., a partner in Hamburg, Rubin, Mullin, Maxwell & Lupin in Lansdale, Pennsylvania, was featured in an article in the January 10, 2001, edition of The Legal Intelligencer. The article focused on Mr. Maxwell's efforts, as the new president of the Montgomery (Pennsylvania) Bar Association, to create more programs to enable lawyers to assist at-risk youth in a number of ways, whether coaching youth sports teams or mentoring children or representing young people who have been victims of crimes. The article also recounts Mr. Maxwell's own experiences as a coach for his son's hockey team years ago, as well as his time on Notre Dame's football team during his undergraduate years and his efforts coaching Notre Dame's freshman football team during his law-school years.

Michael C. Runde '69J.D., formerly with Davis & Kuelthau in Milwaukee, Wisconsin, has joined Hochstatter, McCarthy & Rivas, S.C., also in Milwaukee. William J. Schmuhl Jr. '65, '67J.D., president and chief executive officer of Heywood Williams, Inc., in Elkhart, Indiana, has been elected to the board of directors of Vitro Diagnostics, Inc., of Littleton, Colorado.

Stephen A. Seall '66J.D., managing partner of the South Bend office of Barnes & Thornburg, has been re-elected vice chair of the firm and its management committee. He focuses his practice in the firm's Business, Tax and Real Estate Department.

1970s

Rob Carsello '74, '79J.D. and his wife Sheri announce the birth of Celeste Nicoletta on January 4, 2001, in Chicago, Illinois.

Christopher D. Coppin '77J.D. has been appointed by New Mexico's Attorney General as special counsel to the attorney general to assist the office with complex litigation. Chris has served in the attorney general's office for 16 years as an assistant attorney general. His current duties include heading the state's litigation with Indian tribes concerning gambling casinos, initiating litigation to define the scope of the attorney general's powers, prosecuting professionals before various state licensing boards, and assisting less-experienced attorneys in the office.

Mary Joan Hoene '75J.D. has been elected a partner in the New York office of Carter Ledyard & Milburn. Of counsel at the firm since 1999, Ms. Hoene's practice focuses on investment management and securities law. She has extensive regulatory, corporate, registration and litigation experience with investment companies, investment advisors and their affiliates. Last year, she coordinated the firm's team for the launch by Barclays Global Advisors of the iShares exchange-traded funds, worked on exchange-traded fund product development for the American Stock Exchange, developed a new code of ethics for the PaineWebber Unit Investment Trusts, managed a series of investment-company status questions for firm clients and, with Ernst & Young, sponsored a "fund directions" panel for mutual fund independent directors.

James L. McCrystal Jr. '73J.D., a partner at Brzytwa Quick & McCrystal, L.L.C., in Cleveland, Ohio, has been elected secretary of the Ohio Association of Civil Trial Attorneys.

John W. Nelley Jr. '73J.D., managing director of Duke Weeks in Nashville, Tennessee, was the feature of an executive profile published in the October 13, 2000, edition of the Nashville Business Journal. The article included a number of tidbits about his personal life, including his favorite movie ("Rudy") and his preferred mode of transportation (his Harley).

Nelson J. Vogel '71J.D., a partner in the Business, Tax and Real Estate Department of Barnes & Thornburg's South Bend office, was re-elected to the firm's management committee for the 2000-01 year.

Thomas D. Yannucci '76J.D., a member in the Washington, D.C., office of Kirkland & Ellis, was featured in an article titled *Demolition Man* in the November 27, 2000, edition of Editor and Publisher Magazine. The article recounted his involvement in a 1998 case that resulted in the highest jury award or known settlement against the media, and discussed other high-profile cases involving the media, along with his strategies for dealing with the media in other corporate cases.

1980s

Timothy Abeska '82J.D., a member in Roemer & Mintz, L.L.P., in South Bend, was recently elected to the St. Joseph County (Indiana) Judicial Nominating Commission, which interviews applicants for Superior Court judicial positions and recommends finalists to the Governor of Indiana. He also serves on the Executive Committee of the Robert A. Grant Inn of Court, a local chapter of the American Inns of Court, an organization dedicated to the promotion of professionalism, skill and ethics in litigation practice.

Mark J. Adey '88J.D. has been elected a partner in the South Bend office of Barnes & Thornburg. He practices in the firm's creditors' rights department, handling state court litigation and representation of debtors and creditors in bankruptcy proceedings.

Robert B. Clemens '82J.D., a partner in the Indianapolis, Indiana, law firm of Bose, McKinney & Evans, L.L.P., was recently honored by the Indiana State Bar Association for his contributions and service to the association's Improvements in the Judicial System Committee, which he has chaired since 1997. The committee offers reports and resolutions on various ways to improve the judicial system in Indiana.

Thomas Costa '80J.D. has been promoted to associate general counsel for Bristol-Myers Squibb Company. His responsibilities include handling all of the international work for the company, with a particular focus on Japan, South America and Europe. Tom, his wife Dillon '79J.D. and their four children have recently returned to their Yardley, Pennsylvania, home, from a long-term assignment in the United Kingdom.

John P. McCormick '84J.D., a principal in the law firm of McCormick & McCormick on Cape Cod, Massachusetts, was recently awarded the Community Service Award by the Massachusetts Bar Association, for his leadership in the legal community and for his contributions to his local community. He has served as president of the Barnstable County (Massachusetts) Bar Association and as president of the Board of Directors of Legal Services for Cape Cod & the Islands. He has also served as chair of the Orleans (Massachusetts) School Committee and as trustee of Medicenter Five, a medical facility, and Access House, an organization that assists run-away teenagers.

Teresa M. (Davis) McCormick '85J.D. is a principal in McCormick & McCormick on Cape Cod, Massachusetts.

Bishop Harold C. Ray '81J.D., founder and chair of the National Center for Faith Based Initiatives in West Palm Beach, Florida, and a former director of the Notre Dame Law Association, appeared on FoxNews Channel's "The O'Reilly Factor" on Friday, February 2, 2001, to discuss leadership issues in the African-American community.

Steven M. Surdell '85J.D., formerly a partner in the Chicago office of Baker & McKenzie, has joined the international tax practice of Ernst & Young, L.L.P., also in Chicago, where his work will focus on cross-border mergers and acquisitions, deferral and repatriation planning, and capital-market transactions. Mr. Surdell has significant experience as a tax advisor to major public corporations on a number of large cross-border merger-and-acquisition and capital-market transactions. He has authored numerous tax articles and has given frequent talks on various tax issues. He writes the "Tax Strategies" column for *Derivatives: Tax/Regulations/Finance*, and the "Capital Markets" column for *Taxation of Financial Products*. He has been named one of the top tax advisors in North America by *International Tax Review*, and has been named one of the world's leading tax advisors by *Euromoney Magazine*.

Karl Ulrich '86J.D., was featured in an article in the December 20, 2000, edition of the Dayton (Ohio) Daily News for having competed in the most recent Chicago Marathon. His time of 3:31:20 placed him in the top 10 to 15 percent of his age bracket in the marathon, which - with 29,000 participants - is one of the largest in the country. The article notes that Mr. Ulrich would like to improve his marathon time by 10 minutes to qualify for the Boston Marathon. He also hopes to run in a marathon in Berlin, Germany. Entering his seventh year as a road race runner, Mr. Ulrich averages between 30 to 40 miles a day to help him prepare for an upcoming event, concentrating primarily on his speed work and conditioning.

Margaret Warner '81J.D., formerly a name partner at the firm formerly called Carr Goodson Warner in Washington, D.C., has become a partner at McDermott Will & Emery in Washington, D.C. Her practice focuses on complex litigation with an emphasis on disputes in the international insurance and reinsurance markets.

Greg Youra '85J.D. is a member of Epstein, Becker & Green, P.C., in Atlanta, Georgia.

1990s

Elena Baca '92J.D. has been named a partner in the Los Angeles, California, office of Paul, Hastings, Janofsky & Walker. Her practice focuses on employment litigation.

James Blaney '92J.D. has been named a partner at Moore, Costello & Hart, P.L.L.P., in St. Paul, Minnesota. He focuses his practice on general litigation.

Thomas W. Bosse '91J.D. is associate general counsel at Broadwing, Inc., in Cincinnati, Ohio.

J. Russell Carr '94J.D., formerly a partner in the Chicago office of Baker & McKenzie, has joined the international tax practice of Ernst & Young, L.L.P., also in Chicago, where his work will focus on cross-border mergers and acquisitions, deferral and repatriation planning, and capital-market transactions. He has significant experience advising clients on cross-border mergers, acquisitions, restructurings and spin-offs. He frequently speaks on various tax issues and has published numerous articles relating to cross-border combinations.

Michael Chesney '92J.D. has been named a partner at Frantz Ward, L.L.P., in Cleveland, Ohio. His practice focuses on labor and employment law. Mr. Chesney also reports that and his wife Diane welcomed Andrew Michael on May 21, 2000.

Michael Cloonan '95J.D./M.B.A., president of Global Media, a video-production company based in South Bend, addressed the NDLS Business Law Forum on January 31, 2001, regarding a new venture in which he is involved, "The XFL and NBC."

Christopher Davies '97J.D. has joined the Chicago, Illinois, office of Foley & Lardner.

William P. Farrell Jr. '93J.D. has been elected a partner at Gardner, Carton & Douglas in Chicago, Illinois, where he focuses his practice on litigation.

Captain Robert Fellrath '98J.D., stationed with the U.S. Army JAG Corps in Fort Huachuca, Arizona, received his promotion to captain in September 2000.

Lester N. Fortney '93J.D. has been named a shareholder of The Webb Law Firm in Pittsburgh, Pennsylvania.

Daniel J. Glivar '92J.D. has been elected a partner in the Denver, Colorado, office of Holland & Hart. He focuses his practice on high-technology business transactions, software and equipment development, and purchasing and licensing transactions.

Lieutenant (j.g.) Bill Grady '99J.D., U.S. Navy, has been promoted to department head for administration at the Naval Medical Clinic in Annapolis, Maryland.

William A. Hahn II '99J.D. has completed his clerkship with Honorable David Hamilton of the U.S. District Court for the Southern District of Indiana and has joined the Indianapolis, Indiana, office of Barnes & Thornburg.

Doug Himes '97J.D. is working with the Tennessee General Assembly Office of Legal Services, where one of his projects involves redistricting the state of Tennessee.

Katrina (Noznesky) '95J.D. and Chris Iamarino '95J.D. announce the birth of Jesse Peter, Sunday, January 14, 2001, in Lansing, Michigan. Jesse joins brother Matthew, who's now 2-1/2 years old.

Lieutenant Commander Scott A. Kenney '92J.D. was recently assigned as the head of the Maritime Environmental Law Branch at the U.S. Navy's Office of the Judge Advocate General International and Operational Law Division in Washington, D.C., where he will concentrate his practice in maritime international environmental law matters and ocean policy affairs. He recently completed a one-year LL.M. program in international environmental law at George Washington University.

Jennifer Klute '99J.D. has accepted a position with the U.S. House of Representatives Committee on Government Reform and Oversight.

Tracy D. Knox '91J.D. has been elected a partner in the Elkhart, Indiana, office of Barnes & Thornburg. He concentrates

his practice on product liability cases, white-collar criminal defense matters and general litigation.

Kevin LaFreniere '97J.D., formerly with LeBoeuf Lamb Greene MacRae, L.L.P., Hartford, Connecticut, has joined the Hartford Insurance Company.

Bill Lehman '97J.D., formerly with Bingham Dana, L.L.P., in New York, New York, has joined the New York office of WorldCom, Inc.

James M. Lewis '86, '91J.D. has been elected a partner in the South Bend office of Barnes & Thornburg. He concentrates his practice in the area of litigation, with a special interest in federal practice and procedure.

Research Librarian Lucy Salsbury Payne '88J.D. reports that Dustin Lindsay '94J.D. continues her battles with health problems. Just over a year ago, Dustin was diagnosed with breast cancer. She had a mastectomy followed by chemotherapy. Her first annual checkup showed a faint shadow, and subsequent MRIs indicated a small nodule almost against the chest wall. The doctors have ruled out cancer but, given the abnormal nature of the nodule, will remove it. Dustin, who now lives in Albuquerque, New Mexico, will return to Fort Wayne, Indiana, in March for the surgery and follow-up treatment. Please keep her in your prayers.

Peter J. Loughlin '97J.D., formerly on active duty with the U.S. Navy JAG Corps, has joined the Washington, D.C., office of Hunton & Williams as a litigation associate. He also reports that his wife Laura is expecting their third child in May.

Steve McBride '97J.D., formerly an associate at Glankler Brown in Memphis, Tennessee, has joined the Legal Department of International Paper Company, also in Memphis.

Michael J. Messaglia '90, '93J.D. has been named a partner at Krieg DeVault Alexander & Capehart, L.L.P., in Indianapolis, Indiana. He focuses his practice on general corporate matters, financial institutions, and securities and taxation.

Major Robert M. Mitchell '93J.D., U.S. Air Force, is an instructor in the Military Justice Division of the Air Force Judge Advocate General School at Maxwell Air Force Base in Alabama.

Domenique Camacho Moran '93J.D. has been named a partner at Littler Mendelson, P.C., in the firm's New York, New York, office. She concentrates her practice on employment issues related to age, race, national origin defamation and breach of contract.

Thomas M. Quirk '90, '95J.D., formerly an associate with Chapman & Cutler in Chicago, Illinois, has joined Latham & Watkins, also in Chicago, as an associate working in the area of commercial finance and, in particular, secured lending and securitization work.

Michael Shumaker '91J.D. has been named a partner in the Washington, D.C., office of Jones, Day, Reavis & Pogue.

Michael Sirtori '95J.D., formerly with Stoel Rives in Portland, Oregon, has joined the legal department of Intel Corporation in Hillsboro, Oregon. In his new position, he is counsel to Intel Internet Media Services, which is the company's internet audio- and video-streaming services division.

Kate Smith '93J.D. announces the birth of her daughter, Aquinnah Hollis, on January 5, 2001, in Phoenix, Arizona.

Colleen (Harty) Taricani '91J.D. is the public relations manager for Washington, D.C., and northern Virginia offices of Latham & Watkins.

Chuck Topping '99J.D., formerly with Peterson & Ross in Chicago, Illinois, has joined the Chicago office of Baker & McKenzie as a litigation associate. His practice focuses on employment litigation and general commercial litigation.

Rebecca VanDrunen Vander Veen '98J.D. is with WorldCom, Inc., in Arlington, Virginia.

Laura (Salava) Villa '95J.D. has been appointed general counsel of bioMeriueux, Inc., a diagnostic company with North American headquarters in St. Louis, Missouri, and world headquarters in Lyon, France.

Kevin Warren '90J.D., formerly vice president for football administration with the St. Louis Rams, has joined the Detroit Lions NFL franchise in the newly created position of senior vice president of business for the team. He will oversee team finances, non-player personnel and the team's business operations and security departments, and will also be the team's primary legal advisor.

Ralph Winter '91J.D. has been named a partner in the Orange County, California, office of Paul, Hastings, Janofsky &

Walker. His practice focuses on corporate and securities law, as well as with public offerings and mergers and acquisitions.

Edward J. Zabrocki '95J.D., formerly with the New York, New York, office of Jones, Day, Reavis & Pogue, has joined the New York office of Morgan Stanley Dean Witter.

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Patrick Cawley '00J.D. has joined the litigation section of Pennsylvania's Office of Attorney General in Harrisburg.

Akram Faizer '00J.D. has joined the litigation department at Mackenzie Smith Lewis Michell and Hughes, L.L.P., in Syracuse, New York.

Daniel Hall '00J.D. reports that he has passed the Maryland bar and has been named Associate Independent Counsel in the Office of Independent Counsel David Barrett in Washington, D.C.

Student News & Notes

Congratulations to Tamona Bright and Myra McKenzie, second year students, who won this year's NDLS Client Counseling Competition. They will represent NDLS at the regional competition in Chicago on February 17th. In addition to excelling at counseling, Tamona, from Killeen, Texas, and Myra, from Slidell, Louisiana, are both officers in the Black Law Students Association who are busily planning this year's 29th Annual BLSA weekend, to be held April 6-8, 2001.

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John Fitzgerald, a third-year student from the Bronx, New York, was quoted in an article titled *Notre Dame, Saint Mary's College Students Flood to Washington Pro-Life March* that appeared in the January 24, 2001, edition of the Observer and distributed nationally on U-Wire. He predicted continually increasing attendance among Notre Dame and Saint Mary's students at the annual pro-life march, which is held in the nation's capitol on the anniversary of the *Roe v. Wade* abortion decision, January 23. He commented, "It's a great opportunity to devote yourself to a cause. At school it is easy to forget about what's going on. There's no reason not to come out." Over 350 students from both campuses participated this year.

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Tim McFadden, a third-year student from Arlington Heights, Illinois, published *The New Age of the Eleventh Amendment: A Survey of the Supreme Court's Eleventh Amendment Jurisprudence and a Review of Kimel v. Florida Board of Regents* in Volume 27, Issue 2 of the Journal of College and University Law. His note surveys the history, interpretation and application of the Eleventh Amendment, focusing in particular on *Kimel v. Florida Board of Regents*, decided by the Court in January 2000. Tim argues that the Court's recent decisions to expand the application of sovereign immunity and narrow its exceptions create difficulties in effectively enforcing federal law, among other problems. Tim studied economics at the University of Notre Dame as an undergraduate and plans to work for Lord, Bissell & Brook in Chicago after graduating in May 2001.

To Submit Information to the Update

Please contact
Cathy Pieronek, Director of Law School Relations:
phone 574-631-6891
fax 574-631-9299
e-mail pieronek.1@nd.edu - or - lawalum@nd.edu

Don't forget to keep up on NDLS events through the Law School's web site, www.law.nd.edu.

Upcoming Events

Father Mike McCafferty Talent Show February 17, 2001

Deadline for ballots for NDLA Director elections March 15, 2001

BLSA Alumni Weekend April 6-8, 2001

Notre Dame Law Association April 26-27, 2001

Spring board meeting

NDLA Reception May 10, 2001

Ohio State Bar Association

Annual Meeting in Dayton

NDLA Reception June 14, 2001

State Bar of Arizona

Annual Meeting in Phoenix

Watch your mail for details or contact the Law School Relations Office.