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Cathy Kaveny’s Latest Article Featured in New York Times

Cathy Kaveny’s most recent law review article – discussing billable hours and the commodification of time in light of how the Catholic Church views time – has been published in the fall 2001 edition of the LOYOLA (CHICAGO) LAW JOURNAL and has been featured in an article titled How Should Time be Lived? by Peter Steinfels in the December 29, 2001, edition of the NEW YORK TIMES. Cathy’s article addresses the billable-hours mentality that has come to dominate the practice of law and examines how religious traditions provide a “three-dimensional alternative” to what she describes as the debilitating world of billable hours. Her article questions the nature and purpose of time that is embedded in the world view of billable hours and explores how that view shapes lawyers’ lives.

52nd Annual Showcase Moot Court Argument

Congratulations to 3Ls Frederick P. Marczyk, Anne M. Peterson, Timothy F. McCurdy and Kevin G. Lohman, who argued the case of EEOC v. Acme, Inc. before a panel of distinguished judges including Honorable Michael S. Kanne of the U.S. Court of Appeals for the Seventh Circuit, Honorable Randall T. Shepard, Chief Justice of the Indiana Supreme Court, and Honorable Michael P. Barnes of the Indiana Court of Appeals. The issues argued concerned whether an arbitration agreement in an employment contract prevented the EEOC from bringing an action for monetary damages against an employer, and whether the arbitration clause was invalid as against public policy because of a fee-shifting clause that requires the losing side to pay all arbitration costs.

Both sides argued their cases well and received high praise from the judges for the manner in which they responded to the judges incisive questioning and for the way in which they were able to make their arguments in a case that involved difficult issues.

The judges joined the attorneys, their families and NDLS faculty for a celebratory dinner afterward at the University Club.
The NDLS community was saddened to learn of the death of long-time law library director Kathy Farmann on January 25, 2002, at the age of 81. Tom Shaffer and Carmela Kinslow, who knew Kathy well, have contributed brief reflections on her life. A more extensive tribute will appear in the spring 2002 issue of Notre Dame Lawyer magazine. If you would like to contribute your thoughts, please contact Carmela at kinslow.1@nd.edu or by phone at (574) 631-5990. As of this writing, there has been no memorial service for Kathy, nor is one planned. If you wish to write to her husband, fellow NDLS law librarian Stan Farmann, you may contact him at home at 19053 Summers Drive, South Bend, IN 46637.

From Tom Shaffer:

Kathy was a sharp professor and skilled librarian, but I think of her mostly as resolutely pro-student. She and Stan were already our law librarians when I became dean in 1971, and remained in charge of the library during all of my time as dean and much of the long deanship of my classmate Dave Link. During all of those years, every day, in hundreds of ways, Kathy was looking out for our students. That was what we needed then, as we always do. Hundreds of Notre Dame lawyers join me in mourning her.

From Carmela Kinslow:

Kathleen Elizabeth Farmann, law librarian in the Kresge Law Library from 1966 until her retirement in 1985, passed away on January 25, 2002. Kathleen graduated with highest honors from the Catholic University School of Law in 1945 and was admitted to the D.C. Bar. Kathleen was a pioneer not only in the practice of law by a woman in a large firm – Covington & Burling – but also in the type of law she practiced – corporate and antitrust law – from 1945 to 1953. In 1956, she began her studies in law librarianship at the University of Washington. She served as an Assistant Law Librarian from 1957 to 1961 at the Ohio State University College of Law. In 1961, she was appointed law librarian at the Supreme Court of Hawaii and served there for one year. She returned to Ohio State in 1962 and was director of research services there until 1966. Kathleen joined the faculty of the Notre Dame Law School as library director in 1966. Under her leadership, the library’s physical facility underwent a major expansion, with the first addition to the Law School building in 1973. The library’s collections grew from 69,000 volumes to 164,823. Kathleen will be sadly missed by many present and past members of the Notre Dame Law School Community.

Stan Farmann asked us to let everyone who has sent condolences know that, due to his own failing health and due to the impact Kathy’s death has had on him, he is unable to thank individually everyone who has sent or will send cards and letters. He has asked us, therefore, to thank all of you on his behalf for your kind and thoughtful words of condolence.
Tex Dutile served on a panel discussing “The Role of Athletics in Higher Education” at the annual NCAA Conference Intern Seminar in Indianapolis, Indiana, January 24, 2002.


Jimmy Gurulé was profiled in an article titled Ex-Utahn “Attacking” Terrorists in the January 20, 2002, edition of THE DESERET NEWS of Salt Lake City, Utah. The article reviewed his background – at home, in school and professionally – and explores how his experiences have shaped him into the nation’s highest-ranking Latino law-enforcement official.


* * *

Congratulations to NDLS Associate Professor of Law Lisa L. Casey and her husband Brian on the birth of their twin daughters, Jillian and Kristen, Sunday, January 27, 2002, in South Bend. Jillian and Kristen join their twin brother and sister, Sean and Caitlin, age 2.

The Federalist Society hosted two distinguished jurists for talks during the early part of the semester. Honorable James Buckley, senior judge on the D.C. Circuit, spoke to the students on Tuesday, January 22, 2002, on “The Constitution and the Courts: A Question of Legitimacy.” On February 5, 2002, with the generous support of the Olin Foundation, Honorable Daniel Manion ’64, of the U.S. Court of Appeals for the Seventh Circuit, explained “The Judicial Conformation Process.”
Administrator and Staff Notes

Susan Good, technical support consultant/analyst in the Office of Law School Technology, worked her sewing fingers to the bone over Christmas break piecing together a “peace quilt” for the University’s Office of Campus Ministry. The quilt, which measures 74 inches by 74 inches, features 49 squares designed by various campus dormitories and groups, as well as by children in area elementary schools. It took her over 18 hours to complete the project.

The quilt was unveiled on Martin Luther King Jr. Day as part of the University’s celebration of the life of Reverend King. The quilt reflected perfectly the theme for the celebration, “Operation Love: Making a Difference Piece by Peace,” and each square represents what Reverend King and his legacy mean to the people who took the time to design and create each square. Susan and her work were featured in the January 22, 2002, editions of the SOUTH BEND TRIBUNE and the OBSERVER, the latter of which is available online at www.nd.edu/~observer.

Alumni Notes

In Memoriam

Alphonse A. “Al” Sommer Jr. ’45, a benefactor and long-time member of the Notre Dame Law Association, died on January 14, 2002, of a neurological ailment at the age of 77 in Bethesda, Maryland. He was a native of Portsmouth, Ohio, and served as a staff sergeant in the U.S. Army in Europe during World War II. He earned his law degree from Harvard and practiced securities and corporate law in Cleveland for 24 years.

In 1973, President Richard Nixon named him to a three-year term as Democratic commissioner on the SEC. During his tenure, he was instrumental in the SEC’s decision to eliminate fixed-commission rates. After he left the SEC in 1976, he became a partner at Morgan, Lewis & Bockius, until his retirement in 1994, and he also chaired the Public Oversight Board of the American Institute of Certified Public Accountants until 1989. There, as at the SEC, he was regarded as a strong proponent of enhanced and improved audit practices.

He wrote and lectured extensively on corporate reorganizations, conglomerate accounting and other securities laws and accounting topics. He advised the governments of China, Egypt, the Philippines and several Latin American countries on establishing securities markets, and taught at Case Western Reserve University and the University of Michigan. He was also active in bar association an other committees that worked on securities-law issues.

He is survived by his wife of 50 years, Storrow “Starr” Sommer, three children, a sister and seven grandchildren. Condolences may be sent to Mrs. Sommer at 7105 Heathwood Court, Bethesda, MD 20817.

* * *

Joseph J. McDonough ’69, ’73J.D./M.B.A. died on January 14, 2002, at the age of 53 in Oak Lawn, Illinois. In addition to this three Notre Dame degrees, Mr. McDonough had earned an LL.M. in taxation at DePaul University in 1974, and practiced law through his own office in Oak Park. He concentrated in the areas of corporate law, tax and estate planning.

He is survived by his father, Joseph T. McDonough, a sister and two nieces. Memorial contributions may be directed to the Holy Cross Association, Provincial Administrative Center, Notre Dame, IN 46556, or to Brother Rice High School, 10100 South Pulaski Road, Chicago, IL 60642. Condolences may be sent to his father in care of his office at 9814 South Karlov Drive, Oak Lawn, IL 60453.
Thomas A. McNish ’61J.D. died on December 14, 2001, of a heart attack at the age of 64 in Ann Arbor, Michigan. A Detroit native, Mr. McNish earned his undergraduate degree from the College (now University) of St. Thomas in St. Paul, Minnesota in 1958, before earning his law degree from Notre Dame in 1961. He joined CMS Energy Corporation in 1977 and held several officer positions including vice president of corporate affairs and corporate secretary.

He is survived by his wife, Susan Kirk McNish, three sons, two daughters, two brothers, two sisters and 13 grandchildren. Services were held on December 19, 2001. Condolences may be sent to Mrs. McNish at 9130 Woodberry Road, Plymouth, MI 48170.

Please also remember in your prayers the mother of Rich Catenacci ’62, ’65J.D., past-president of the Notre Dame Law Association. She died in January at the age of 87. Condolences may be sent to Rich at Connell Foley, L.L.P., 85 Livingston Avenue, Roseland, NJ 07068.

New Additions

Jim Garvey ’94J.D. and Jennifer (Dessoye) Garvey ’95J.D. announce the birth of Matthew James, October 5, 2002, in Chicago, Illinois.

Mike Cloonan ’95J.D./M.B.A. and his wife announce the birth of Dylan Liam, November 15, 2001, in South Bend.

Vincent O. Nmehielle ’96LL.M. and his wife Nkechi announce the birth of Danielle Chiburuoma on August 31, 2001, in Hyattsville, Maryland. Danielle was welcomed home by her four brothers and sisters, Vincent Jr., Sharon, Shalom and Immanuela.


Jennifer Klute Hall ’99J.D. and Dan Hall ’00J.D. announce the birth of Emma Grace on December 18, 2001. The family just moved to a new home in Odenton, Maryland, and would love to hear from classmates via e-mail at ndlaw2k@msn.com.

Patrick Iseman ’00J.D. and his wife Crystal announce the birth of Rebekah Lee, November 20, 2001, in Kansas City, Missouri. Pat is a bank examiner with the Federal Reserve Bank of Kansas City.

1960s

Honorable John J. Coyle Jr. ’68J.D., recently named to the Warren County, New Jersey, Superior Court, was profiled in an article titled Judge Brings Charisma to the Bench in the January 27, 2002, edition of THE STAR-LEDGER in New Jersey.

1970s

William J. Dolan ’74J.D. recently retired as general counsel to the Connecticut Education Administration and has accepted an appointment as a U.S. Administrative Law Judge in the Office of Hearings and Appeals of the Social Security Administration in Hartford, Connecticut.
Robert W. Goodson '72, '76J.D., a founder of Carr Goodson, P.C., in Washington, D.C., has joined Wilson, Elser, Moskowitz & Dicker, L.L.P., as a partner in the firm’s Washington, D.C. office. He brings 24 years of litigation experience and 16 years of firm-management experience to his new position, where he will focus on complex civil litigation with an emphasis on medical and legal professional liability, products liability and toxic torts.

Judy Snyder ’73J.D., managing partner of Hoevet, Snyder and Boise, P.C., in Portland, Oregon, received the Professionalism Award from the Litigation Section of the Oregon State Bar Association, and was selected as a Distinguished Trial Lawyer by the Oregon Trial Lawyers Association.

W. Burks Terry ’76J.D., corporate vice president and general counsel at Northrup Grumman Corporation in Los Angeles, California, was profiled in an article titled Defense Work in the January 21, 2002, edition of the NATIONAL LAW JOURNAL.

Dennis Tushla ’69, ’72J.D., who practices law in Dowagiac, Michigan, played attorney Atticus Finch in Harper Lee’s To Kill a Mockingbird, with the Beckwith Theatre Company of Dowagiac in January and February. He was quoted extensively on his performance in a recent edition of the SOUTH BEND TRIBUNE.

Paul Unger ’74, ’78J.D., formerly counsel to U.S. Senator George Allen (R-Va.) has been named counsel and legislative director on the senator’s staff.

1980s

Robert N. Allen Jr. ’81J.D., a partner in Allen & Galego in Miami, Florida, was featured in an article in the October 26, 2001 edition of the DAILY BUSINESS REVIEW. The article, titled Hazardous Conditions, addressed the work that American attorneys such as Bob do to assist Latin American businesses enter into successful business deals in the United States.

Philomena Ashdown ’86J.D., a partner at Strauss and Troy in Cincinnati, Ohio, has been appointed by the Archbishop of Cincinnati to a three-year term on the board of Catholic Social Services of Southwestern Ohio.

Karen Keltz ’85J.D. has been named a partner in Shannon, Gracey, Ratliff and Miller, L.L.P., in Dallas, Texas. She is also chair of the State Bar of Texas Insurance Law Section, Insurance Litigation Committee, and co-directed and moderated the section’s continuing legal education program for the bar association’s 2002 annual meeting.

Susan T. Muskett ’85J.D., formerly legislative affairs director for the Christian Coalition of America in Washington, D.C., has joined the National Council of Catholic Women, also in Washington, D.C., as the organization’s executive director. The NCCW is an organization of over 5,500 Catholic women’s organizations across the country that focus on areas related to the sanctity of life including domestic violence, trafficking of women and children, abolishing capital punishment, combating pornography and obscenity, and protecting human life at every age and stage.

1990s

Bob Boldt ’95J.D. has been named a partner in the Los Angeles, California, office of Kirkland & Ellis.

John Cerone ’98J.D., executive director of the War Crimes Research Office at American
University’s Washington College of Law, was interviewed by the Canadian television network, CBC, on its news broadcasts on February 7, 2002, regarding the recent decision by the U.S. government to treat Taliban captives according to the rules governing treatment of prisoners-of-war. The nearly six-minute interview can be seen on CBC’s web site, www.cbc.ca (enter “Cerone” in the quick-search box).

Mike Cloonan ’95J.D./M.B.A., who has his own free-lance television production company, Global Media, based in South Bend, was the focus of an article titled Olympic “Stars” in ND Grad’s Eyes in the February 3, 2002, edition of the SOUTH BEND TRIBUNE. Mike is spending 33 days in Utah to work on NBC’s coverage of the 2002 Salt Lake City Olympics, producing the shorter human-interest segments broadcast throughout the games. Mike won an Emmy award for his work on the 2000 Olympic games in Sydney, Australia. He also wrote an article on his experiences Americans Prove Gracious Olympic Hosts in Salt Lake for the February 14, 2002 edition of the SOUTH BEND TRIBUNE.

Mike Collins ’95J.D., an associate at Gibson, Dunn & Crutcher in Washington, D.C., is teaching a course in conflicts of laws as an adjunct faculty member at the Catholic University of America School of Law.

Clark Jordan ’95J.D. has been named a partner in the Charlotte, North Carolina, office of Kilpatrick Stockton, L.L.P.

Kathleen M. Kerrigan ’90J.D. has been named a partner in the Washington, D.C., office of Baker & Hostetler, L.L.P. She is a member of the firm’s federal policy practice and concentrates her practice in the area of legislative tax.

Frank J. Kros ’93J.D., formerly with The Children’s Guild in Baltimore, Maryland, has returned to San Diego, California, where he is director of San Pasqual Academy, a 136-bed residential and educational campus for foster teens from San Diego County. To keep active in the law, he teaches a course in Community Property at California Western School of Law.

Michelle Mack ’99J.D., ’00LL.M., who works with the international Committee of the Red Cross and is based in Geneva, Switzerland, has been assigned to Belgrade, Yugoslavia, as an economic security delegate. Her responsibilities include analyzing the assistance and long-term economic security needs of the community of internally displaced people, and making arrangements with government authorities for provisions for these individuals.

John L. Michels ’98J.D., formerly a deputy district attorney for Riverside County, California, has opened his own practice in Riverside and Orange County. His practice focuses primarily on criminal defense.

Vincent O. Nmehielle ’96LL.M. has joined the faculty of the University of the Witsatersrand School of Law in Johannesburg, South Africa, as associate professor of human rights law. The position, which began on February 1, 2002, is funded with an endowment in honor of the late Bram Fisher, one of South Africa’s leading advocates against apartheid.


Lisa Patterson ’96J.D., Associate Dean for Career Services at the University of Buffalo Law School, has joined the board of the Notre Dame Club of Western New York and has been appointed the club’s communications director, with responsibility for the club’s newsletter and web site.
David Rivera '99J.D. and his Nativity Prep Academy in San Diego, California, were featured in an article titled *Leap of Faith* in the January 20, 2002, edition of the *San Diego Union-Tribune*. James V. Garvey '94J.D. has been named a partner in the Chicago, Illinois, office of Vedder, Price, Kaufman & Kammholz.

Heath Weaver '98J.D., formerly with Dinsmore & Shohl in Cincinnati, Ohio, has joined the staff of the Upward Bound program at Notre Dame as an advisor. He also teaches at Indiana University South Bend and at Davenport College.

### 2000 and 2001

Adam MacLeod '00J.D., currently an associate in private practice at the Law Office of Meirwyn Walters in Danvers, Massachusetts, has accepted a one-year clerkship with the Honorable Christopher Armstrong, Chief Justice of the Massachusetts Court of Appeals, beginning in September 2002.

John Storino '97, '00J.D., an associate with Jenner & Block in Chicago, Illinois, successfully argued a criminal appeal to the U.S. Court of Appeals for the Seventh Circuit. John handled the appeal in the case, *United States v. Peters*, on a *pro bono* basis. His arguments – before Judges Posner, Ripple and Kanne – helped to convince the appellate court to overturn the jury verdict in the district court on sufficiency-of-evidence grounds and to grant the appellant’s motion for acquittal. John’s involvement in the case was also noted in the November issue of *The New Yorker* magazine in an article about Judge Posner. More details about the case can be found on the ABA’s web site in an article titled "A Question of Proof," at [www.abanet.org/journal/ereport/f8consent.html](http://www.abanet.org/journal/ereport/f8consent.html).

### Student Notes

Congratulations to 2L Susan Prchal '99, of Huntington Beach, California, who was selected by the Notre Dame Alumni Association as the recipient of its 2001-02 Distinguished Graduate Student Award. An assistant rector in McGlinn Hall, Suzi is the fifth law student to receive the honor since the award’s inception in 1992.

After earning her undergraduate degree in government and international studies and Spanish from Notre Dame in 1999, Suzi joined the Jesuit Volunteer Corps and worked with the Northwest Justice Project, though which she assisted low-income residents of the state of Washington with free civil legal services.

At NDLS, Suzi is president of the Public Interest Legal Forum, a member of the Women’s Legal Forum and the Social Justice Legal Forum, and is a liaison between NDLS and the National Association for Public Interest Law. She has also been instrumental in working with a Law School committee that is developing criteria for administering the loan repayment assistance program for alumni engaged in public-interest work. She worked with the Lawyers Committee for Human Rights in Washington, D.C., last summer through the Alumni Funded Summer Fellowship program, and also engaged in service work in San Diego through the Law School’s GALILEE program.

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Congratulations to 3Ls Myra McKenzie of Slidell, Louisiana, and Tamona Bright of Harker Heights, Texas, who won the 2002 Client Counseling Competition. This is their second consecutive year of winning this skills-oriented competition, and they will represent NDLS at the upcoming regional competition in Indianapolis.

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The Student Bar Association sponsored its annual New Year’s Gala dance on Saturday, January 26, 2002, in the Monogram Room of the Joyce Center.

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IPLStandard The intellectual Property Law Society at NDLS has its new web site up and running at www.nd.edu/~ipls. The web site features news in intellectual property law, as well as the IPLS’s new newsletter, IPLS STANDARD, edited by 1L Elizabeth Holman. The first edition of this newsletter features a question-and-answer session with Professor Joseph P. Bauer, an article on the bioterror threat and its implications for electronic patent filing by 2L Navid Fanaeian, IPLS president, and an article on Mark Twain and copyright law by 1L Andrew Villier. For more information, visit the site or e-mail the IPLS at ipls@nd.edu.

* * *

Members of the Phi Alpha Delta fraternity chapter at the Notre Dame Law School have undertaken a service project to assist South Bend’s Center for the Homeless in creating welcome packages for children arriving at the center. Through the generosity of fellow students, PAD assembled the welcome packets, which contain a variety of art supplies such as crayons and colored pencils, small games and toys, gum, stickers, etc., to brighten the lives of these children.

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Congratulations to 2L Jason Manning and his wife Katrina on the birth of their son, Nathan Emmanuel, January 17, 2002.

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The St. Thomas More Society, together with the University’s Gender Studies Program, Department of Philosophy and Knights of Columbus Council, welcomed Sister Prudence Allen, R.S.M., chair of the philosophy department at the St. John Vianney Theological Seminary in Denver, Colorado for her talk on “Philosophy of Relation in John Paul II’s New Feminism” on January 30, 2002.

Class e-mail Listservs


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](http://www.law.nd.edu).

### Calendar of Events

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<td>7 Charitable Choice and Its Critics</td>
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<td>19 London Examinations (cont.)</td>
<td>20 London Examinations (cont.)</td>
<td>21 London Examinations (cont.) PILF meeting: Officer Elections</td>
<td>22 London Examinations (cont.) Admissions Visit Program for Admitted Students Faculty Colloquia Series BLSND Meeting</td>
<td>23 Barrister’s Ball (Law Ball.)</td>
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<td>24</td>
<td>25 Federalist Society Elections</td>
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