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## NDLS Update 09/2002-10/2002

Notre Dame Law School

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# NDLS Update

News from the Notre Dame Law School

Vol. XII, No. 11  
September - October, 2002

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KELLEY COLLINS, DESIGNER

## Special Note

After a few months in “retirement,” I have been asked to step in and assist the Law School with publications until a new Director of Alumni Relations is hired to replace Cathy Pieronek. We will do our best to fill the shoes that Cathy left behind, but we all know that will be a very difficult task. Cathy’s sources for information were boundless and without her, our information is lacking. That’s where you come in! Please feel free to send information about your latest accomplishments, job changes, marriages, new additions, or special events to me at [hoye.4@nd.edu](mailto:hoye.4@nd.edu). This information will be used in both the NDLS Update and forthcoming issues of the Notre Dame Lawyer. In the meantime, please know that the NDLS Update will now be published on a bimonthly basis. Our next issue will be published in December. I look forward to hearing from you!

Kitty Cooney Hoye

## Notre Dame Law Association Award Recipients

**CONGRATULATIONS** to four outstanding law school graduates who were recently honored at a special ceremony on campus for their distinguished contributions to the Law School, their profession, and their communities. The Notre Dame Law Association Alumni Awards were presented to:

**David T. Link ‘58, ‘61 J.D.**, received the **Edward Murphy Award**, which is presented to Law School graduates who have distinguished themselves in the profession of law, exhibited the highest professional competence and compassion, and are guided by the high moral and religious values that Notre Dame represents. In addition to serving as Dean of the Law School from 1975-99, Dean Link has also served as the first president and vice chancellor of the University of Notre

Dame, Australia, and, following his retirement in 1999, served as associate vice president for academic affairs at the University of St. Thomas, where he was founding dean of the university's new law school. Dean Link has been a leader and active volunteer in numerous community, charitable and professional organizations.

**Carl F. Eiberger '52, '54 J.D.** received the **Michael McCafferty Award**, which is presented to Law School graduates, faculty members or administrators who have rendered distinguished service to Notre Dame. While a student at the Law School, Mr. Eiberger served as editor-in-chief of the Notre Dame Law Review and was named one of 25 outstanding law students in the United States. A Korean War veteran, Mr. Eiberger resides in Denver, where he practices law and has been an active member of the local Notre Dame Club, serving as president and as a member of the board of directors. He also has served on the national board of the Notre Dame Law Association since 1965 and is currently a member of its executive committee.

**James B. Flickinger '71 J.D.** received the **St. Yves Award**, which is presented to graduates who have devoted substantial time and effort to the practice and support of social justice law. Mr. Flickinger currently resides in Grand Rapids, Michigan, where he practices law and is a member of the Third Order of Franciscans, a charitable organization founded in the 13<sup>th</sup> century by St. Francis of Assisi. Along with his law partner, Mr. Flickinger established a weekly program that serves lunch to the poor and homeless in downtown Grand Rapids, and 10 years ago was a founding member of Bright Light, an organization formed to collect and deliver medical supplies to war-torn Bosnia and Kosovo. He also is co-founder of the non-profit Amazon Relief, established in 1995 to provide clothing and food to needy children and residents of a leper colony in Brazil.

**Donald A. Wich '69, '72 J.D.** received the **William Lewers Award**, which is presented to graduates who have made outstanding contribution in the area of civil or human rights, social justice or pro bono legal services. Mr. Wich currently resides in Ft. Lauderdale, Florida, where he has practiced law since 1976, representing clients in a wide range of civil and commercial matters. He started his legal career by representing the poor and underprivileged in south Florida, helping some 30,000 public housing tenants in the Miami area as a VISTA attorney and as a staff attorney for the Neighborhood Law Office of Legal Services of Greater Miami. Mr. Wich is a co-founder of Broward Lawyers Care, an organization of 2,000 lawyers who provide legal service to poor and underprivileged people who lack access to traditional legal aid services. He also served as director of Woodhouse, Inc., an organization that helps people with disabilities.

### **News from the Center for Civil and Human Rights**

The Center has scheduled a number of programs for this fall. Recently, Miriam Aukerman from Western Michigan Legal Services, was on campus to speak. Her lecture, "Extraordinary Evil, Ordinary Crime: A Framework for Understanding Transitional Justice" was presented on

September 18, 2002.

On October 17<sup>th</sup>, the Center co-sponsored with the International Human Rights Society a lecture by LL.M students entitled, "Experiences Behind the Headlines: Personal Accounts from the Balkans." Dusan Ignjatovic from the Federal Republic of Yugoslavia, and Ermin Sarajlija from the Republic of Bosnia - Herzegovina, shared their personal experiences and perspectives with attendees.

"Pluralism and Tolerance in Classical Islamic Law: Negotiating the Tradition Post 9/11" is the title of a lecture to be delivered October 30<sup>th</sup> at the Law School by Umar Faruq Abd-Allah, chairman and scholar-in-residence of the Nawawi Foundation in Chicago. An American Muslim, Mr. Abd-Allah is a nationally recognized scholar in Islamic studies. His talk is co-sponsored by the Center and the Program in Middle East Studies.

### **Faculty Notes**

Matthew Barrett participated in a five-week summer seminar on the Catholic Intellectual Tradition sponsored by the Institute for Scholarship in the Liberal Arts. He was also elected as an alumni member of the Notre Dame Chapter of Phi Beta Kappa. Foundation Press recently published the teacher's manual to the concise version of the third edition of the "Accounting for Lawyers" casebook authored by Professor Barrett and Professor David Herwitz of Harvard Law School.

Bob Blakey was back in the news recently for his work on a comprehensive study looking at the impact of organized crime influences on the Teamsters Union. The Teamsters financed the first-ever independent internal investigation into both the history and current status of organized crime influences on the union. The report, "The Teamsters: Perception and Reality: An Investigative Study of Organized Crime Influence in the Union," was conducted as part of the Teamsters internal RISE anti-corruption program. RISE is an acronym for Respect, Integrity, Strength and Ethics. Professor Blakey serves as a member of the Project RISE Board of Advisors.

Joe Bauer, recently returned to NDLS, after having spent 7 1/2 months in Washington DC, as "Of Counsel" to Kirkland & Ellis. While there, Professor Bauer worked on a number of litigation matters, mostly of an antitrust nature.

Gerry Bradley was recently in Washington, DC to in a symposium exploring the conditions for a "just war" with Iraq. The symposium was sponsored by the Pew Forum on Religion and Public Life, the Institute for American Values, and the Institute for Philosophy and Public Policy.

Barbara Fick and Ada Verloren presented a paper they co-authored entitled "The Role of Trade Unions in Creating and Maintaining a Democratic Society" at the "Authority in Contention" conference sponsored by the Collective Behavior and Social Movements section of the American Sociological Association. The conference was held at the University of Notre Dame on August 14-15, 2002.



Rick Garnett was recently quoted in an article by Tony Mauro entitled “Rehnquist: Will He Or Won’t He? Speculation On Whether the Chief Will Call New Term His Last.” Professor Garnett, a former clerk for the Chief Justice, was asked to comment on a recent gathering to celebrate Rehnquist’s 30<sup>th</sup> anniversary on the Court. He noted there was no “swan song” feel to the event and “no reason not to think there will be a 31<sup>st</sup> year on the Court” for the Chief.

Alan Gunn notes that West recently published the 5<sup>th</sup> edition of his casebook, “Gunn & Ward, Cases Text and Problems on Federal Income Taxation.”

William P. Hoye has been appointed to a three-year term on the NCAA Division I Infractions Appeals Committee (IAC) by the NCAA Management Council. Recommended to the committee by Rev. Edward A. Molloy, CSC and nominated by the Big East Conference, Hoye will join a five-member committee charged with conducting appellate hearings and adjudicating appeals of decisions by NCAA member institutions from the NCAA Committee on Infractions.



Mike Kirsh was a featured speaker at the 28th Annual Notre Dame Tax and Estate Planning Institute held at the South Bend Century Center. His presentation included a discussion of the tax consequences of expatriation and offshore trusts.

Donald P. Kommers taught comparative law at Duke University Law School’s Transnational Law Program in Geneva, Switzerland this summer. In June, he delivered a paper, coauthored with Stephanie Niehaus, on “Equity and Non-Discrimination in the United States” at an international conference sponsored by the Max Planck Institute of International and Comparative Public Law, Heidelberg, Germany. He was recently named a member of the National Screening Committee, U.S. Student Fulbright Program in Germany and has also been appointed to the Board of Advisors of a new Praeger Publication Series on “Issues in Comparative Public Law.” In addition, he has received a major grant from the National Endowment for the Humanities to conduct a college teachers seminar on campus next summer on the topic, “American Constitutionalism in Comparative Perspective.”

Terry Phelps presented two writing workshops at the annual meeting of the Council for Appellate Staff Attorneys, in Flagstaff, Arizona this past July.

Associate Dean Robinson teamed with Professor John Price of the University of Washington Law School to make a presentation at last month’s Notre Dame Tax and Estate Planning Institute on the ethical responsibilities of a fiduciary’s lawyer.

**News from the Legal Aid Clinic**

Several students enrolled in the Immigration Clinic were on hand recently at the Robinson Community Learning Center located south of campus to assist South Bend area residents who are seeking permanent residency in the United States through a proposed lottery program initiated by INS. The lottery concept is an effort to reach people whose countries don't have large number of immigrants in the United States. Clinical students were on hand at a recent gathering to explain the program and assist residents with completing the proper applications and paper work. Nearly 50,000 foreigners nationwide will be selected by the INS through the lottery process.

**News from the Kresge Law Library**

Jessica Kayongo is serving as the Librarian in Residence this year. She holds a 1996 B.A. in sociology/criminal justice from North Dakota State University, a 1998 J.D. from the University of Nebraska, and 2002 Masters in Library and Information Science from the University of Wisconsin. She has served as an intern in a South Dakota law firm and for seven months as a library assistant in the Schmidt Law Library at the University of Nebraska. Welcome, Jessica!

Carmella Kinslow and Mary Cowser attended the annual meeting of the Ohio Regional Association of Law Libraries in Dayton. As Notre Dame will be hosting the 2003 annual meeting, Carmella and Mary are laying the foundation to attract a large delegation of law librarians to the campus next October.

**Law School Briefs**

The Public Interest Law Forum recently held their second-annual dunk tank to raise funds to assist the student-funded fellowship program. As opposed to last Spring's event, several law school faculty and administrative members stepped up and braved the unseasonably cool weather to get "dunked" for a good cause. Among those brave souls were Associate Dean John Robinson, Director of Career Services Gail Peshel and Assistant Director of Career Services Peter Horvath.

**Administrator & Staff Notes**

Gail Peshel, Director of Career Services, chaired the the Program Committee of Indiana's Women in Law conference, held in Indianapolis on October 17 & 18, 2002. She also recently returned from a visit to the London Law Programme where she spoke with British law firms about hiring Notre Dame students for internships and full-time positions, spent time counseling students, and

evaluated the career services resources.

Chuck Roboski, Director of Admissions, served as a panelist at the Northeast Association of Prelaw Advisers Annual Conference, June, 2002. He also participated in a panel at the Western Association of Prelaw Advisers Conference in September and has been asked to speak this October at the Midwest Association of Prelaw Advisers Annual Conference.

Peter Horvath, formerly in the Career Services Office, has been named the Law School Director of Student Services, succeeding Julia Meister, who resigned from that position this past summer. Peter is a graduate of Wabash College and of Indiana University School of Law--Indianapolis. After graduating from law school, Peter joined the South Bend law firm of Konopa & Murphy, where he worked until February of 2001, when he became Assistant Director of Career Services. Although Peter will be sorely missed in the Career Services Office, Associate Dean John Robinson is looking forward to Peter's able assistance managing the entire range of student-related programs and services, including maintaining contact with all student organizations to ensure compliance with University regulations, counseling students about different aspects of their law school experience, and collaborating with various law school administrators to help coordinate their activities and realize their objectives.

### Alumni Notes

#### New Additions

Steve Ryan '87 JD and wife Renae, announce the birth of their fourth child, Arron, in July of 2002.



Brian Hynes '91 and wife Linda welcomed Thomas Joseph on June 29, 2002. Thomas was also welcomed to the family by his big sister, Elizabeth.



Tom Keller '92JD and Bridget Quinn '93JD announce the birth of Clare Eileen, September 15, 2002.



John Machado '92 and wife, Nancy, announce the birth of daughter, Catherine Clare, June 7, 2002.



Bob Boldt '95 and his wife Laura welcomed their fourth child, Peter Joseph, on July 1, 2002.



Heather (Guillette) Walser '99 and her husband Jack, welcomed their first child, Samuel Dillon, June 3, 2002, in Alexandria, VA. Following her maternity leave, Heather will be a fourth year associate in the Washington, DC office of Jones, Day, Reavis & Pogue.



D. J. Young, III '98 J.D. and his wife Melissa '98 M.B.A. announce the birth of their daughter, Rebecca Elise, August 20, 2002, in Columbus, Ohio.



## In Memoriam

Fred Miller '81, passed away this summer in Detroit, Michigan. Our condolences go out to Fred's wife, Martha, and his three daughters, Meghan, Betsy and Whitney. The family suggests that memorial donations be made to the Barbara Ann Karmanos Cancer Institute, 110 E. Warren Ave., Detroit 48201; St. Paul Catholic Church, 157 Lake Shore Drive, Grosse Pointe Farms, Michigan, 48236, or the Cottage Hospice, 19701 Vernier Road, Harper Woods, Michigan, 48225.

### *1960s*

Marty Idzik '66, has been appointed executive director of the Arts Council of Chautauqua County, New York.

### *1970s*

Greg Murphy '79, has accepted a position on the American Bar Association's Law School Accreditation Committee. Greg recently resigned from the Montana Board of Law Examiners where he served for seventeen years, eight of which he was the Chair. He also recently completed his term as Immediate-Past Chair of the National Conference of Bar Examiners. The Montana State Bar Association recently awarded Greg with its 2002 Distinguished Service Award for his many contributions to the state of Montana.

### *1980s*

Peter Grenier '85, '88J.D. an attorney with the Washington, DC firm Bode & Grenier, was recently featured in the July 29, 2002 issue of the National Law Journal. The NLJ article entitled, "40 Under 40" listed the top 40 litigators in the country under the age of 40. Not only was Peter listed within the top 40, but he was given special honors as being one of the "top 10" litigators within the group.

Lori Guzzo '86 a partner with Betts Patterson Mines, PS in Seattle, Washington, has been named chair of the firm's Business Practice Group.

Diana Lewis, '74, '82 J.D., a partner in the Palm Beach, Florida office of Carlton Fields and a member of the University's Board of Trustees, was successful in a recent run for a judicial seat in Palm Beach County. Her commission commences in January of 2003 and will run for a six year term. She has been assigned to the Circuit Civil division of the court and reports she will be sharing a judicial office suite with another NDLS graduate, Judge Tim McCarthy '71.

Timothy Shorn '89, has been granted tenure and named director of International studies at the University of South Dakota.

John Sullivan '83, has been promoted to senior vice president, general counsel, and corporate secretary for Imation Corporation in Oakdale, Minnesota.

### *1990s*



Erin Bartholomy '88, '93 J.D. was named a partner with the Chicago, IL office of Chapman & Cutler where she practices as a municipal bond attorney.

Robert Fellrath '99, an officer with the Army JAG has joined the US Army Trial Defense Services as Senior Defense Counsel at Fort Huachuca in Arizona.

Jerri Ryan Kent '97 and husband Matthew '97, have moved and are now living in Okinawa, Japan where Matthew is stationed with the United States Marine Corps.

Kurt McCamman '94, received the Donald P. Stone Service Award from the Kalamazoo County Bar Association. Kurt practices products liability, injury litigation and dispute resolution for Miller, Canfield, Paddock and Stone in Kalamazoo, Michigan.

Cynthia Morgan '99, has taken a position as deputy city attorney for the City of Oceanside, CA, where her duties include civil trial work, code enforcement, and advising the police department.

Jamie Moses '94, was named partner with the Orlando, Florida firm Fisher, Rushmer, Werrenrath, Dickson, Talley & Dunlap.

David Reed, '94, former director of legal affairs for Seattle-based ods, Inc., has joined the Atlanta-based AFC Enterprises, Inc., as corporate counsel. He will be responsible for matters involving distribution, manufacturing, and franchising for one of AFC's subsidiaries, The Seattle Coffee Company.

Tawni Wilhelm '99, has joined Traskbitt, PC a Salt Lake City based patent boutique firm that services clients throughout the world, where she will continue to practice in the areas of biotechnology, chemical, mechanical, software and telecommunications.

### **2000s**

Timothy McCurdy '02 has joined Blackwell Sanders Peper Martin, LLP in their St. Louis, MO, office as an

#### **Class e-mail Listservs**

To join a class e-mail listserv or to request one for your class, please contact the Law School Relations Office at the e-mail address listed to the right. Currently active listservs include the NDLS Classes of 1958, 1967, 1969, 1972, 1975, 1981, 1983, 1985, 1986, 1987, 1990, 1991, 1993, 1995, 1999 and 2001, as well as alumni from the Center for Civil and Human Rights and the London Programme.

associate in their litigation department.

Maureen Reid '02 has recently joined the Newark, NJ offices of McCarter & English as an associate.

#### **Student Notes**

The Notre Dame Law School Student Bar Association was recently honored by the Law Student Division of the ABA for having the "Best SBA Web Site". Sharing the top honors with NDLS were Gonzaga University School of Law and St. John's University School of Law. You may check out the award winning SBA web site at <http://www.nd.edu/~sba>

**To Submit Information to NDLS Update**

Please contact the Law School Relations Office:  
phone(574) 631-6891 fax(574) 631-9299  
e-mail [lawalum@nd.edu](mailto:lawalum@nd.edu)

And don't forget to keep up on Law School events through the NDLS web site,  
[www.law.nd.edu](http://www.law.nd.edu)

Third  
year  
student,

Brian Yeazel, placed second in the American Judges Association's 2002 Law Student Essay Competition. Brian's paper entitled, "Appellate Mediation: Optimizing a Successful Case Management Strategy" is now being considered for publication in a future issue of the AJA's journal, *Court Review*. Congratulations, Brian!

**Law School Calendar**

November

Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
<b><u>3</u></b>	<b><u>4</u></b>	<b><u>5</u></b> ♣WLF Monthly Meeting	<b><u>6</u></b> ♣Professor Nagle speaks about China	<b><u>7</u></b> ♣Feminist Jurisprudence Essay Contest Presentation	<b><u>8</u></b> ♣Admission Open House Program for Prospective Applicants	<b><u>9</u></b>
<b><u>10</u></b>	<b><u>11</u></b>	<b><u>12</u></b>	<b><u>13</u></b> ♣Faculty Meeting	<b><u>14</u></b> ♣Other Perspectives: Human Rights Lawyers at ND Lecture Series	<b><u>15</u></b> ♣BLSA Meeting ♣Faculty Colloquium	<b><u>16</u></b>
<b><u>17</u></b>	<b><u>18</u></b>	<b><u>19</u></b>	<b><u>20</u></b> ♣Constitutional Interpretation	<b><u>21</u></b> ♣Debate: Security vs. Civil Liberties after 9/11	<b><u>22</u></b> ♣Faculty Colloquium	<b><u>23</u></b> ♣Continuing Legal Education Program
<b><u>24</u></b>	<b><u>25</u></b>	<b><u>26</u></b>	<b><u>27</u></b>	<b><u>28</u></b> ♣Thanksgiving Break	<b><u>29</u></b> ♣Thanksgiving Break	<b><u>30</u></b> ♣Thanksgiving Break

December

Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
<b><u>1</u></b> +Thanksgiving Break	<b><u>2</u></b>	<b><u>3</u></b> +WLF Monthly Meeting	<b><u>4</u></b>	<b><u>5</u></b>	<b><u>6</u></b> +London-Last Class Day +Faculty Colloquium	<b><u>7</u></b>
<b><u>8</u></b>	<b><u>9</u></b> +Thursday/Friday Classes	<b><u>10</u></b> +Thursday Friday Classes +Last Class Day	<b><u>11</u></b> +Faculty Meeting +Study Day	<b><u>12</u></b> +Study Day	<b><u>13</u></b> +Examinations	<b><u>14</u></b> +Examinations