

Temple ESQ.

Temple law faculty are not only skilled and enthusiastic instructors on issues critical to the study and practice of law, they are also renowned experts who routinely publish and contribute to books and articles on subjects that generate buzz from North Broad Street to the Supreme Court.

Whether on civil rights or health-care, child welfare or international trade, publications by Temple authors not only increase the law school's visibility among practicing attorneys, legal scholars, and peer institutions, they also broaden the information base in our classrooms, and encourage fresh dialog and investigation among our students and teachers. Professors Salil K. Mehra and R. Craig Green are just two of Temple's faculty whose work can be found in the pages of current law journals.

SALIL MEHRA *examines Japanese comic books' impact on* INTELLECTUAL PROPERTY LAW

Associate Professor Salil K. Mehra teaches antitrust, business associations, and contracts, specializing in antitrust law and Japanese law. He has written numerous articles for legal journals including the *University of Chicago Law Review* and the *Duke Journal of Comparative & International Law*. Mehra's current research evolved from an interest in Japanese comic novels, or "manga," and explores their place in both Japanese and American intellectual property law.

Mehra earned his bachelor's degree in East Asian languages and civilizations from Harvard University and went on to complete a master's degree in Japanese studies from the University of California at Berkeley before attending law school at the University of Chicago. He first took notice of the manga phenomenon as an undergraduate studying in Japan.

"It's pretty impossible not to notice the popularity of comics in Japan," he says. "They represent nearly half of the printed material there by volume."

Mehra did not take any real interest in comics until he noticed their increasing popularity outside of Japanese markets, and the peculiar success of "doujinshi," comics published by "amateurs" that are unauthorized copies of characters and stories created by other artists.

These copycat comics are in increasingly high demand in spite of (or because of) the fact that they unabashedly draw material from popular manga. Despite their enormous popularity—doujinshi conventions gather upwards of 450,000 fans and 33,000 artists each year—the comics clearly violate original authors' copyright, and are as illegal under the Japanese system of law as they would be under American law.

Still, doujinshi artists in Japan continue making and selling their work without fear of prosecution. "Japan has not allocated the same amount of resources to civil litigation as the U.S. has," Mehra explains. "Their civil system is simply not equipped to handle the cases, and the monetary impact of winning such cases is on a much different scale."

And then there's the issue of revenue—both the industry's and the artists'. It seems that manga artists directly benefit from the attention doujinshi draws to their work—comics become increasingly popular as they become more accessible, upping the demand for both the original artist and the copycat. What's more, with government-dictated price minimums on all goods, there are more pressing economic issues to consider.

continued on page two

R. CRAIG GREEN *explores* FEDERAL SENTENCING GUIDELINES

Assistant Professor R. Craig Green teaches federal courts, administrative law, and civil procedure. Before joining Temple's faculty, Green worked in the Office of the Solicitor General as a Bristow Fellow and served as a member of the Department of Justice's civil appellate staff. During his government service, Green briefed and argued several cases in the federal courts of appeals and worked with the Solicitor General's Office in drafting merits briefs for the Supreme Court.

Green received his law degree from Yale University and, following law school, clerked for the Honorable Louis H. Pollak of the Eastern District of Pennsylvania, and for the Honorable Merrick B. Garland of the Washington D.C. Circuit Court of Appeals.

In 1999, his last year of law school, Green took a class called "The Criminal Jury," for which he studied the relationship between the jury's finding of guilt and the judge's assigning of sentence. The class sparked in Green an interest that would become an academic and professional passion.

At that time, the Federal Sentencing Guidelines, which indicate that judges are permitted to take facts not presented in trial into consideration when sentencing convicted criminals, were accepted as appropriate and constitutional in courts across the nation.

In 2000, however, the case of *Apprendi v. New Jersey* came before the Supreme Court and the constitutionality of the Guidelines was dramatically thrown into question. The case appealed defendant Apprendi's receipt of an "enhanced" sentence that was based on post-conviction evidence. Voting five-to-four, the Supreme Court invalidated Apprendi's sentence because it was greater than the maximum authorized by the crime of conviction.

"The Court reasoned that, when a jury convicts of one crime with one maximum sentence (unlawful firearm possession, ten years), it is unconstitutional to sentence the defendant as though he were convicted of a greater crime, with a greater maximum (*hate-crime* unlawful firearm possession, twenty years)," Green explains.

While clerking for Judge Pollak, Green observed that arguments on sentencing stemming from the *Apprendi* ruling were popping up in the Courts of Appeals. Later, as a clerk in the Solicitor General's Office, Green found

continued on page three





SALIL MEHRA EXAMINES INTELLECTUAL PROPERTY LAW

...continued from page one

Isamu Kaneko appears to have been both an unlikely criminal and a likely troublemaker. Kaneko, a Tokyo University research assistant in computer science, had developed a number of software applications that received high marks from colleagues, reviewers, and users. One of them was a P2P file exchange program called Winny. Much like the widely distributed Napster...Winny came to be used by others to make P2P file transfers across the Internet...

But in addition to creating Winny, he continually upgraded it and made new versions available for free on his website. He continued to do this even after several Winny users were arrested for direct infringement of copyright works in Fall 2003...

Perhaps most interestingly, Kaneko was open about his adversarial attitude towards intellectual property laws. He posted his views on Winny and copyright protection on "ch2.net," Japan's most widely used electronic forum... Kaneko allegedly stated that he was "doubtful about the current ways businesses control digital content. It's wrong that big business uses the police to crack down on violations and maintains the *status quo*. The only way to destroy that system is to continue to spread ways to violate copyright laws."

...The fly in the ointment from a remedy perspective is that P2P technology such as Winny is not like services such as Napster or File Rogue because it is neither for-profit nor under the constant control of the alleged infringer. Faced with a relatively weak recourse to civil damage remedies, a constructive Japanese plaintiff might at least try to get an injunction against P2P software distribution to "stop the bleeding" from infringement. However, injunctive relief has both a formal legal problem in Japan and a general practical problem in the context of P2P software. There is some debate over whether Japanese courts have the ability to use contempt powers in order to actually enforce compliance with their injunctions. More specifically, to the extent relevant authority existed prior to the Kaneko case, it was ambiguous or even hostile to the idea that a contributory copyright infringer could be successfully enjoined...

...Public enforcement generally is expected to calculate the overall societal implication of prosecution. Indeed, in the Japanese system, where prosecutorial discretion is perhaps even more significant than in the United States, the broader perspective is expected on the part of prosecutors. Japanese attempts to criminalize P2P ultimately rest on a significantly older Copyright Law and prosecutors' attempts to extend their established modes of operation to a new context. As a result, if prosecutors hew to their traditional patterns of trying and imprisoning few, and using their discretion within the boundaries of social welfare, then a social calculus should be embedded, however imprecisely, in their actions.

Unfortunately, American proposals for P2P criminalization set forth new elements that do not necessarily consider elements of broader social welfare. Indeed, they do not seem to track anything beyond the norms of a property crime. To that extent, a danger exists. Few ask whether prosecuting a carjacker could have negative social impact. That sort of narrow focus may enrich IP rights holders while over-utilizing prosecutorial resources and impoverishing society on the whole.

Unlike the Japanese, however, Americans have quite a viable cultural alternative. A more prominently functioning civil remedy system, hordes of IP attorneys and well-established discovery procedures all make the move to criminalize IP infringement substantially less necessary in the United States than in Japan. American moves to criminalize P2P activity, and other forms of IP infringement may be premature, egged on by overanxious rights holders focused on their own selfish ends.

Additionally, such moves may also be more dangerous in the United States than in Japan. As discussed above, American prosecutors are more likely to convict and imprison the defendants that they prosecute than their Japanese prosecutors. This tendency is true in the narrow context of copyright infringement as well as throughout criminal law in these nations. As a result, criminalization in the United States could be quite harsh, creating a starker break with past practice and allowing IP law to become quickly "unmoored" more easily than in Japan...

"The Japanese are not nearly as concerned with copyright infringement as they are with stamping out second-hand and discount sales," Mehra explains.

In articles for the *Rutgers Law Review* and other publications, Mehra has addressed how and why doujinshi elude copyright infringement suits and what the phenomena means to intellectual property law in both the U.S. and Japan.

In a recent article for the *Tulane Law Review* entitled "Software as Crime: Japan, the United States, and Contributory Copyright Infringement," Mehra shifts his focus from printed to electronic media, specifically to issues relating to music sharing software. In this article (excerpted at left), he explores how and why the system that overlooks doujinshi, because of a lack of resources in *civil* courts, has responded to an "updated version" of that issue with *criminal* prosecution.

"Shawn Fanning, Napster's creator, never went to jail," Mehra writes. "However, a man who might be Fanning's Japanese counterpart, Tokyo University researcher Isamu Kaneko, was arrested and indicted for developing similar peer-to-peer file sharing software."

Mehra hopes that his research and publication on Japanese and American systems of dealing with these issues will expand interpretation of intellectual property law.

"People make the argument that there is too much intellectual property law in the United States," he explains. "Japan is a country of comparable economic development. I want to illustrate a functioning system that has a different way to protect intellectual property. I want to show people that if we do move to a different model, it wouldn't be the end of the world."

—Ingrid Thack



TEMPLE LAW STUDENTS PUBLISH TOO...

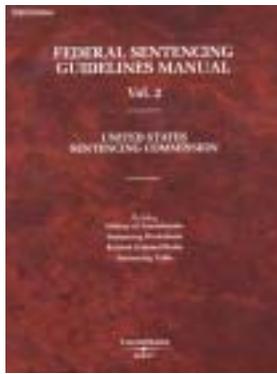
Mark Furletti recently won the student note competition sponsored by the American College of Financial Services Lawyers for his article in the *Temple Law Review* on the preemptive force of the National Bank Act. The competition awards Furletti a trip to the Spring meeting of the business law section of the American Bar Association in Nashville.

Third-year student **Corey Davis** published "Effects of an Intensive Street-Level Police Intervention on Syringe Exchange Program Use in Philadelphia, PA" in the February 2005 issue of the *American Journal of Public Health*. Davis previously won an award for the paper (co-authored by Burris, Kraut-Becher, Lynch, and Metzger) at the international AIDS conference last summer in Thailand.



R. CRAIG GREEN CHALLENGES FEDERAL SENTENCING GUIDELINES

...continued from page one



himself drafting a number of opposition briefs citing both *Apprendi* and the related case of *Harris v. United States*, which focuses on statutory minima.

When he joined Temple's faculty in 2004, Green found an opportunity to turn his interest and views on the subject into research for publication. With two cases under review in the Supreme

Court, both with the potential to strike down the Federal Sentencing Guidelines once and for all, his timing couldn't have been better.

On January 12, 2005 in the consolidated cases of *United States v. Booker* and *United States v. Fanfan*, the Supreme Court ruled the Federal Sentencing Guidelines unconstitutional, creating a ripple in the modern criminal justice system with tsunami potential.

In a forthcoming article for *Georgetown Law Review* entitled "The Untimely Death (and Rebirth?) of the Federal Sentencing Guidelines," (excerpted at right) Green examines how and why the Court reached the landmark decision and cautions the legal community against writing hasty policy in its wake.

"I hope to help people understand the legal and analytical problems with the way *Booker* was decided," he explains. "Now that the Guidelines have been struck down, lower courts have some very serious decisions to make regarding sentencing. I want to give people a better understanding of what happened and offer a sense of where some of the problems lie."

—Ingrid Thack

TO VIEW CURRENT JOURNAL ARTICLES AND OTHER PUBLICATIONS BY TEMPLE LAW FACULTY, VISIT WWW.LAW.TEMPLE.EDU AND CLICK "PUBLICATIONS AND LAW REVIEWS."

...By holding the Guidelines unconstitutional in *Booker*, the Court overturned a stable, if incompletely articulated, constitutional principle that Sixth Amendment rights depend on the statutory maximum of the crime of conviction. What has replaced that interpretation of Sixth Amendment rights is necessarily a hodgepodge, because the Court's judgment in *Booker* and *Fanfan* spans two majority opinions representing sets of Justices that barely overlap. Justice Stevens wrote one opinion for the Court, joined by Justices Scalia, Souter, Thomas, and Ginsburg, which held that the federal system of mandatory Sentencing Guidelines is unconstitutional. Justice Breyer wrote a second opinion for the Court, joined by Chief Justice Rehnquist and by Justices O'Connor, Kennedy, and Ginsburg, which held that the appropriate remedy was to render the Guidelines "advisory" and allow appellate courts to review sentencing decisions for "reasonableness." The Court's two opinions merit attention individually and in combination, but their conclusions, in the final analysis, are often more provocative than satisfying...

Through Justice Stevens's majority opinion, the Supreme Court held that *Booker*'s sentence was unconstitutional because a judicial finding, that was neither found by a jury nor admitted by the defendant, raised his sentence above the maximum allowed by his Guidelines' base offense level (262 months). Although Justice Stevens's opinion occasionally traded clear reasoning for crisp writing, three analytical steps seem important. First, Justice Stevens implied that the Court's decision to invalidate mandatory Sentencing Guidelines was a natural, almost necessary, extension of prior *Apprendi* cases...

In conceptual terms, Justice Stevens's asserted equivalence between statutory definitions of a crime and nonstatutory sentencing rules frays the constitutional fabric of federal criminal law. Before *Booker*, only Congress could define federal crimes and determine the constitutional meaning of a guilty verdict. If one was convicted of bank robbery under 18 U.S.C. § 2113(a), that was the crime, and the statute set forth the constitutionally maximal punishment that could be imposed at sentencing. Nothing else mattered—not rules concerning judicial discretion, prosecutorial litigation, executive clemency, or other factors. After *Booker*, insofar as mandatory Sentencing Guidelines have the same constitutional significance as statutes defining crimes, the principle that only Congress can establish federal crimes seems unsteady.

A second component of Justice Stevens's majority opinion was his occasional effort to sketch a deep, substantive vision of Sixth Amendment rights. At various points, Justice Stevens suggested that *Apprendi* and its progeny were concerned with forcing a jury trial (or plea bargain) of all facts that are significant to the calculation of a defendant's sentence. The intuition behind such a theory would be that judges cannot be trusted with independent fact finding that determines the ultimate punishment imposed, because that detail of a criminal case is what matters most to real-world defendants and is often the predominant aspect of what it means to be tried and convicted of a "crime"...

The third, most important aspect of Justice Stevens's opinion is his view that the Sixth Amendment's right to jury trial erects a rule against rules, i.e., a procedural protection that depends on the scope of a sentencing judge's undetermined discretion. To be clear, although guideline sentencing is similar to discretionary sentencing in its relationship to the jury's verdict, the two obviously differ in their effect on judges' discretion. The mandatory Guidelines incorporated judicial fact finding as a matter of rule, not individual choice. And Justice Stevens could not have been clearer that it was only the Guidelines' "mandatory" and "binding" character that rendered them unconstitutional. "Indeed, everyone agrees that the constitutional issues presented by [*Booker*] would have been avoided entirely if Congress had omitted from the SRA the provisions that make the Guidelines binding on district judges."

That statement is critically important—and not only for *Fanfan*'s remedial analysis. Even under principles articulated in Justice Stevens's majority opinion, the following would satisfy the Constitution: Congress could enact a system of guidelines that judges must consider and "should, but are not required to, follow..."

EXCERPT FROM
The Untimely Death (and
Rebirth?) of the Federal
Sentencing Guidelines
GEORGETOWN LAW REVIEW,
SPRING 2005.

DECEMBER 2004 A conference organized jointly by the law school's China Health Law Initiative, the Shanghai People's Congress, and the Shanghai Academy of Social Sciences brought together experts and key players in drafting new HIV/AIDS control legislation for China's most important city. Participants from Temple Law included Professors Scott Burris, Frank McCellan, and Phoebe Haddon. Temple's health law work in China is led by Burris and funded by the State Department and the US-China Legal Cooperation Fund.

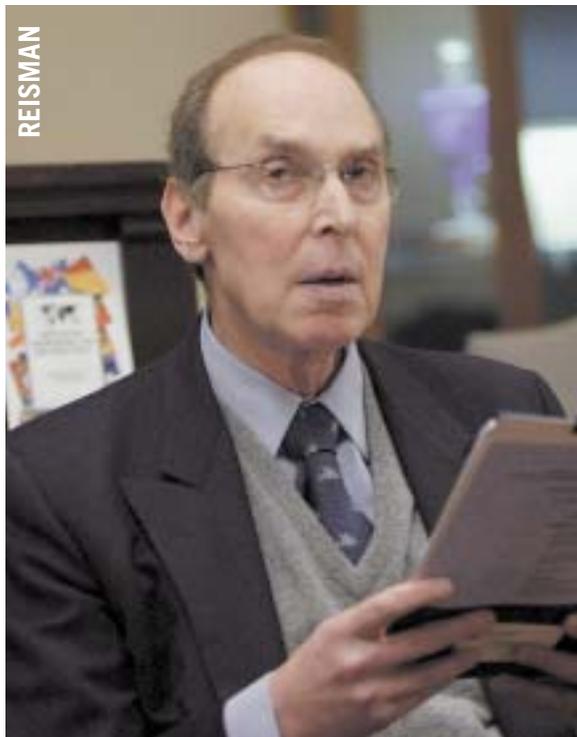


International Institute hosts lecture challenging CONTEMPORARY INTERNATIONAL LAW

JANUARY 26, 2005 Professor W. Michael Reisman, the Myres S. McDougal Professor of International Law at Yale Law School, addressed the law school community as a Distinguished Scholar-in-Residence under the auspices of Temple's Institute for International Law and Public Policy.

In his presentation, "Contemporary International Law: Has Its Reach Exceeded Its Grasp?" Professor Reisman stated that "power without law is tyranny and law without power is semantics." He declared that many of the current concepts in international law have evolved from past areas of conflict within the law, however, emphasized that the international community legal machinery has not been able to address some of the issues facing our global world today such as mass murder, genocide, and AIDS/HIV. He further stated that the current situation in Iraq is instructive but hardly unique and that, while the U.S. is able to obliterate an adversary, we are unable to change their behavior.

Reisman's extremely influential scholarship—including some 20 books and over 250 articles and book reviews—addresses issues as diverse as human rights, national security, public and private dispute resolution, the law of war, international investment disputes, and jurisdiction. His recent books include *International Law in Contemporary Perspective* (with Arsanjani, Wiessner, & Westerman)



REISMAN

(2d ed. 2004); *Law in Brief Encounters* (Yale University Press, 2000); and *Jurisdiction in International Law* (Ashgate, 2000).

Reisman's achievements extend well beyond the walls of academia. He is President of the Arbitration Tribunal for the Bank for International Settlements and has served as a member and president of the Inter-American Commission on Human Rights, as a member of the U.N. boundary Commission for Eritrea and Ethiopia, and as a member of the advisory committee on international law of the Department of State. In June 2000, he argued the Bahrain/ Qatar land and maritime boundary case before

the International Court of Justice and, in June 2001, he argued the intervention application of the Republic of the Philippines before the Court.

In recognition of his leadership in international law, Reisman was elected to the prestigious Institut de Droit International, and was the recipient of the 2004 American Society of International Law's Manley O. Hudson Medal.

Reisman's lecture was part of an ongoing series hosted by the Institute for International Law and Public Policy, co-directed by Professors Amy Boss and Jeffrey Dunoff. — Lucia Terrazzer

Lambda attorney visits law school

DEAN'S INVITATIONAL FORUM FEATURES CIVIL RIGHTS ATTORNEY ALPHONSO DAVID '00

NOVEMBER 15, 2004 Alphonso David '00 is staff attorney for Lambda Legal, the largest and oldest national legal organization committed to achieving full recognition of the civil rights of lesbians, gay men, bisexuals, transgender people, and those with HIV or AIDS.

At the November Dean's Invitational Forum at Temple Law, David led a general discussion of his work at Lambda, including specific cases and the challenges and rewards of civil rights litigation practice. He also presented a status report on marriage equality litigation nationally, focusing on the impetus for the suits and the legal theories.

David has a breadth of litigation experience covering such diverse areas as complex contract disputes, insurance defense, constitutional law, environmental law and white-collar crimes. Before joining Lambda Legal, he served as corporate counsel for Canyon at Peace Park, a corporation that provides addiction treatment, education, and counseling services in Malibu, California. Prior to that, David was an associate in the litigation and dispute resolution department of Blank Rome.

David's initial work at Lambda focused on the organization's marriage lawsuit in New York State. David is also working on matters involving relationship rights, as well as employment, HIV, and gender identity discrimination.

After receiving his J.D. from Temple in 2000, David clerked for U.S. District Court Judge Clifford Scott Green in the Eastern District of Pennsylvania. During law school,



DAVID

David was executive editor of the *Temple Political and Civil Rights Law Review*, and a member of the National Trial Team, which won the 1998 NITA Tournament of Champions. He also published "Bragdon v. Abbott: The United States Supreme Court Redefines Disability under the Americans with Disabilities Act," 9 *Temple Political and Civil Rights Law Review* 109 (1999).



FALL 2004 Director of Asian Programs John Smagula (center) introduces newly-arrived students in Temple's International LL.M. program to the city. There are currently 38 participants in the LL.M. degree program from countries including China, Japan, South Korea, Paraguay, Liberia, France, and Germany.

YOUNG LAWYERS' DIVISION HONORS TEMPLE-LEAP'S ROBERTA WEST '89



MARCH 9, 2005 Temple-LEAP Program Director Roberta West is the 2005 recipient of the F. Sean Peretta Award, awarded annually by the Philadelphia Bar Association Young Lawyers' Division. The award is presented to an individual who has devoted substantial time to an innovative or nontraditional program that serves the community. Peretta was a community activist and a mentor to youth in his home neighborhood.

Temple-LEAP (Law, Education and Participation) is the law school's in-house program that coordinates

law-related education programs for high school students, including the statewide mock trial competition and summer law camps, and sends law students into six Philadelphia public schools to conduct peer court program. West first got involved in Temple-LEAP as a law student—and agreed to join the staff after graduation in 1989.

WILLIAM STAFFORD '56 celebrates three decades on the federal bench

The Honorable William Stafford '56, a graduate of both Temple University and Temple Law School, is approaching his thirtieth anniversary serving on the U.S. District Court for the Northern District of Florida. Appointed by President Gerald Ford in 1975, he was Chief Judge from 1981 to 1993 and has been a senior judge since 1996.

At the time Stafford was being considered for the federal bench, the Florida judiciary and the nation were both in a state of turmoil. The nation was absorbed with the Watergate scandal, and in Florida, three judges on the Supreme Court were under suspicion of bribery and influence peddling. Stafford was ultimately chosen in a merit selection process with the support of Florida's two Democratic senators, Lawton Chiles and Richard Stone. When his nomination to the bench was being reviewed in the U.S. Senate, Sen. Chiles noted that Stafford was the first judge chosen by merit selection in Florida.

Now entering his fourth decade on the bench, Stafford continues to maintain a busy schedule on the district court and as a visiting judge on the 6th and 11th Circuit Courts of Appeals, which he says offers a trial judge "a different perspective."

A Floridian for most of his career, Stafford was raised along the Pennsylvania-Ohio border. Born in 1931 at home, he was the youngest of five children. As a child, one side of the street in the mill town where his family lived was in Pennsylvania; the other was in Ohio. He credits Temple with allowing him to go to college; he was the first in his family to do so.

After graduating from first Temple University and later Temple Law School, he joined the Navy. During his four years in the service, Stafford attended the Navy's officer candidate school and justice school, and was eventually assigned to sea duty in the Pacific where he served on two aircraft carriers, the Hancock and the Boxer. The Boxer was the Navy's flagship for the last nuclear tests the U.S. performed in the South Pacific, and the crew was charged with evacuating islanders from testing areas. His unit was subsequently sent to the East Coast, where they perfected an amphibious landing technique called "vertical envelopment" used to land troops with helicopters launched from aircraft carriers.

Stafford met his future wife Nancy, a fellow Pennsylvanian, while in California. After a whirlwind romance, they married in 1959. They knew they wanted to

live in either California or Florida because of the warm weather, so when a job opportunity arose in Florida the couple relocated there. After practicing law in Pensacola until 1966, Stafford, a Republican, was appointed by the governor to finish out a two-year term as state attorney for the first judicial circuit.



MEMBER OF LAW SCHOOL BOARD OF VISITORS WAS FIRST FLORIDA FEDERAL JUDGE CHOSEN THROUGH MERIT SELECTION.

In 1969, Stafford became U.S. Attorney for the Northern District of Florida. The position gave him a chance to acquire extensive trial experience. His was a small district, so his role was more that of a litigator than an administrator. The small size of the district also meant that he and his attorneys handled their cases from grand jury proceedings through appeals. He retired from the position when he was tapped to serve on the federal bench, where he has thrived for the last three decades.

From 1996 until 2003, Judge Stafford also served on the Foreign Intelligence Surveillance Court, which he recalls as a "fascinating experience." The court is composed of federal judges from different

circuits. It reviews law enforcement requests for foreign intelligence search warrants, and wiretaps. Stafford was "impressed with the quality" of the work of intelligence officials from the FBI, CIA, and NSA, which "made the work very rewarding."

An active member of the Florida legal community, Stafford is the founding president of the American Inn of Court in Tallahassee; in 2004 its members decided to rename the chapter to honor him. Stafford is also a 33rd degree Freemason of the Scottish Rite. He was awarded the Grand Cross of Honor in 1987 and was the Florida Grand Orator in 1979. A primary focus is his fraternity's community service has been establishing clinics for children with language disabilities.

Stafford maintains his ties to Temple as a charter member of the Temple Board of Visitors. The Board, which meets with faculty and administrators at the law school in a consultative role, is a "great way for faculty to hear from the profession and for faculty to communicate to the profession what is going on in legal education," says Stafford. Stafford's experience on Temple's Board of Visitors motivated him to discuss its approach with Florida State University Law School, which subsequently adopted the Temple model. Judge Stafford remains grateful to Temple for the educational opportunities it has given him and others. At Temple, he says, "everybody had a chance."

—Christina M. Valente



TRIAL TEAM WINS SPOT AT NATIONALS

FEBRUARY 12, 2005 Temple's National Trial Team successfully defended its regional championship title at the Criminal Justice Center in Philadelphia. It was Temple's seventeenth consecutive regional championship—an unparalleled national achievement. The team of Eileen Monaghan and Justin Oshana defeated teams from Dickinson, Duquesne, Penn, Rutgers-Newark, Villanova, Widener-Delaware, and Widener-Harrisburg in taking top honors. Eileen Monaghan was awarded the John J. Scott Memorial Plaque as "Best Advocate in the Final Round."

In the double-bracketed competition, a second team of Donte Mills and Matt Sauerwald finished as regional finalists, losing a close final round to Dickinson.

The tournament was sponsored by Temple's LL.M. in Trial Advocacy Alumni Association and directed by Carrie Cinquanteo, director of the LL.M. program, and administrated by Mary Beth Wilson, program coordinator, Clinical Legal Education and Trial Advocacy.

The team travels to San Antonio, Texas at the end of March to compete for the National Championship against the twenty-four winners and runners-up from the twelve other regional contests. Temple has won the national championship in three and placed in the final four in five out of the last ten years. The teams are coached by Cary Bricker, director of trial advocacy programs, and Elizabeth Lippy '03, of Rubin, Glickman & Steinberg.

TEMPLE TRIUMPHS IN CIVIL RIGHTS TRIAL COMPETITION

OCTOBER 30, 2004 Temple's National Trial Team won the National Civil Rights Invitational Trial Competition hosted by the Frank S. Polestino Trial Advocacy Institute at St. John's University School of Law in Jamaica, New York.

The team of Miriam Edelstein, David Heffner, Andrew Notaristefano, and Andrew Sciolla was coached by Matt Leckman '03 and Anthony Gallia from Duane Morris. This was the team's second win in a national invitational tournament during the fall season. In October 2004, the team took first place in the Buffalo-Niagara Invitational Mock Trial Tournament.

Temple's Trial Advocacy program, directed by Professor Edward Ohlbaum, continues to be named best in the country by *U.S. News and World Report*.



KELLY AFFANATO

FRANCIS MALOFIY



MICHAEL WILLIAMS



FACULTY AND STAFF PERFORMERS FROM LEFT: STEVE PAVLO, DAVID POST, ROBERT BARTOW, CRAIG GREEN, ETHEL FEDERER, MURIEL MORISEY, MARK RAHDERT, MARK ANDERSON, SUSAN DEJARNATT, AND ALICE ABREU.

TALENT SHOW 2005



"I'VE KNOWN A LOT OF LAWYERS WHO HAVE GONE THROUGH THIS PROGRAM AND BEEN VERY PLEASED WITH IT. AND I THINK IT'S GREAT FUN TO HELP YOUNG LAWYERS THIS WAY."

—The Honorable Thomas Branca, Montgomery County Common Pleas Court



"I TOLD A COUPLE OF STUDENTS DURING THE BREAK TODAY: 'YOU ARE IN A REALISTIC SETTING, BUT YOU CAN MAKE MISTAKES HERE AND LEARN FROM THEM.' THE FACT THAT THEY HAVE FIVE TRIALS IN A YEAR IS AMAZING. MANY ATTORNEYS DON'T SEE THAT IN THEIR CAREERS."

—Bernie Siegel, Law Offices of Bernard L. Siegel



"WE DO TRIAL LAW AND THERE IS AN ALMOST 90% PARTICIPATION RATE IN THIS PROGRAM AMONG MEMBERS OF MY FIRM. PHILADELPHIA IS A HIGHLY COMPETITIVE LITIGATION MARKET. I DON'T CARE HOW MANY CASES YOU'VE TRIED, THIS IS TREMENDOUSLY HELPFUL."

—Donna Lee Jones; Saltz, Mongeluzzi, Barrett and Bendesky; LL.M. Class of 2005



"I AM HERE BECAUSE I WANTED TO GIVE BACK TO THE PROGRAM. I PARTICIPATED IN THIS AS A STUDENT AND I THINK THE BEST PEOPLE TO JUDGE ARE THOSE WHO DO TRIAL WORK ALL THE TIME."

—Sarah Jacobson, LL.M. in Trial Advocacy '02, Defender Association of Philadelphia



"I WANTED TO DEVELOP MY GOOD HABITS AND CHANGE MY BAD HABITS IN THE COURTROOM. REAL JUDGES TO TELL US WHAT'S WORKING AND WHAT'S NOT AND EVERY SESSION IS VIDEOTAPED—IT REALLY HELPS US SEE WHERE OUR STRENGTHS AND WEAKNESSES ARE."

—Christopher J. Urban, Wagenfeld Levine, LL.M. Class of 2005

LL.M. Program Gives Students THEIR DAY IN COURT

FEBRUARY 19, 2005 Not every attorney is as comfortable in the courtroom as Perry Mason or Jack McCoy. And real cases are not tried on soundstages, where lawyers can ask for a second take if they make a mistake. Many talented lawyers don't get the opportunity to perfect their skills in court ... and not many clients want their case to be a *test* case.

Temple's LL.M. in Trial Advocacy offers practicing attorneys in all areas of law the opportunity to develop and hone their trial skills and to acquire the courtroom experience they need to become successful litigators. By February, students in the LL.M. in Trial Advocacy program are engaged in the third of five trials in which they will hone their skills.

Founded in 1993 and led by nationally-known trial lawyers, law professors, and communications experts, the one-year program does not focus on any particular area of substantive law. Participating students and faculty come from all over the country, and from every type of practice. The courses, designed to teach students to analyze facts, think on their feet, ask concise questions, speak persuasively, and master the art of advocating for clients, apply to virtually every area of law.

The curriculum blends lectures, faculty demonstrations, individual instruction, and student performance into an intensive experience that emphasizes creating the theory of the case, understanding of the advocacy process, and carrying the theory into practice.

The program's pinnacle component is the realistic and elaborate simulation trial work. Before completing the

program, every student tries five complete cases before a judge and jury on such diverse areas as employment discrimination, commercial fraud, medical malpractice, products liability, and criminal law. Volunteers from the legal community—often real judges, attorneys, and doctors—preside over cases and act as expert witnesses. Temple students and other members of the University community serve as jurors.

Associate Professor Caroline Goldner Cinquanto, who earned an LL.M. in Trial Advocacy from Temple in 1998 is the program director. For more information on the LL.M. in Trial Advocacy program at Temple, contact 215-204-5314 or llmtrial@temple.edu.



"AS A MEDICAL RESIDENT IT'S GOOD TO LEARN HOW THIS SYSTEM WORKS. THEY DON'T TEACH US THIS IN MEDICAL SCHOOL."

—Veeral Bhoot, M.D.



"I HAVE TESTIFIED AS AN EXPERT MANY TIMES AND THIS IS REALLY TRUE TO THAT EXPERIENCE. I ENCOURAGE ALL MY RESIDENTS TO DO THIS. IT IMPROVES THEIR COMMUNICATION SKILLS WITH PATIENTS AND PREPARES THEM FOR A VARIETY OF SITUATIONS RELATING TO MEDICAL MALPRACTICE."

—Michael L. Brooks, M.D. Hahnemann University Medical School, 1981; third-year law student

"I WISH I HAD THIS PROGRAM 30 YEARS AGO. IT HAS IMPROVED MY PRESENTATION IN COURT TREMENDOUSLY. IN THE FIRST CASE I TRIED AFTER BEGINNING THE PROGRAM, I WON A MILLION DOLLAR VERDICT!"

—Peter G. Loftus, Loftus Law Firm, LL.M. Class of 2005

AGING LAW SCHOLARSHIP ESTABLISHED

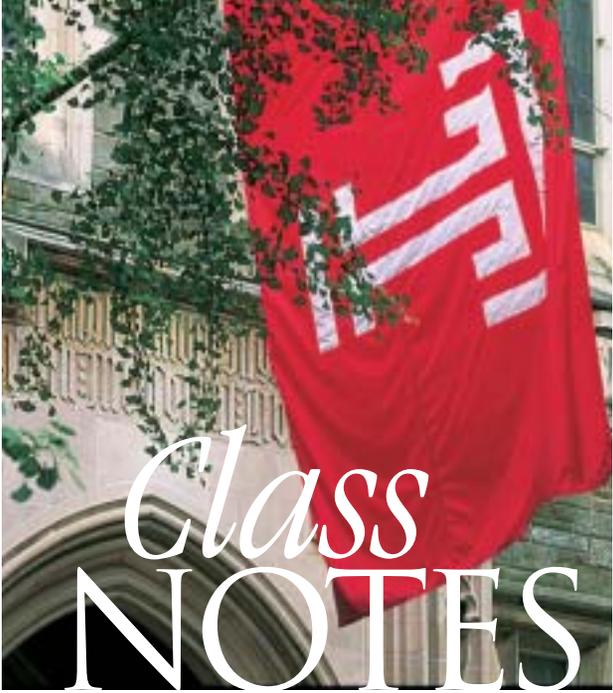


Stephen A. Feldman '81, recently established a new law school scholarship fund to benefit a student who has shown an interest in aging issues.



CUNNINGHAM '73 NAMED TO BENCH

Pennsylvania Governor Edward G. Rendell has appointed Philadelphia lawyer Charles J. Cunningham III '73 to a judicial vacancy on the Philadelphia Court of Common Pleas. Judge Cunningham, formerly of the law firm of Stephen Gallagher and Associates, was unanimously confirmed by the Senate.



1962

JUDGE MORTON KRASE has become a senior judge after serving with the Philadelphia Municipal Court since 1983. Judge Krase will continue to serve in both civil and criminal court on senior status.

1963

E. GERALD RIESENBACH has received the 2004 Alumni Award of Merit from the University of Pennsylvania in recognition of his many years in alumni leadership roles. He currently serves as the vice president of Penn's alumni association. Riesenbach practices with the corporate and health law groups of Cozen O'Connor. *Philadelphia Magazine* has recognized him as one of the best health care lawyers in Philadelphia and a Pennsylvania Super Lawyer.



1968

ROBERT ROVNER'S radio show on WPEN-950AM, in which he interviews people involved in politics, sports, and entertainment, has been extended to one hour on Saturdays at 5 pm.

1970

NEAL D. COLTON has been selected for inclusion in the *Best Lawyers in America 2005-06*. Colton is co-chair of the Cozen O'Connor's bankruptcy, insolvency, and restructuring department and practices in the firm's Philadelphia office. Colton has been named to this list since 1987 and in 2004 was among Pennsylvania's top 100 Super Lawyers in *Philadelphia Magazine*.



1971

EDWARD L. BAXTER has been named Cozen O'Connor's business law department chair. Baxter concentrates his corporate and tax law practice in mergers and acquisitions, corporate formations, restructuring and liquidations, and corporate finance, in addition to real estate syndications. In the past, he has served as chair of two of the firm's practice groups, corporate planning, and mergers and acquisitions.



STEPHEN H. FRISHBERG has been elected to serve as secretary and member of the board of directors for the Golden Slipper Center for Seniors, and as a member of the board of directors of the Golden Slipper Uptown Home for the Aged. In addition, Frishberg was a guest lecturer at the annual Estate Law Institute sponsored by the Pennsylvania Bar Institute in December 2004 on the subject "HIPPA-POA: The Effect of the Health Insurance Portability and Accountability Act of 1996 on Power of Attorneys." He also lectured at the Interac Center for Older Adults, speaking on the use of health care power of attorneys and living wills.

JAY C. GLICKMAN spoke at the Central Montgomery Lions' Club in November 2004 on estate planning and powers of attorney, and he also spoke to Mothers of Preschoolers in Lansdale, Pennsylvania, on wills, guardians, and powers of attorney to protect children. Glickman, of Rubin, Glickman and Steinberg, focuses his practice on estate planning and estate administration.

1972

ARTHUR J. ABRAMOWITZ of Cozen O'Connor has been featured in "Awesome Attorneys 2004," an article that appeared in the premier issue of *South Jersey Magazine* in October 2004. The article featured attorneys named in *Best Lawyers in America* who practice in the South Jersey region. Abramowitz co-chairs the firm's bankruptcy, insolvency, and restructuring practice group. He was also listed among the best lawyers in New Jersey by *New Jersey Magazine* in the field of bankruptcy.



A. HAROLD DATZ has been appointed to serve as chairperson of the Philadelphia Bar Association's commission on judicial selection and retention for 2005, a position he previously held in 2002.

1973

MARC ROBERT STEINBERG, a managing partner at Rubin, Glickman and Steinberg, spoke at a criminal law seminar presented by the Pennsylvania Bar Association in December 2004 on the subject "Dealing with the Media: What Should You Do when You Are Faced with a Horde of Cameras and Microphones?"

1975

MARK BLASKEY, of Pepper Hamilton, has been elected to the board of the Madlyn and Leonard Abramson Center for Jewish Life.



1976

B. CHRISTOPHER LEE, of Jacoby Donner, spoke at the Pennsylvania Institute of Certified Public Accountants on "Pitfalls in Construction Contracts." Lee concentrates his practice in construction law in addition to serving as a neutral arbitrator and mediator for the American Arbitration Association and other dispute resolution associations.

1977

ARLINE JOLLES LOTMAN, a solo practitioner in Philadelphia, and chair of the Philadelphia Bar Association's bar-news media committee, spoke on "Women, the Workplace and the Law," a continuing legal education panel program held in December 2004.

1980

MICHAEL D. CARROLL writes, "I am happy to announce the opening of my new law firm, Michael D. Carroll, in Linwood, New Jersey. My wife, Elaine '86 and I also proudly announce the birth of our first child, Katherine Amira in July 2004."

ELLIOTT R. FELDMAN of Cozen O'Connor has been elected vice president of the National Association of Subrogation Professionals at its annual conference. Feldman is chair of Cozen O'Connor's national and international subrogation and recovery department and co-chair of its crisis response and management group. Feldman also serves on the executive and management committees of the firm.



MARSHALL GRANOR and his wife Tamar are the new co-presidents of the Hebrew Free Loan Society at Beth Sholom in Elkins Park, Pennsylvania. The 20-year-old society, which provides fee loans to individuals in need, was previously run by Marshall's parents, Marie and Bernard Granor.

TEMPLE GRAD IS AUTHOR OF BOOK ON INCARCERATED WOMEN

FEBRUARY 9, 2005 **Paula Johnson '85, Professor of Law at Syracuse University, presented a colloquium on her work with women in prison. Professor Johnson is the author of a widely acclaimed book, *Inner Lives: Profiles of African American Women In Prison*, published in 2003 by New York University Press; and a book chapter, "A Legal and Qualitative Study of the Relationships between Incarcerated African American Mothers and Their Children," published by the Institute for Policy Research at Northwestern University in 2002.**

At Syracuse, Johnson teaches courses in criminal law, criminal procedure, voting rights, professional responsibility, and a seminar on women in the criminal justice

system. She is also the recent co-president of the Society of American Law Teachers, a national organization of approximately 800 law professors.

Deeply committed to public service, Johnson serves on the boards of the Hiscock Legal Aid Society, the Center for Community Alternatives, and the Battered Women's Justice Project National Advisory Committee. In 2003, she received the Unsung Heroine Award from the Syracuse University Martin Luther King, Jr. Awards Committee, and the Woman of the Year Award from the Syracuse University African American Male Congress.



PETER G. ROSSI was a featured speaker at the 2004 Atlantic Regional Adjusters Conference in Philadelphia, a two-day conference sponsored by the Property Loss Research Bureau. Rossi, a member of Cozen O'Connor's subrogation and recovery group in Philadelphia, gave a presentation titled "Subrogation Nuts and Bolts: A Primer."



1983

JEFFREY S. SHOSKIN has joined Roetzel & Andress as a partner in the labor and employment group in the Cincinnati office. Shoskin was named an "Ohio Super Lawyer" in 2004.

1984

MARIA ZULICK NUCCI writes, "I was on the program committee and coordinated the panel on airports in transition for the ABA Forum on Air and Space Law fall meeting and conference held in October 2004 in Santa Monica, California."

1985

KAREN I. LUPULOFF writes, "New York City Mayor Michael Bloomberg has appointed me to the bench. I am presiding as a criminal court judge for New York City."

1986

RONALD S. KRAVITZ writes, "I served on a panel at the ABA's 2004 ERISA Litigation Conference. The panel discussed ERISA fiduciary litigation, including employer securities."

DANIEL G. RONCA, an attorney at Rubin, Glickman and Steinberg, has been elected treasurer of the family law section of the Montgomery Bar Association for 2005. Ronca is also treasurer of the Whipnain Recreation Association in Blue Bell, Pennsylvania.

1987

CHRISTOPHER A. ALEXY has joined the Chief State Attorney's Office in Rocky Hill, Connecticut as a prosecutor in its public integrity bureau. Alexy recently married Lisa Ann Haynes.

MARK A. LOCKETT has joined the Washington D.C. firm of Bonner, Kiernan, Trebach & Crociata where he serves as the managing partner of their Philadelphia office. Lockett previously was a shareholder in the firm of Harvey Pennington.

PETER SCHANKOWITZ writes, "I'm still president of Vin Di Bona Productions in Hollywood. Along with our Funniest Home Videos, we have a new series coming out in 2005 with ABC, Lifetime, the History Channel, and many others."

I have been elected a member of the Producers' Caucus; a group of my peers focused on lobbying for the independent producers and against the FCC's penchant for allowing vertical integration in the media business."

1988

MICHAEL G. BALENT is one of ten winners of the PNC Financial Service Group's highest honor awarded to its employees, the PNC Performance Award. Balent is senior counsel for PNC Legal Services and is responsible for providing counsel for all PNC realty services legal matters and PNC real estate finance and other PNC business units.

ROBERT M. CAPLAN of Cozen O'Connor was a featured panelist at the annual Vermont Claims Association seminar where he presented on "Joint and Several Liability in New England States." Caplan, a member of the firm's subrogation and recovery department, focuses his practice on negligence and product liability claims and has represented clients in complex property subrogation cases including fire, flood, roof collapse, and product malfunction in numerous federal and state jurisdictions around the country.



STEVEN J. FEDER has been appointed senior vice president and general counsel at Safeguard Scientifics. Prior to joining Safeguard, Feder was a partner in the Berwyn, Pennsylvania, office of Pepper Hamilton, where he concentrated on mergers and acquisitions, securities law, and general corporate matters.

MARINA KATS was featured as one of eight "Women of the Year" in *RealPhilly's* December/January 2005 issue. Kats, a member of the law school's board of visitors, is described in a portrait titled "A Russian American's Sweet Smell of Success," as a "smart and tough as nails personal injury attorney who works 14 hours a day overseeing a firm that includes 12 attorneys [Kats, Jamison, Van Der Veen & Associates]."

1989

JOEL I. FISHBEIN has relocated his practice to Frank, Rosen, Snyder & Moss in Elkins Park, Pennsylvania. Fishbein concentrates his practice in commercial, stock broker fraud, employment, and civil rights litigation.



JEFFREY S. LICHTMAN, who limits his practice to representing persons in social security disability insurance and supplemental security income claims, was a faculty member at the October 2004 PBI seminar, "The Availability of Legal Remedies for Workers with Disabilities." Lichtman is serving as co-chair of the Philadelphia Bar Association's social security disability committee.

ANITA CARR SHAPIRO has joined Mayer, Brown, Rowe & Maw as the U.S. litigation marketing manager overseeing the marketing and business development for the firm's U.S. litigation practice. She is based in the New York City office. She had previously been with The Practising Law Institute as a program attorney for five years and a senior account manager with Westlaw/Thomson for 10 years.

MICHAEL L. VIOLA, a partner with Shainberg & Viola, has been appointed to be one of the co-chairs of the Pennsylvania Bar Association's newly-formed Committee on the Legal Rights of Gay Men and Lesbians. Shainberg & Viola limits its practice to domestic relations and family law.

1990

JERRY SEMASEK is a staff attorney with the Pennsylvania Department of Revenue's Office of Chief Counsel in Harrisburg. Semasek was admitted to the Florida bar in 2003, and hopes to relocate to south Florida.

MARK SHEM has been elected to serve as the 2005 treasurer of the Santa Clara County Bar Association based in San Jose, California.

MARY S. KOHNKE WAGNER has been named a shareholder at Marshall, Dennehey, Warner, Coleman & Goggin. Wagner is a member of the firm's workers' compensation department and works in its Philadelphia office.



1991

ROBERTA FRANKEL BLOOM has been named a partner at Cohen, Seglias, Pallas, Greenhall & Furman. The firm is a construction, commercial, labor, and employment law firm headquartered in Philadelphia.



Cozen O'Connor attorney **ROCHELLE B. GROSSMAN** recently presented at the Pennsylvania Bar Association family law section's winter meeting. She spoke on the equitable distribution portion of case law and legislative updates for family law in 2004.



DEIRDRE M. MULLEN, director of professional development at Cozen O'Connor, recently presented at the third annual Professional Development Institute, sponsored by The National Association for Law Placement and the American Law Institute-American Bar Association.



CHARISSE R. LILLIE '76 TO LEAD COMCAST HUMAN RESOURCES



JANUARY 6, 2005 **Comcast Corporation announced the selection of Temple Law alumna Charisse R. Lillie '76 as the company's Vice President of Human Resources for Comcast Corporation and Senior Vice President of Human Resources for Comcast Cable.**

Previously a partner in the Philadelphia-based law firm of Ballard Spahr Andrews & Ingersoll, Lillie chaired the firm's litigation department and was a member of the firm's labor and employment law group. Before joining the firm in 1992, her experience included service as City Solicitor for the City of Philadelphia, Assistant U.S. Attorney for the Eastern District of Pennsylvania,

Professor of Law at the Villanova University School of Law, and Trial Attorney with the U.S. Department of Justice.

Lillie's professional and community activities include serving as chair of the Federal Reserve Bank of Philadelphia (the first African American female to hold that position), chair of the American Bar Association's commission on racial and ethnic diversity in the profession, co-chair of the Philadelphia Bar Association's racial bias in the justice system committee, and member of the Supreme Court of Pennsylvania's committee on racial and gender bias in the justice system. Lillie also serves as chair of the board of trustees of the Philadelphia Award.

1992

KAMAL JAFARNIA has joined CNL Financial Group, based in Orlando, Florida, as vice president of compliance and chief compliance officer of its subsidiary CNL Institutional Advisors. Previously, Jafarnia worked as president and chief compliance officer of a boutique wealth management firm providing multi-disciplinary financial services in Las Vegas, Nevada.

MOLLY PECKMAN, director of associate development at Pepper Hamilton, has been named co-chair of the Philadelphia Bar Association's women in the profession committee. Peckman is also a member of the board of governors and editor-in-chief of the *Philadelphia Bar Reporter*.



RICHARD A. PLATEL writes, "In December 2004 I was appointed by the Honorable Fabian Nunez, speaker of the California Assembly, to a four-year term as a State Bar Court hearing judge. The State Bar Court hears disciplinary matters. The court is located in San Francisco and Los Angeles."

1993

KATHERINE M. LAYMAN of Cozen O'Connor has been appointed to the board of directors of the American Red Cross Blood Services, Penn-Jersey Region. Layman concentrates her practice in health care law, focusing on Medicare and Medicaid reimbursement and regulatory matters, fraud and abuse, survey and certification matters, HIPAA and privacy, and long-term care.

TINA MAZAHERI writes, "I was elected to a third term on the Bucks County Bar Association board of directors. I was elected Republican committeeperson for my township. I'm in court every day! [I] credit the LL.M. Program and Child Advocacy for my courtroom victories."

1994

ADAM SILVERMAN is one of seven attorneys recently named partners of WolfBlock. He is a member of the real estate practice group and practices in the area of commercial real estate.

MATTHEW T. WILKOV was recently named partner of Rubin, Glickman and Steinberg, where he practices in the areas of family law, workers' compensation, and social security compensation law.

1995

JOHN G. DEAN was recently named managing shareholder of Elliott Greenleaf & Siedzikowski's Scranton and Wilkes-Barre offices. The firm also maintains offices in Blue Bell, Pennsylvania, Harrisburg, and Reading, Pennsylvania, and focuses on commercial litigation.

ROBERT L. DIAMOND has been the host of the "Bob Diamond Show," a weekly call-in talk show Saturdays from 9-10 am on radio station WPEN 950AM since May 2004. The show deals with issues surrounding real estate and real estate law.

CAROLYN BATES KELLY has been elected to the position of shareholder at Christie, Pabarue, Mortensen and Young. Her practice is concentrated in the areas of insurance coverage and other commercial and general litigation.

MARNIE M. WILLIAMS' debut novel, *Mere Presence*, is set in the juvenile justice system and on the streets of Philadelphia. Described as "a novel of intrigue, justice, truth and repentance," *Mere Presence* was released in January 2005. After practicing law for five years, Williams now runs the Communities-in-the-Schools dropout-prevention program at William Penn High School.

1996

EDWARD T. DELISLE has been named a partner at Cohen, Seglias, Pallas, Greenhall & Furman in Philadelphia. DeLisle concentrates his practice in construction law.



ELEFTHERIOS ELEFTHERIOU, LL.M., began work for the European Court of Human Rights in January 2005. Eleftheriou, who has been teaching in Cyprus and Malta while pursuing a Ph.D., was one of eight Cypriot lawyers to be offered work for the EU in Brussels.

JACQUELINE K. GALLAGHER, an associate at Obermayer, was a featured presenter at the 2004 annual convention of the Professional Insurance Wholesalers Association in New York in November 2004. Her presentation was entitled "Mind Your P's and Q's: EPLI Cases That Will Have Your Clients Running for Cover(age)." Gallagher is a member of Obermayer's labor relations and employment law department.



AJAY RAJU, a partner at Reed Smith, has agreed to serve as a regular guest on WPVI Channel 6's "Inside Story," a Sunday morning, issues-oriented talk show focusing on political issues and other breaking news of local, national, and international concern.



JACQUELINE M. REYNOLDS has been named a shareholder of Marshall, Dennehey, Warner, Coleman & Goggin. Reynolds works in the firm's Norristown, Pennsylvania office and is a member of its health care liability practice group.



CHRISTOPHER SCARPA, J.D. '96, LL.M. in Taxation '00, was admitted to partnership in the Philadelphia office of Stradley Ronon Stevens & Young, where he is a member of the tax department.

1997

JEFF FRIEDMAN has been promoted to senior managing consultant in Public Financial Management's Philadelphia office.

GLENN JENSEN has been appointed a shareholder in the Florida firm of Akerman Senterfitt. Jensen practices out of the Orlando office and concentrates his practice in bankruptcy and restructuring matters.

DAVID E. ROBINSON has joined Klehr, Harrison, Harvey, Branzburg & Ellers as an associate in its litigation department. Robinson concentrates his practice in commercial litigation.

KARA PEISCHL ZIDEK has joined Jacoby Donner as an associate. Her practice concentrates on employment and labor law, including EEOC charges, litigation matters, and labor disputes.

1998

SEAN HART writes, "I was recently made partner at Heimbach, Spitko & Heckman in Allentown, Pennsylvania. My practice is devoted exclusively to management side labor and employment law."

MICHELLE RICK is the new program coordinator for Temple's LL.M. in Trial Advocacy Program.

KEVIN M. TOTH has been named vice president, associate general counsel, and chief litigation counsel for Harleysville Insurance. In this position, he oversees all company litigation, with primary emphasis on claims litigation. Before joining Harleysville, Toth was a senior associate in the litigation department of Reed Smith in Philadelphia.



TODD WINCEK has received the Chicago Volunteer Legal Services Foundation's 2004 Distinguished Service Award for his work with Our Lady of Mercy's Legal Clinic on Chicago's northwest side.

1999

KIMBERLY A. BOYER, an associate in the Philadelphia office of Marshall, Dennehey, Warner, Coleman & Goggin, has been appointed to serve as co-chair of the women in the profession committee of the Philadelphia Bar Association. Boyer is a member of the firm's appellate and post-trial advocacy practice group.



ALUMS GATHER IN GUANGZHOU

NOVEMBER 10, 2004 **Ten Chinese alumni of Temple Law in China attended the Guangzhou Alumni Association's first official gathering at the Zijingyuan Restaurant at Zhongshan University. Guangzhou, otherwise known as Canton, is a large city in Southern China. The event was organized by Association Director He Wei and Deputy Director Chen Mei. The Guangzhou region alumni, many of whom did not previously know each other, enjoyed the opportunity to network and hear a presentation on the current status of the Temple China program by the Director of Temple's Asian Programs, John Smagula.**



ATTENDING THE ALUMNI GATHERING IN GUANGZHOU WERE (REAR, LEFT TO RIGHT): HE WEI, LL.M. '03; WU ANPING, LL.M. '02; LIU YONGHAI, TEMPLE PROSECUTOR TRAINING '03; YAO YITANG, LL.M. '04; ZHENG YIWU, TEMPLE PROSECUTOR TRAINING '03; XIAO ZESHUN, TEMPLE PROSECUTOR TRAINING '03. (FRONT, LEFT TO RIGHT): YU JUNMEI, LL.M. '04; SU WEIYU, LL.M. '03; DIRECTOR OF ASIAN PROGRAMS JOHN SMAGULA; CHEN SHUFEN, TEMPLE PROSECUTOR TRAINING '03; AND CHEN MEI, LL.M. '04.

ROBERT HACHENBURG 1918-2004

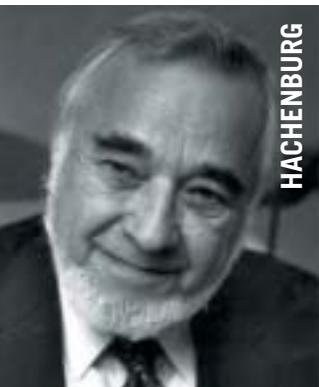
NOVEMBER 7, 2004 Robert Hachenburg, Professor Emeritus at Temple University's Beasley School of Law, was an expert in commercial law and real estate development and financing, who joined the law school faculty in 1969, after serving as senior vice president and general counsel at the Albert M. Greenfield Company in Philadelphia.

Professor Hachenburg was a 1935 graduate of Central High School in Philadelphia and was First Honorman in the school's 164th class. He earned an A.B. degree in English from the University of Pennsylvania in 1939, graduated with honors in English and was chosen for Phi Beta Kappa in his junior year there. He pursued graduate studies in English at Penn during 1940 and then entered the University of Pennsylvania Law School. He was associate editor of the *University of Pennsylvania Law Review* and received his LL.B. in 1943. He served in the U.S. Navy's Office of Intelligence at the Pacific Ocean Areas' Joint Intelligence Center as a translator and interpreter of Japanese from 1943 until 1946 and was honorably discharged as a Lieutenant J.G.

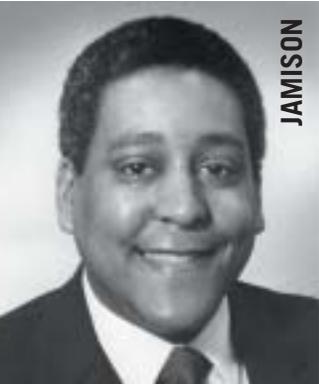
In September 1969, Hachenburg joined the Temple Law School faculty as a full professor and taught until he elected to take early retirement in January 1983. He was designated professor emeritus in

recognition of his distinguished career at the law school. Former Temple Law Dean and University President Peter Liacouras calls Hachenburg "...a gifted, consistently acclaimed classroom teacher" and praised him as, "incisive, quiet, methodical, inspirational, and profound." Dean Robert J. Reinstein remembers Professor Hachenburg as, "devoted to his students—a person of integrity and sophistication. He exemplified the best of his generation of law teachers."

— Professor Charles Rogovin



HACHENBURG



JAMISON

JAMES R. JAMISON JR. '76 1947-2004

DECEMBER 20, 2004 Born in Philadelphia, James Russell Jamison Jr. passed away following a prolonged illness. The Temple Law graduate of the class of 1976 had enjoyed a varied career as, among other positions, legal assistant to FCC Commissioner Tyrone Brown, an acquisitions executive at ESPN, director of Communications for Philadelphia Mayor Wilson Goode, associate dean of Temple's School of Business and Management and assistant to the president and chief of staff to Temple University President Peter J. Liacouras.

A graduate of Overbrook High School, Jamison was a sergeant in the U.S. Army during the war in Vietnam. After returning from service with the Bronze Star, the Vietnam Cross of Gallantry, and the Air Medal, he enrolled at Temple first as an undergraduate in journalism ('73) and then at the law school ('76.)

Jamison had relocated to Atlanta in 1996, where he worked as a docent for The Carter Center, giving historical tours to schoolchildren from Atlanta public schools.

THOMAS FOGLIETTA '52 1929-2004

NOVEMBER 13, 2004 Former congressman and U.S. ambassador to Italy Thomas Foglietta died at the age of 75. A native of South Philadelphia, Foglietta was a graduate of St. Joseph's University and Temple Law School's class of 1952.

Foglietta's career in politics began when he was elected to Philadelphia City Council when he was 26. Then a Republican, he subsequently lost a 1975 campaign to unseat Democratic Mayor Frank Rizzo. He was elected to Congress as an independent in 1980 and eventually switched to the Democratic Party. President Clinton named Foglietta ambassador to Italy in 1997, and he later returned to Philadelphia, where he worked as a lawyer and lobbyist for international clients.

IN MEMORIAM

Laura Todaro Class of 1996

2000

MELISSA A. CORNIBE has joined Cozen O'Connor as an associate in its insurance and business litigation departments. Cornibe, who concentrates her practice in insurance coverage matters, was an assistant district attorney for the City of Philadelphia before joining Cozen O'Connor.

IL YOUNG CHUNG has accepted a position in the transfer pricing and customs valuation practices at the Young Wha Corporation (Ernst & Young Korea). He was recruited to the practice by its team leader, Temple alumnus Sung Soo Han, LL.M. '96, LL.M. in Taxation '97.

SOPHIA LEE, an associate in the Philadelphia office of Reed Smith since 2004, has been elected to the position of president-elect of the Asian American Bar Association of the Delaware Valley for the year 2005. Lee, who is currently vice president of the organization, will assume the position of president in 2006.

2001

JOEL C. TROTTER, an associate in the business department of Stradley Ronon Stevens and Young, received the Whitney M. Young Jr. Community Empowerment Award from the Urban League of Philadelphia at the organization's annual awards luncheon. The award was presented in recognition of Trotter's successful collaboration efforts between the Barristers' Association and the Urban League of Philadelphia. The group's inaugural United Golf Classic raised money for Urban League education programs and for scholarships to African American law students.



2002

DANIEL L. GLENNON, of Zarwin Baum DeVito Kaplan Schaeer Toddy, was a contributor to the elder law update of The Philadelphia Bar Association's Trust and Probate Attorney's Handbook ("The Red Book"). The book's goal is to acquaint newly admitted lawyers or seasoned attorneys with limited Orphans' Court experience to the unique procedures followed in the handling of estate, trust, and guardianship matters.

REBECCA KOPP has joined Crosby, O'Brien & Associates in Cleveland, Ohio, where she practices in the areas of workers' compensation, employment law, and business law defense. Kopp previously practiced in Dayton, Ohio.

CHRISTIAN P. MARRONE served as legal counsel to the Bush/Cheney '04 campaign for Pennsylvania State Republican Committee. He has been appointed to serve as legal counsel to the Presidential Inaugural Committee by the Republican National Committee.

PHILLY BAR ELECTS NEW OFFICERS

Scott F. Cooper '92 is the newly-elected assistant treasurer of the Philadelphia Bar Association. Cooper is a partner in Blank Rome's business department and employment benefits and labor practice group.

Natalie Klyahstorney '97 of Greitzer & Locks is the new chair of the Young Lawyers' Division (YLD) and Dan McKenna '04 of Haines and Associates was elected to the executive committee.

Elected unanimously to positions in the YLD cabinet were Financial Secretary Michael Adler '98 of Blank Rome, and Vice-Chair Scott Sigman '01 of the Philadelphia District Attorney's Office.

APOLOGIES

Harold Datz '72 was mistakenly omitted from the Russell H. Conwell Society Members list (donors of \$1,000-2,499) in the November, 2004 issue of *ESQ*. We thank Mr. Datz for his generosity.

TEMPLE ESQ.

Published by the Temple University Beasley School of Law for alumni and friends.

ROBERT J. REINSTEIN, DEAN

Janet Goldwater, Publications Director
Gene Gilroy, Art Director

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Fax: (215) 204-1185

Change of address: (215) 204-1187

LAURA M. RITZKO has joined the Beasley firm as a mass tort staff attorney.



2003

JOHN J. GRAHAM JR. has joined the Philadelphia office of Cohen, Seglias, Pallas, Greenhall & Furman as an associate in the construction law group.

2004

THERESA CARPENTER has joined the firm of Howard M. Goldsmith as an associate with a practice concentrating in domestic relations matters.



NICOLE R. FAUX has joined Klehr, Harrison, Harvey, Branzburg & Ellers as an associate in the zoning and land use practice group of the real estate and finance department. Before joining Klehr Harrison, Faux worked as a consultant for the City of Philadelphia Managing

Director's office, as well as serving on the accessibility advisory board for nine years and the city's zoning technical committee for seven years.

KAREN M. GELD recently joined the business and finance department in the Philadelphia office of Obermayer Rebmann Maxwell & Hoppel.



GAETANO PICCIRILLI has joined Cohen, Seglias, Pallas, Greenhall & Furman as an associate in the firm's construction law group.

BENJAMIN PICKER has joined Hamburg, Rubin, Mullin, Maxwell as an associate. His areas of concentration include personal injury and commercial litigation.



SPIN TIME AGAIN

AUCTION BENEFITS PUBLIC INTEREST JOBS

Temple's Student Public Interest Network (SPIN) holds an auction every spring to raise funds for law students hoping to work in public interest jobs over the summer. Students, faculty and alumni gather to compete for a long list of donated items that includes restaurant gift certificates and meals with faculty or local legal "celebrities," tickets to sporting events, private golf or tennis outings, arts and crafts, and time at vacation homes.

SPIN has provided critical support for students working in a wide range of public interest jobs, including Community Legal Services, the U.N. Criminal Tribunal for Rwanda, Homeless Advocacy Project, Disabilities Law Project, Women Against Abuse, Lawyers for Children, the Center for Constitutional Rights, and numerous District Attorney and Public Defender offices.

Come join your fellow alumni, current students, faculty, and members of the community at the Student Public Interest Network's (SPIN) Annual Auction Honoring the Juvenile Law Center.

**Tuesday, April 5, 2005 • Liacouras Center
1776 North Broad Street, Philadelphia**

**SILENT AUCTION 5:00-7:00 p.m.
LIVE AUCTION 7:00-9:00 p.m.**

**Help SPIN raise money for public interest grants!
Cocktails and hors d'oeuvres
Can't make it to the event but want to contribute?
Send your donation today!**

**Please make checks payable to:
James E. Beasley School of Law**

**Please indicate "SPIN donation" in the memo and mail to:
Temple University Beasley School of Law
Attn: SPIN Office
1719 North Broad Street
Philadelphia, PA 19122**

RECENT ALUMS JOIN THE TEAM IN CAREER PLANNING AND ADMISSIONS

MELISSA K. LENNON '96 is the law school's new senior director of career planning. Lennon joined Temple from Stradley Ronon Stevens & Young, where she most recently served as the firm's director of associate development.

In her role at Stradley Ronon Stevens & Young, Lennon was responsible for recruiting, counseling, and training new associates for the firm. Her work there easily translated into a position in career planning at Temple—now, instead of recruiting top students, she is helping them to get recruited.

"At Stradley, one of the smallest but best parts of my job was helping new associates get through the program, manage their time, and focus on the right things," she explains. "Now, most of my time is spent counseling students. It is very rewarding."

In her new position, Lennon oversees programs such as Mock Interview Day, participates in and runs workshops on topics including resume and cover letter writing, and works with students to develop their resumes and job search strategies.

"I feel passionate about the law school and was always proud to represent it when I was practicing," Lennon says. "I feel like I've switched from being a fan to being on the team!"

REBECCA DOUGHERTY '04 was recently named the law school's associate director of admissions. Dougherty joins admissions as a full-time staff member after an eight-month stint as a seasonal recruiter for the law school.

Prior to working at Temple, Dougherty was associate university director of financial aid for Thomas Jefferson University, where she managed the financial aid office, planned and coordinated workshops, open houses, and orientations, reviewed student applications, and provided debt management counseling services.

While at Thomas Jefferson, Dougherty completed her law degree through Temple's evening division. In her last semester of law school, she left Thomas Jefferson to clerk for Goldblum & Hess, an immigration law firm.

"For me law school was appealing in terms of an intellectual pursuit, not necessarily because I wanted to practice law," she explains. "I decided while at Goldblum & Hess that I would prefer to be in the academic setting."

At Temple, Dougherty is responsible for planning and coordinating recruitment events, reviewing applicant files, representing Temple at a variety of law school fairs and forums, and assisting student affairs with first-year orientations.



Save the Date!



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TEMPLE RANKED 16TH AMONG MOST WIRED LAW SCHOOLS IN THE COUNTRY

— *National Jurist*

Temple's pc-loaner program is a model for other schools around the country, and the "anytime, anywhere" access includes a combination of wired and wireless network access, wired study carrels, computer clusters, and state-of-the-art computer labs.

ENVIRONMENTAL TECHNOLOGY AND INNOVATION

is topic at February symposium

FEBRUARY 24, 2005 Over 100 scientists, practicing attorneys, faculty, students and alumni gathered at a daylong symposium on environmental and intellectual property law. The program, Environmental Technology and Innovation: Partners for our Future, was organized by *The Temple Journal of Science, Technology and Environmental Law* and two student-run organizations: Temple Intellectual Property Law Society and the Temple Environmental Law Society.

The symposium, which offered six CLE credits, included a discussion of the deliberate effect that existing environmental statutes and regulations have had in promoting technology innovation. A panel of speakers addressed issues such as the benefits and detriments of technology and market-based standards, the use of regulations and incentives to promote alternative energy sources, and the value of regulatory schemes for the development of new types of environmental technology, such as nano- and bio-technology.

A second focus of the program was the question of whether the current intellectual property structure promotes or stifles environmental technology innovation, and how intellectual property laws can better promote innovation. Relevant areas discussed were the need for special environmental patents, the possible economic impact the creation of such patents may have on innovation, and ethical dilemmas presented by treating environmental technology differently from other types of technology.

The symposium received support from the Temple Law Alumni Association and Philadelphia law firms Ballard Spahr; Caesar, Rivise, Bernstein, Cohen & Polotilow; Piper Rudnick; and Ratner Prestia.

Symposium presenters included the following:

Hon. Kathleen McGinty, Secretary of the Pennsylvania Department of Environmental Protection and former science adviser to President Clinton.

Hon. Kent A. Jordan, U.S. District Court for the District of Delaware.

Professor Howard F. Chang, University of Pennsylvania School of Law.

Natalie Derzko, Covington & Burling.

E. Donald Elliott, former general counsel for the Environmental Protection Agency, Professor of Law, Yale Law School; and Wilkie, Farr, Gallagher.

Robert Hunt, senior research fellow at the Federal Reserve Bank of Philadelphia.

Michael Gollin, Venable.

Lee Mulkey, former acting and associate director of the EPA's National Research Management Laboratory.

David Mandelbaum, Ballard, Spahr, Andrews & Ingersoll.

Visiting Professor Marcia Mulkey, Temple Law School, Senior Executive Service of the Environmental Protection Agency.

Professor David Post, Temple Law School.

Professor Donald Harris, Temple Law School.

Professor Amy Sinden, Temple Law School; Visiting Professor, The University of Pennsylvania School of Law.

Professor John Conley, UNC School of Law.

CALENDAR OF EVENTS

Thursday, March 31, 2005

HONORABLE DAMON J. KEITH
Clifford Scott Green Lecture
Duane Morris LLP MCR 4 pm

Saturday, April 2, 2005

FOUNDER'S DAY
Honoring Arthur A. Wolk
Law School Reception
Philadelphia Marriott Hotel 4:30 pm

Sunday, April 3, 2005

EVENING ALUMNI AND STUDENT BRUNCH
Guest Speaker: Hon. Thomas P. Rogers '92
Shusterman Hall 11 am-2 pm

Wednesday, April 13, 2005

STERN MOOT COURT COMPETITION
Reception, 201 Klein Hall
Competition 4 pm
Duane Morris LLP Moot Court Room

Tuesday, May 17

TEMPLE LAW ALUMNI ASSOCIATION NIGHT WITH THE PHILLIES
Phillies vs. St. Louis Cardinals 7:05 pm
For information call Adam (215) 463-5000 x5101

Thursday, May 19, 2005

GRADUATION
Prize Ceremony, Tomlinson Theater 3 pm
Commencement, Liacouras Center 6 pm

Saturday, May 21, 2005

TAA 90TH ANNIVERSARY GALA
Warwick Hotel 7 pm
Reunion Class Cocktail Hour 7pm

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