

Carolina Law Alumni News

Former U.S. Sen. John Edwards '77 to Lead New Center on Poverty, Work and Opportunity

America has a moral obligation to eliminate poverty in our country. Just as neighbors help each other in times of need, our nation must help the 36 million people who currently live at or below the poverty level. This conviction has motivated

former U.S. Sen. John Edwards '77 to lead the University's efforts to find innovative ways for addressing the problem.



Edwards served as moderator for the Center's first public event, a panel discussion on the role of assets and moving families out of poverty.

As head of the new Center on Poverty, Work and Opportunity, which is housed at the School of Law, Edwards plans to bring together scholars from various disciplines throughout the University, along with national policy makers, lawyers, community leaders and students to address the needs of people living in poverty and to generate inventive, practical ideas to help them move out of their plight.



The law community welcomes Edwards to the School in March.

"The issue of poverty is very important to me and has been for a long time," Edwards says. "Before I

was involved in politics, I served on the board of Urban Ministries in Raleigh, where we worked on issues of poverty and homelessness. I feel passionately that we should address the problem

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Nichol to Lead William & Mary



Gene Nichol

Gene R. Nichol, dean and Burton Craige Professor at the School of Law since 1999, has been selected the next president of the College of William and Mary in Williamsburg, Va.

By unanimous vote, the William and Mary Board of Visitors has named Nichol to succeed

Timothy J. Sullivan, who has served as president of William and Mary since 1993.

When Nichol takes office on July 1, 2005, it will mark his return to William and Mary. From 1985 to 1988, Nichol served as Cutler Professor of Constitutional Law and director of the Institute of Bill of Rights Law.

"I am delighted to be asked to serve as president of William and Mary, which I consider a national treasure," Nichol said in a statement released by William and Mary. "I have always believed that it is vital in a democracy that public universities – not just private universities – compete at the highest levels of the American academy, and that this engaged, ennobling, focused experience of a liberal arts education not be reserved for just the private sphere."

Founded in 1693, the College of William and Mary is the nation's second oldest institution of higher education. It enrolls 5,000 undergraduates and 2,500 graduate students in the arts and sciences, business, education, law and marine science, and is widely known as one of the country's "public Ivys," state-assisted institutions that offer high-quality programs at modest tuition rates.

University of North Carolina at Chapel Hill Chancellor James Moeser said William and Mary made "a very wise and insightful choice for its next president" and described Nichol as "deeply committed to the concept of public higher education."

"Their gain is clearly our loss, but we celebrate the fact that a Chapel Hill colleague has been chosen for the leadership of one of America's most venerable and distinguished institutions," said Moeser.

"The UNC School of Law has benefited greatly from his passion for public service and his visionary leadership."

The decision to leave Carolina was a difficult one for Nichol, but the opportunity to lead William and Mary presented a challenge he decided he could not pass up.

"I have had powerfully conflicting emotions," said Nichol. "I have never before made a decision that entailed giving up so many things that I love. I feel, immodestly, like I have given a good deal to the School of Law and its community over the past six years, but I am quite certain that I have received much more than I have given."

In an e-mail to the law community, Nichol focused on the future of the School. "I am confident that Carolina Law is, at present, in one of the most energizing and accomplished stages in its long, storied history. My only regret is that I won't be here to witness the progress."

"I have loved this place and its people like nowhere I've been before. It is remarkably hard to leave."

A reception honoring Dean Nichol is planned for May 19 from 6:30 to 8:30 at the School of Law. For more information or to RSVP, contact Louise Harris, assistant dean for Alumni and Special Programs, at (919) 962-1592 or louise@unc.edu.

Agrawal Named Interim Dean

New Senior Administrators Announced

Robert Shelton, provost for the University of North Carolina at Chapel Hill, has named professor of law Gail Agrawal the interim dean for the School of Law as of July 1, 2005. Agrawal, currently senior associate dean at the School, will hold the position until a new dean is selected to replace Gene R. Nichol, who is leaving Carolina Law to assume the presidency at The College of William and Mary.

Interim Dean Agrawal recently announced a restructuring of the dean's senior staff. Beginning at the end of the summer, Kenan Distinguished Professor of Law Hiroshi Motomura will serve as associate dean for Faculty Affairs and associate professor of law Joseph Kennedy will serve as associate dean for Academic Affairs. Agrawal also announced that Sylvia Novinsky has been promoted to associate dean for Student Affairs and will, as of May 1, oversee all student matters, the registrar's office and international programs.



Law Alumni Weekend! - Sept. 30 - Oct. 1

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From the Dean

Dear Alumni and Friends of the Carolina Law:

I am, of course, excited by the challenges and opportunities that lie ahead for me and for my family in Williamsburg. But I also feel, perhaps even more deeply, a remarkable sadness at leaving Chapel Hill. This University has become a professional and personal home for me in ways I would not before have thought possible. Its unmatched history, its unfolding attainment, its continually reasserted purpose, and its public calling have marked me as an academic and as a citizen. Even more importantly, its community has profoundly touched my heart. Its light upon the hill will always set my horizons. I am more grateful to you than I can unemotionally say.

I also have a quiet confidence that your alma mater is in a stronger position than has been the case for many, many years. Over the past half-decade, we have hired more effectively than almost any law school faculty in the nation. Our ability to attract and to provide financial support for a diverse and tremendously accomplished student body has been notably

advanced. Our new centers in banking, civil rights and poverty are lifting our visions nationally and our social contributions locally. Our alumni have become dramatically more engaged with the institution – providing new levels of support in both affection and resources. We have created, in our Rotunda, a vibrant, singular forum for public policy debate of every focus and perspective. We have reconnected the law school to the state of North Carolina, as we have further opened markets for our graduates across the land. And we continue to produce a cadre of young lawyers more committed than any I have ever witnessed to a life of service – to ennobling their profession by giving back. The University of North Carolina School of Law has stepped well down the path of proving that, even in the 21st century, it is possible for an American law school to be both great and public.

But when I think of the life-changing characteristics of the School of Law, I inevitably turn in other directions as well. When my daughters were small, I enjoyed reading to them from *The Little Prince*. And one of my favorite of de Saint Exupery's lines

is “the most important things in life are the invisible ones.” That strongly sums up my sense of Carolina. Even with the accomplishments, the opportunities, the talents and the stories – the most important things are the invisible ones. The sense of heart and humanity that mortars the walls. The wake left by the likes of Bill Aycock and Esphur Foster and Dickson Phillips and Henry Frye and Dan Pollitt and Julius Chambers and Pat Devine and Charles Daye and Jack Boger and Elizabeth Gibson and Ken Broun is both wide and deep. I will miss it badly. It is habit forming. We can be thankful for that.

All the best,



Gene Nichol
Dean and Burton Craige Professor
University of North Carolina

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because it is a huge moral issue our country faces. A country of our prosperity and wealth shouldn't have this many people living in poverty every day. It says something about the character of our country how we care about those in need; however, the issue has not received appropriate national attention for a long period of time.”

Drawing on Carolina's vast resources – and bringing in experts to address diverse aspects of the problem – Edwards plans to use the new Center as a springboard to raise awareness of poverty as a national issue.

“We want to engage the University community, and particularly the students, in this cause so that we can inspire an entire generation to combat poverty,” he says. “Much of the great change in America has been led by students and young people, because they have an idealism and passion that result in enormous energy when they engage in something. We want to get college students involved, not just at UNC but around the country. We want to engage our young people

in this issue as we reach out to students and other young people throughout the country.”

Before young people can be brought on board, though, Edwards and his colleagues want to understand the issue from the perspective of the people who live it. Edwards has spent the last couple of months traveling around the country to visit centers aimed at fighting poverty and listening to people tell about their struggles and what might be useful to them.

“In these meetings, I have a chance to talk privately with people who live on the margin and to find out what some of their toughest issues are and what's being done now to help them,” he says.

In conjunction with seeking firsthand accounts of the problem, Edwards hopes to bring in experts on poverty from around the country so that the Center can probe ideas for lifting people out of poverty. “We'll work with people in the UNC community who have been working on this issue for years,” he says. “And we'll consult with experts around the country to examine creative, innovative ways to combat poverty.”

For example, the Center's first seminar, held on campus last month, focused on asset building among poor families. Panelists included experts in the field from California, the head of Self-Help in Durham, Carolina faculty members from various disciplines, a woman from eastern North Carolina who struggles to rise above poverty and Pulitzer Prize-winning author David Shieler, who wrote *The Working Poor: Invisible in America*. Among the issues examined were the impact of raising the minimum wage, using the tax system to expand wage support and creating baby bond accounts for children to launch individual long-term savings programs.

Addressing the issue of poverty from the grassroots level and from many different perspectives is a hallmark of Carolina's new Center on Poverty, Work and Opportunity.

“One of the largest problems in American life is our willingness to turn our gaze away from those trapped at the bottom of the economic ladder,” says Gene R. Nichol, dean and Burton Craige Professor



Edwards and UNC students during his March welcome event.

of Law. “I think we do it in law, in education, in health care and in politics. By taking questions of economic access and economic justice off the table, in my view, we turn our backs on some of this state's and this nation's strongest aspirations.

“I am delighted about this Center, first of all as a way of making more visible the questions about poverty in America and in North Carolina and by bringing together experts from around the country as well as ordinary people to try to propose solutions for crushing problems of inequality we face. I am equally delighted that Sen. Edwards has agreed to help lead this effort. I believe this Center is going to have a very long and productive life at the University of North Carolina and it will become a permanent part of our School. Its work is at the very core of the mission of UNC.”

The new Center has four primary goals: to address the pressing needs of people living at or below the poverty level; to provide a non-partisan interdisciplinary forum to examine innovative, practical ideas to move more Americans out of poverty; to raise public awareness of issues related to work and poverty; and to train a new generation to combat the causes and effects of poverty.

At Carolina, Edwards holds a part-time, two-year, fixed-term faculty position. He is designated a University Professor and holds an Alumni Distinguished Professorship, which is funded by private gifts to the University. ☺

~ Patty Courtright



The Carolina Law Alumni News is published in winter, spring and summer. Alumni are encouraged to submit news items about themselves or other alumni and to submit material of interest for editorial consideration.

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Alumni Playing Leading Roles in Field of Securitization

Brad Ives '89 got in on the ground floor of securitization, a field that builds legal firewalls around asset-backed securities to give investors more protection against a corporation going belly-up. As a first-year associate working on deals worth hundreds of millions of dollars, he pulled all-nighters – feeding page after page of documents into the balky fax machines of the time.

Even as “a cog in this important machine,” as he described it, Ives could see the complexities of cash flow and legal structure in an esoteric construct that ultimately lowered the cost of borrowing for consumers. And nights at the fax machine notwithstanding, working in a field that developed with every deal gave him more responsibility than most young associates have to figure out legalities and solve problems.

“You could be an expert at this at quite a young age,” Ives said. “In other types of finance, people had been doing it for 30, 40, 50 years.”

The field of securitization originated in the mortgage loan market in the mid-1980s and grew dramatically in the 1990's, fresh on the heels of the savings and loan crisis that arose from the days when people could get a loan backed only by their name and reputation. Speculative building was at an all-time high, and when developers found few tenants or buyers for the spaces, they defaulted on their loans. The government bailed out the S&Ls in part by bundling the good loans with the bad and selling the package as mortgage-backed securities through the Resolution Trust Company.

During the revamping of the lending industry to improve the odds a loan would be repaid, securitization, or structured finance, became popular as a way to convert a corporation's cash flowing assets into securities. Just as a struggling car manufacturer can't repossess the car you've paid for, loans bundled and resold were protected from being tapped by creditors should the company need cash to pay its bills. The cash flow from the packaged loans becomes “bankruptcy remote.” The overall effect is to issue more highly rated debt than the company could on its own, which allows it to borrow money more cheaply. Those savings are passed along to the consumer.

Mortgage-backed securities, for instance, help people buy houses, Ives said. “In the U.S., we have the highest incidence of homeownership in the world. Our standard of living is driven by the mortgage market and how cheap it is to borrow money.”

Ives, interested in real estate law while a student at Carolina, was recruited into securitization by Mike Nedzbala '87, who was working in the Richmond, Va., office of Hunton & Williams with a client heavily and successfully involved in securitization deals. In 1995 Nedzbala opened a securitization practice for Hunton & Williams in Charlotte, where a number of banks and financial institutions are headquartered.

“For people who like to do deals, this is a very active deal practice.”

“I love it,” Nedzbala said. “For people who like to do deals, this is a very active deal practice. Deals come fast and furious. You get to work with all the major players in the industry – large investment banking firms on Wall Street, big commercial banks, the rating agencies, insurance companies that provide credit enhancement. It is a great way to get trained in a transactional practice very quickly.”

From the mortgage industry, securitization grew to package credit card cash flows, auto loans, commercial mortgage loans and more.

“It grew exponentially,” Nedzbala said. “It became a monster market.”

Most major law firms have some type of securitization practice today, Nedzbala said, but from the recruiting he does at law schools, he believes students don't hear much about the field in law school. (The first casebook in the field, *Securitization, Structured Finance and the Capital Markets*, was published just last year. Lissa Broome, Wachovia Professor of Banking Law and director of the UNC Center for Banking and Finance, is one of the co-authors.) To be successful in the field, lawyers need to understand securities law

and be familiar with the underlying asset being securitized, such as real estate loans or consumer assets. Energy and organizational skills help, too.

“You have to be organized and have a lot of get-up-and-go to get people corralled and meet deadlines to get deals closed when they need to close,” he said.

Brian Clarkson '87 began working on securitization transactions at a law firm in New York. His career took a turn when he joined the structured finance group at Moody's Investors Service, one of three credit rating agencies. Fourteen years later, he is co-chief operating officer of the company.

“I rate these deals,” Clarkson said. “I have all the structured finance and securitization business under me. When I started doing this stuff in the early '90s, it was 3 percent of our overall business. Now it's 41 percent.”

His perch at Moody's enables him to see all of the new structures and types of assets being securitized.

“I see everything that banks are trying to do,” Clarkson said, “because in order to sell new things, they need someone to give an independent opinion as to their creditworthiness.”

When he joined Moody's in the early 1990s, six types of assets were being securitized: residential mortgages, home equity securities, manufactured housing securities, credit cards, autos and commercial mortgages. Last year, he counted 125 categories of securitizations that Moody's rates. Nontraditional assets are being securitized, such as future flow transactions, which are promises to pay an amount in the future backed by future production.

“The asset doesn't exist yet,” Clarkson said. “That was never done before. They securitized future receipts of pubs in London. In France, they securitized champagne receivables, and shopping receivables in Japan. If there's an identifiable cash flow, you can attach it and measure the risk, and do a securitization.”

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Making A Difference: the UNC Center for Civil Rights Takes on Voting Rights, Municipal Underbunding and Resegregation

Some people showed up to vote on Election Day only to find out that their polling place had moved and they hadn't been notified of the new location. Other registered voters were turned away from the polls because their name wasn't on the precinct list. Ballots went uncounted. Lines to vote were frustratingly long.

For a country that has been holding elections for more than 200 years, you'd think we'd be better organized. Thanks to the election protection initiative spearheaded by Anita Earls, director of advocacy at the UNC Center for Civil Rights, votes cast in North Carolina in future elections may be accomplished more effectively and smoothly.

“Anita's work puts us on the map with the national voting rights people,” said Jack Boger, deputy director of the Center for Civil Rights and Wade Edwards Professor of Law.

Voting rights is one of the three major areas that the Center for Civil Rights, now in its third year, has focused on. The Center's shoestring staff also has taken on such weighty issues as the insidious resegregation of schools and the invisible fences around some traditionally black neighborhoods.

With Julius Chambers as its director, the Center's achievements were accomplished by the work of Boger, Earls, program administrator Catherine Pierce and two young lawyers who each serve two-year fellowships. Success brought the addition of a senior lawyer, Ashley Osment, in February. Osment was formerly in practice with her husband, Al McSurely, at McSurely Osment, the Chapel Hill firm that brought the UNC housekeepers' living-wage lawsuits against the University.

“It's one of those bootstraps things where you have to produce in order to get money to get staff, and



Volunteer for Election Protection Project during November 2004 election.

you have to do it without much money,” Boger said.

The staff is small but talented. Earls, for instance, brings expertise in voting rights, having worked on litigation in Florida challenging the disen-

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Crisp Named Senior Associate Dean of Students for UNC-Chapel Hill

Winston Crisp is a man who, in good times and bad, has been the face of the School of Law and has been, some have said, the School's heart as well.

His soft, approachable manner is apparent even during a simple stroll along Franklin Street, says Esphur Foster, his long-time assistant who retired last year.

"That's what I really love about him – when we pass people on the street, he makes a point of speaking to everybody," Foster said. "He is so respectful."

It is Crisp's steadying presence that the law school community will miss when Crisp leaves his position as associate dean for student services to become the University's senior associate dean of students. There, he will manage day-to-day responsibilities related to judicial affairs, crisis management, community relations, Greek Affairs, disability services and the Center for Healthy Student Behavior.

His colleagues are sorry to see him go. But they say Crisp has accomplished a great deal during his 13 years at the School of Law and a promotion is necessary – indeed, long overdue – for his own professional development. They're just grateful it will take place on the Carolina campus.

"The law school's loss is definitely the larger University's gain," said David Watters '92, director for Alumni and Development at the John Motley Morehead Foundation. "I have no doubt that Winston will do wonderful things at the University. His work at the law school has prepared him well for his new role there."

Gene R. Nichol, dean and Burton Craig Professor of Law, agreed.

"It's hard to think of the law school without Winston Crisp," Nichol admitted. "But Winston has performed remarkably well, so it is predictable and heartening that he would pursue new and greater opportunities."

Crisp's tenure with the School actually began when he was still a student. As he considered career options – including the Army's JAG Corps – Crisp was approached by then-Dean Judith Wegner with a proposition: Come back after graduation to turn the School of Law's loosely arrayed student services into a well-integrated, student-friendly program.

"Winston, in effect, created the position," Wegner said. "He was an active and articulate student leader and while we didn't always agree on everything, I thought he was thoughtful, ethical and adept at working with people from different backgrounds."

His work was cut out for him.



Winston Crisp

"There wasn't much structure – there were lots of departments reporting into the dean without much shared identity, common missions, collaboration and cohesiveness," Crisp recalled. "I set out to help build a culture among staff, faculty and students that ours was a student-oriented, service-oriented place – that Carolina provided more than just excellent academic preparation, we tried to develop students as people, as well."

"He has made sure the School remained focused on serving our students and giving them the best possible educational experience we could."

Over the years, Crisp consolidated student-oriented functions into one division that now includes admissions, financial aid and scholarships, student affairs, career services, the registrar's office and parking – anything affecting student life.

"A lot of people deserve credit for hard work and vision; it wasn't just me," Crisp said. "It took work and commitment from staff, faculty and students, but I believe we've become the law school with a heart."

Others say Crisp is too modest.

"Winston is, in many ways, the heart of the administration," said Richard Rosen, professor of law and former senior associate dean. "He has made sure the School remained focused on serving our students

and giving them the best possible educational experience we could."

Frequently being the heart of the School of Law meant taking a lead during crises.

"Whenever there was a crisis – and we've certainly had our share – we all relied on Winston to help us deal with it," Rosen said. "Whether it was one of our students suffering a family crisis or whether it was power going out in the middle of an exam, Winston remained calm and dedicated to doing whatever needed doing."

Reggie Shuford, president of the class of 1991 and a senior staff attorney at the American Civil Liberties Union, witnessed Crisp's capacity for handling a crisis after the 2003 death of his former roommate, Jonathan Luna '92. Luna, a federal prosecutor in Baltimore, was found stabbed to death along a Pennsylvania roadside. No one has been charged in his death, and the FBI is still investigating the case.

"There was an inordinate amount of media attention, and Winston responded to that pressure very well and very capably, because not every media representative had Jonathan's or his family's best interest at heart," Shuford said. "Winston acted really compassionately, really responsibly and really carefully."

Crisp even helped organize a memorial service at the School so Luna's classmates could collectively grieve for their loss.

"Jonathan's death was painful for a lot of people, including me," Shuford said. "Winston was a very strong, comforting presence for a lot of us."

Watters agreed. "Winston just has a great understanding of human nature. Our law school is a richer school for having someone of Winston's character in his position."

For Crisp, leaving the School of Law feels like leaving home.

"If you count my years as a student, I've been coming here every day since I was 22, so my entire adult life has been spent within this community," he said. "I really love this place and the people in it, and part of me would be totally content staying here forever. But another part of me has a vision for myself professionally that says it's time to move on. To everyone I've had the pleasure of working with, I would say 'thank you.' My experience has been tremendous because of those who touched my life." ☺

~ Karen Stinneford

Securitization continued from page 3

Securitization has taken a huge slab out of the capital markets pie for the global economy, Brad Ives said; it's now bigger than the U.S. corporate bond market. Despite describing himself as a "deal junkie," he has moved from structuring securitizations for Babson Capital in the United States to selling the company's investment products from their London office.

"The deals are so complicated, you need fairly senior people to explain them to buyers," he said. Whereas 15 years ago, he stayed up all night

finalizing legal opinions to meet the drop-dead closing time required in public securities, now he pulls all-nighters flying from one side of the world to the other to educate potential investors.

"If they understand it better, hopefully, they'll buy more of it," he said. "Ultimately, sales are what drive the business. The only reason you get these deals done is because somebody's buying them."

As securitization continues to grow, the legal community handling the deals remains tight-knit, per-

haps because of surviving the pressure that comes from shaping the field. Asking for credit ratings through documents with newly negotiated provisions handwritten in the margins, moving to a new town to launch a branch office in a field few people knew of, and assigning a risk rating to an asset that doesn't exist, were some of the career risks Ives, Nedzbala and Clarkson took. As the field grows beneath them, they emerge as leaders, taking securitization to its next level. ☺

~ Nancy Oates

Voting Rights continued from page 3

franchisement of black voters in the November 2000 election and the practice of banning ex-felons from voting. In Rhode Island, she challenged the way voting districts operated to the disadvantage of minorities. In that instance, she won a major political victory, as well as obtaining excellent relief. She has filed briefs with the U.S. Supreme Court stating whether cases should or shouldn't be heard.

"She's done a lot of work in very sophisticated settings on voting rights," Boger said. Earls had worked on election protection projects elsewhere in the country during previous elections. When she looked at the data from elections in North Carolina for 1998, 2000 and 2002, she found the rate of uncounted votes to be high. In 2000, the percentage of uncounted votes was higher in North Carolina than it was in Florida. She blames part of that on the confusion over voting a straight-party ticket. In North Carolina, voters have to mark their vote for president separately.

"Voters think if they have voted straight-party ticket, they have voted for president," Earls said. "We felt it was important for us to educate voters on what they needed to know to effectively count their vote."

They began the North Carolina Election Protection Project in the summer of 2004, talking with grassroots groups to find out issues from previous elections. The Center for Civil Rights formed partnerships with the Institute for Southern Studies and N.C. Fair Share to contact the 100 boards of elections in North Carolina to find out how each would count provisional ballots and register voters with a prior felony conviction, and other procedural questions. Then she met with the state board of elections to report the results.

"Things weren't in disarray, but there were counties that gave us information that was different from what the state board issued as its policies," she said. "We were able to do some trouble-shooting before the election."

Earls trained a group of volunteers – law students and professors and lay people – who, on Election Day, worked at polling places to give nonpartisan information about the mechanics of voting. Other volunteers staffed a hotline that received more than 800 calls, not including callers who simply wanted to know where they were supposed to vote. The hotline's biggest contribution, Earls said, was in settling disputes over provisional ballots. Some poll workers refused to give provisional ballots to voters whose names did not appear on the precinct list or who had come to vote at the wrong precinct.

"We were able to get ballots for people who otherwise would have been told to go home without being allowed to vote," she said.

Earls is working on the assessment phase of the project and will produce a report for the state board of elections, then follow up on her findings. The Center has filed an amicus brief in pending provisional-ballot cases and is examining the implications of a disproportionate number of black voters who voted out of precinct.

"We think there are Voting Rights Act implications," Earls said. "We may end up in federal court over that."

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As it is, the Center is bringing a lawsuit in Virginia to challenge that state's practice of excluding ex-felons from voting. The Center has been asked to weigh in on a case in the 2nd Circuit Court in New York. The Center also is addressing provisions of the Voting Rights Act set to expire in 2007.

"The cases we are litigating ... have more to do with how elections should be structured and who should have the right to vote," Earls said. "I think getting information to Congress about the experience in North Carolina under the Voting Rights Act is the major new thing we are working on."

The Center for Civil Rights has taken on the issue of underbounding – municipalities arbitrarily designating which areas receive water, sewer and other municipal services. For example, a neighborhood in which the majority of the residents are black receives no city water or sewer services, even though a golf course across the road is kept green by a sprinkler system on city water.

"We call it 'invisible fences,'" Boger said. "You can drive through these areas and not see where boundaries are, but you can look at maps, and it's shocking."

The Center has used a GIS mapping system to

identify places around the state where traditional black communities have been left out of towns even though they are immediately adjacent to town boundaries. The neighborhoods receive no municipal services but are subject to town zoning authority.

"These folks are inside an area the city can control, but they aren't city residents and can't participate politically in decisions about their own future," Boger said.

The Center organized a conference on underbounding in November and is working in six municipalities in North Carolina to find people from the communities who want to take on the fight. Once indigenous leaders have been identified, the Center will work with them to present to town officials some proposed changes.

The third major initiative the Center has addressed is the trend toward resegregation of public schools. The Center is seeking to join parents who filed a lawsuit in Charlotte claiming that school assignments are unfair to their children and may be out of compliance with regulations that followed the Leandro lawsuit decision. Boger, working with a team of lawyers, has filed a dozen briefs in the Leandro case over the past decade.

In 2002, the Center held a conference on resegregation, bringing together scholars from around the country. Out of that came a book, *School Resegregation: Must the South Turn Back?*, co-edited by Boger, that will be published this summer. The Center is organizing a follow-up conference to be held May 23.

Al McSurely, who was active in the civil rights movement in the 1960s and concentrates his law practice in civil rights cases, said he is pleased to see the institutional backing that the University provides to support the cutting-edge issues of the civil rights movement in 2005.

"This is the first time there's been a Southern-based civil rights center," McSurely said. "Now we have a beachhead in the Up South" – North Carolina, as opposed to the Deep South of Alabama, Mississippi, Louisiana and Georgia.

"Historically, we've moved from having Northern-based lawyers and organizations helping African Americans in the South, which is mainly where the African-American population lives and where issues that people face daily are. Now we have a base to begin providing litigation support for the struggles against racism."

He continued, "I know the main theme is to turn out another generation of strong civil rights lawyers." ☺

~ Nancy Oates

Heard in the Halls...

Carolina Law's **Black Law Student Association (BLSA)** chapter won the Southern Regional Chapter of the Year award. Cited for the group's outstanding work in election participation, prisoner outreach and community service, BLSA was also nominated for consideration as the national chapter of the year. . . . The School of Law's **Environmental Negotiation teams** advanced a team to the Final Round of the national Robert Mehri Environmental Negotiation Competition. The team of Manisha Dorawala and Fatima Mohammadi won 4th-in-the-Nation honors. . . . **The Julius L. Chambers Civil Rights Appellate Advocacy Team** sent two teams to compete in the 20th Annual William E. McGee National Civil Rights Moot Court Competition at the University of Minnesota Law School. Both teams received high ratings from the judges and demonstrated excellent skills. . . . The **UNC Broun National Trial Team** sent two teams to compete in the Association of Trial Lawyers of America Mock Trial Competition in February. One team was the highest rated of the 12 teams that did not advance to the semi-final round, and the other team returned the Chapel Hill as the regional champion. This team defeated Washington University in an extremely close final round to advance to the National Finals. ☺

Q&A With Michael States, the New Assistant Dean for Admissions

Last fall, the UNC School of Law welcomed Michael J. States as its new assistant dean for Admissions. Prior to coming to Carolina, States served as assistant dean of Enrollment Management at the Stuart Graduate School of Business at the Illinois Institute of Technology in Chicago; as director of Admissions at the Hamline University School of Law in St. Paul, Minn.; and as associate director of Admissions and Financial Aid at the John Marshall Law School in Chicago. States earned his law degree from Saint Louis University and his bachelor's degree in political science from the University of Kansas.



When States arrived in September, he immediately hit the road to begin recruiting for the class of 2008. Now that acceptance letters have gone out, we caught up with States and asked him to reflect on topics such as his vision for admissions at the School of Law, student body demographic trends and college basketball.

Q: You've been at the UNC School of Law about six months now. What are some of your initial impressions of the school?

A: My initial impression is I love it here. During the interview process, everybody was wonderfully nice and talked about how this was a "family" – but really, you expect that during an interview process. However, on the first day I arrived, students I'd never met before showed up in my office to say, "Welcome to Carolina. If there's anything I can do to help, let me know." I asked my colleagues whether they had encouraged the students to do that and they said no – the students just did it on their own. Everyone has been incredibly supportive and very forthcoming whenever I've needed help. So my initial impression is that I love it here, and I can understand why alumni love this place, why they come back here and why they care about what happens here.

Q: Any thoughts about strengths or opportunities for the School of Law?

A: One of the great opportunities we have at Carolina is to make a more concerted effort to persuade the best of the students we admit to actually accept our offer and enroll next fall. These are students at the very top of the admitted class who receive substantial scholarship offers from nearly every other school to which they've been accepted. Often they've received offers of full scholarships from private universities, and admittedly, it's difficult for us to compete with that. But that being said, we are still – by far – the best bargain out there in terms of the value of the education and the reputation of our law school. If we could extend just one-fourth of the financial aid that private universities are offering the best students, we'd become competitive immediately on a bottom-line level. That's certainly an opportunity with which our alumni could help support our admissions process.



Another great opportunity for the School, which alums can support, involves developing relationships with admitted students who haven't yet accepted our offer letters. Carolina is a special place, and once you experience it, it becomes very difficult to say no and go someplace else. I'd like to work with alumni organizations in various cities to host receptions for admitted students who cannot travel to Chapel Hill for events. That way, admitted students can learn more about the Carolina experience from our alumni and hopefully, it would persuade more to choose us. Particularly for younger alumni who have only been out of school a few years. Maybe they aren't yet in a position to make financial contributions to the school, but this is a very meaningful way they can give back to the School right now.

Although this is a plan I had since starting this job, and thought that I wouldn't implement for a year, I want to thank the Washington, D.C., alumni for pushing ahead my agenda for me. A couple of them called to ask if there was anything they could do to help us, so we're working with them to host an event in Washington, D.C. I hope to enlist the support of other alumni groups in other cities to hold similar events.

Q: What was it that attracted you to Chapel Hill?

A: Certainly the reputation. And I knew people who worked here who absolutely loved it here. For me, though, coming to Carolina meant more than strong reputation or good work environment. Carolina offers me a platform. I've always been interested in working with students who want to attend law school, but don't necessarily have access to people who have done it before – students who are poor, or are the first in their families to go to college, students of color, etcetera. Previously, when I've called schools to schedule recruiting visits and said, "I'm Michael States and I'm calling on behalf of..." people responded with "Who? Where?" Now when I call to say, "I'm dean of admissions at the UNC School of Law," people listen and want me to come and talk with their students. The name of this place opens doors and allows us to create relationships with other universities and even high schools to encourage students to consider law as a future career. That was a real draw for me.

Q: What type of student are we trying to attract to Chapel Hill? Are we any different from the Dukes or Wake Forests of the world?

A: I've asked the question, "Who is the Carolina student?" and nobody really knows definitively. The reason why, I think, is no one wants to be confined to a particular profile or stereotype. We're looking for the broadest cross-section of students possible – for example, we want students right out of college and older students coming back after working 20 years in another field so they can pursue a second career.

Q: The Class of 2007 profile certainly reflects the diversity of which you speak. Of the 238 students who enrolled, 74 percent hail from North Carolina, while 26 percent are from out of state. The average age is 25, although ages range from 20 years to 52 years,



Photo Credits: Jim Striffler

continued on page 16

Law Student Wins Emmy

In the midst of short film clips about the health impact of smoking, Chip Muller found a pink elephant that he turned into a gold Emmy.

"Golden," Muller corrected, referring to the statuette he brought home from the awards ceremony in Nashville, Tenn., in January. "It's definitely not gold."

As a producer at UNC-TV before he started law school last fall, Muller, 35, created a series of eight- to 12-minute shorts that covered the addictive nature of smoking, how to quit, safer cigarettes, what the state is or is not doing to prevent smoking, and other related issues. By conducting additional interviews and splicing in fresh footage, Muller created a documentary that earned an Emmy for Best Documentary – Topical for the mid-South region. The one-hour film, "North Carolina's Dependence on Tobacco," tells the story of the state's reluctance to spend money on anti-smoking programs even though North Carolina spends millions to treat those with smoking-related illnesses. The film aired on UNC-TV in 2004.

"It's one of those issues so close to you but talked about so rarely," Muller said. "The high percentage of smokers in North Carolina costs the state dearly in Medicare and Medicaid payments. Yet the state does relatively little to reduce smoking."

Muller, a first-year law student this year, had logged more than a decade as a journalist before enrolling in the UNC School of Law. In 2002 he used grant money to produce the series on smoking issues and thought he had enough material to put together a documentary.

"I thought I'd sew the pieces together," he said. "It'd be real easy – just add water and get a documentary."

But as he sliced and spliced, he saw that the clips didn't flow together naturally. And he wanted to bring out issues beyond the material he had already collected.

"The right way to do it was to take it all apart and start from scratch," he said. "It was my first documentary, and I had a lot to learn. And, boy, did I learn it."

Muller was no film neophyte. At age 15, he got his first job as a studio cameraman for a local news show in Westport, Conn., where he grew up. He started a broadcast journalism degree at Syracuse University, then transferred to Middlebury College in Vermont where he completed a liberal arts degree. But a few years later, he was back in television production, this time in Boston. When a position opened at WRAL in Raleigh, he moved south. His first day at UNC-TV was Sept. 11, 2001.

Working on the frontlines of breaking news is good preparation for trial work, Muller said.

"Doing live broadcasts forces you to think on your feet and be halfway articulate," he said. "I had to distill information into a short piece that is understandable and meaningful. That is the same skill that lawyers use in the court room."

Muller had long been interested in policy and legal issues, especially First Amendment rights of freedom of speech and the press. Making the documentary put him in touch with laws and public policy issues that sparked his interest in law school.

Dean Gene R. Nichol said he was delighted to hear of Muller's award and recognition.

"There's nothing we believe in more at Carolina than engagement with the problems faced in our broader communities," Nichol said. "Chip's work before law school, I hope, will join with the expertise he develops here to constitute a career of real citizen engagement. And I think that serves the University of North Carolina well."

Sylvia Novinsky, the assistant dean for Student Affairs, concurred, saying that law school gives students the tools to be not only social activists but to argue any point in a legal context.

"We hope that in law school, we are enhancing their ability to be the best advocate they can be," Novinsky said.

In making the documentary, Muller learned about the tension between the economic and health interests in the state. People assume the state doesn't do more to encourage people to quit smoking because of its economic interest in the tobacco industry, he said. And in part, that's true. But not reducing the number of smokers costs the state more in medical expenses than it is saving in preserving jobs in the tobacco industry. The issue goes beyond economic and health arguments.

"The state is reluctant to turn on industries that have been a part of the social fabric of the state," Muller said.

Muller has no new films in the works – law school and family take up all of his time now – but he's not ruling it out for the future.

"I never want to close a door," he said. ☺

~ Nancy Oates

Center for Banking and Finance Update & 2005 Banking Institute



Panel on Anti-Money Laundering: John L. Douglas, Douglas Freedman, Robert Pasley, and Jonathan Winter.



Phillip Kennedy '04 and Todd Eveson '00.



Hank Ralston '83, Carter Arey '03, Rick Hazlett '80.



Ron Raxter '77 and Linda Tigges '99.



Mike Nedzbala '87, Hank LaBrun and Jim Carroll.

The ninth Banking Institute was held April 7-8 at The Westin in Charlotte, N.C., and attracted over 200 attendees. The annual program focuses on issues of interest to bank lawyers, and this year the Banking Institute included sessions on UCC and bankruptcy issues associated with second liens, anti-money laundering, risk management, and bank mergers and acquisitions. Highlights of the program included keynotes by Joseph A. Smith, Jr., the N.C. commissioner of banks; N.C. Attorney General Roy Cooper; Joseph D. Reid, chairman and CEO of Capital Bancorp Limited; and Scott G. Alvarez, general counsel, Board of Governors of the Federal Reserve System. The Institute also included a program celebrating the Bicentennial of Banking in North Carolina, which highlighted Program Director Lissa Broome's article published in Volume 9 of the *North Carolina Banking Institute Journal* on the first 100 years of banking in North Carolina. Narration of the history was provided by Thad Woodard, president and CEO of the N.C. Bankers Association, with the assistance of Paul Stock, executive vice president and counsel for the Bankers Association. The program also included a reading of Gov. Michael F. Easley's Proclamation of April 3-9, 2005, as the Bicentennial of Banking Week.

Participants at the Institute receive Volume 9 of the *North Carolina Banking Institute Journal*, which contained manuscripts of the program speakers and notes from law students on current topics. Twenty-seven Carolina Law students served on the staff or editorial board of the *Journal*. The Banking Institute is supported by the generous sponsorship provided by the 38 banks and firms listed below.

In February, the Center sponsored the 4th Annual Consumer Law and Consumer Credit Symposium, as part of the School of Law's 15th Annual Festival of Legal Learning. Twelve separate sessions were offered on topics as diverse and timely as Check 21, FACT Act, Identity Fraud and the North Carolina Mortgage Lending Act.

The Center is co-sponsoring the North Carolina Bank Directors' College with the N.C. Office of the Commissioner of Banks and the FDIC. The College will meet for three, two-day sessions beginning in July and continue through September. The Center will continue to co-sponsor the Dan K. Moore Program in Ethics, providing a focus on ethical issues and corporate governance issues of interest to lawyers who represent corporations. This year's program, "The Lawyer's Role in Anticipating and Responding to Enforcement Actions Against a Corporate Client: Zealous Advocate, Counselor, or Police Officer?" is scheduled for Oct. 7, 2005, in Chapel Hill. ☺

2005 Banking Institute Sponsors

Alston & Bird, LLP
Balch & Bingham LLP
Bank of America Corporation
BB&T Corporation
Bradley Arant Rose & White LLP
Brooks, Pierce, McLendon, Humphrey & Leonard, LLP
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Cadwalader, Wickersham & Taft LLP

Capitol Bancorp, Ltd.
Dechert LLP
First Horizon National Corporation
Gaeta & Eveson, PA
Goodwin Procter LLP
Helms Mulliss & Wicker, PLLC
Holland & Knight LLP
Hunton & Williams
Kennedy Covington Lobdell & Hickman, LLP

Kilpatrick Stockton LLP
Maupin Taylor, PA
Mayer, Brown, Rowe & Maw LLP
Miller, Hamilton, Snider & Odum, LLC
Moore & Van Allen, PLLC
Nelson Mullins Riley & Scarborough, LLP
North Carolina Bankers Association
The Orr Group

Parker Poe Adams & Bernstein LLP
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SunTrust Banks, Inc.
Thacher Proffitt & Wood LLP
Wachovia Corporation
Ward and Smith, PA
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Wyrick Robbins Yates & Ponton LLP

Brian M. Clarkson '87 Establishes Need-based Scholarship for Law Students with Families

Funding a legal education can be challenging under any circumstance, but when you're supporting a family at the same time, the financial burden can be daunting.

That's why Brian M. Clarkson '87 recently contributed \$100,000 to the UNC School of Law Foundation, Inc. to endow the Clarkson Family Scholarship Fund, a need-based scholarship targeting law students who have children. The fund will also help support other non-traditional law students with demonstrated financial need.

"Brian's scholarship will make it more feasible for experienced, creative, hard-working and engaged students with families to take full advantage of the opportunity of a legal education at one of the best institutions in the country," said Gene R. Nichol, dean and Burton Craig Professor of Law. "Carolina has always opened its doors to non-traditional students, but frequently, opening the door is not enough. This kind of financial aid makes that opportunity more meaningful, and the School of Law is very grateful for Brian's gift."

For state residents, the cost of tuition, fees, books and living expenses averages about \$25,000 annually. For out-of-state residents, it is \$37,000. Although the price tag is much less than those at other law schools, professional students are typically restricted to a maximum of \$18,500 annually in federally funded educational loans. That leaves state residents \$7,500 shy in financing law school; the deficit for non-residents is much higher. These costs do not include the added financial responsibility of supporting children.

Having been a non-traditional student himself, Clarkson understands the issues well.

"When I entered law school, I was an older student who had been in the service and I had two young children. But for the benefit of scholarships and student loans, it would have been difficult – if not impossible – for me to get through law school," he said. "Trying to balance the demands of law school with the demands of being a parent can be very challenging. It certainly was for me. Endowing this scholarship is my way of returning some of my good fortune to others."

Clarkson named his endowment the Clarkson Family Scholarship Fund in honor of his daughters, Tracy and Jill. "They endured many sacrifices along the way that made it possible for me to finish law school," he said.

As far as targeting other kinds of non-traditional students, Clarkson said, "the global capital market is very diverse, so having a student body representation with different backgrounds at the law school is not only a good thing to do, but also consistent with the profile of the marketplace."

Clarkson recently was appointed executive vice president and co-chief operating officer at Moody's Investors Service, where he is responsible for the organization's global structured finance and U.S. public finance businesses. He also shares management responsibility for the Moody's Investors Service research business. Clarkson, 48, joined Moody's in 1991.

Prior to his recent promotion, he served as senior managing director and head of Moody's Structured Finance Group in the Americas, where he oversaw all structured finance ratings and research activities in the United States, Canada and Latin America. Under Clarkson's leadership, the structured finance group has been Moody's fastest-growing business line and now represents the largest business line within the company.

"My legal education and overall experience at Carolina have provided me with professional opportunities I would not have had otherwise. I make sure not to forget that," Clarkson said. "I think it is very important to keep things in perspective and remember the help you had along the way, and then give back whenever you can."

Added Mary S. Murray, assistant dean for External Relations, "Brian has always been very upfront in stating that the financial support he received made a big difference to him. And he's been one of our very best cheerleaders in saying he wouldn't be where he is today professionally without his law degree. He not only gives back, he gives back enthusiastically. He's very excited about what this will do for the law school, as are we."

Created in 1959, the UNC School of Law Foundation receives, manages and administers gifts alumni and friends make to the School of Law. As part of its \$30 million Campaign for Carolina Law fundraising effort, the Foundation is working to raise \$7 million in scholarships to help meet students' financial needs, reward academic merit and fund student organizations and activities. The Campaign for Carolina Law began in 1999 and is part of the University's greater effort to raise \$1.8 billion by 2007.

"One of the most heartening experiences I've had as a dean, time and again, is when accomplished alumni give back to an institution they feel has had a huge impact on their achievement," explains Nichol. "Like Brian, they say they want to make possible for students who follow them the same opportunities they had. It's a marvelous sentiment, and music to a dean's ear." ☺

~ Karen Stinneford

Spring Alumni Events

D.C. Regional Alumni Event Pre-ACC Tournament Gathering

The Washington, D.C., Regional Alumni Council organized a Pre-ACC Tournament gathering for law alumni in the nation's capital at the law offices of Wilmer Cutler Pickering Hale and Dorr LLP. The event was a tremendous success and a great way to get local Tar Heels ready for the ACC Tournament, which was held this year in Washington, D.C. Guests enjoyed answering ACC Tournament trivia and bidding for ACC Tournament tickets. (Thanks to Reich Lerner '81 for providing the tickets!)

Triangle Alumni Event

Carolina Law alumni from around the Triangle gathered at the home of Chris '98 and Mitch Mumma on March 23 for an opportunity to visit with fellow alumni and Carolina Law faculty and staff. The event brought together many Carolina Law graduates from the classes of 1950 to 2005. Dean Gene Nichol visited with area alumni and gave an update on recent developments at the School of Law.

Witt Dinner

Carolina Law alumni and colleagues from the legal profession gathered at the Friday Center on Feb. 8, 2005 for the annual Witt Professionalism Dinner. Florence B. Witt and members of the Witt family attended the dinner which was started by her late husband, Raymond B. Witt '39. The Witt Dinner was established to give students the unique opportunity to discuss ethical issues with seasoned attorneys, judges and faculty members. This year's dinner offered a forthright discussion regarding the ethical issues surrounding the N.C. Rules of Professional Conduct with regards to confidentiality of information, truthfulness in statements to others and organization as client.

New York Regional Alumni Council

Carolina Law is pleased to announce a new regional alumni council. The New York Regional Alumni Council had its first meeting on Monday, April 4, at the law offices of Lowenstein Sandler. Special thanks to Bill Uptegrove '03 who will be chairing the new alumni council. We would also like to thank the following alumni for their involvement with the Council:

Greg Boyd '04	Denise Dyce '95	Karen Jacobs '94	Jule Johnson '99
Lance Koonce '96	Mark Koontz '03	Edward Marshall '02	Henry Robbins '04

If you are interested in being involved with the New York Regional Alumni Council, please contact the Office of Alumni Affairs at (919) 843-3471. Area alumni should watch their mail for announcements of New York Regional Alumni events coming this summer and fall. ☺



Kelly Podger '02 (1) and Kelly Furr '01 with Dean Gene Nichol at the Triangle Alumni Event at the home of Chris '98 and Mitch Mumma.

Annual Fund Just Shy of Goal

Have you given to the Annual Fund this year?

As of April 1, 2005, gifts to the Annual Fund had reached \$425,833.97, approximately \$74,000 short of this year's goal of \$500,000. Alumni are encouraged to make their gifts to the School's Annual Fund before June 30, 2005, the end of the 2004-05 fiscal year.

Alumni support to the Annual Fund is extremely important. These gifts provide a vital source of funding for the School of Law as the School continues to strive for excellence in the legal academy. Increased levels of alumni support are needed to: increase much-needed scholarship assistance; improve academic support and student services; provide research support to faculty; and meet ever-expanding expectations from alumni and the practicing bar. Every gift, no matter the amount, helps the School meet these challenges.

Each year, Annual Fund donors are recognized in the Honor Roll of Donors, which is included in the summer issue of the *Carolina Law Alumni News*. Gifts are distinguished at the following levels:

- A gift of \$1 - \$499 distinguishes you at the Associates level;
- A gift of \$500 - \$999 distinguishes you at the Partners level;
- A gift of \$1000 - \$1999 distinguishes you as a member of the William Horn Battle Society;
- A gift of \$2000 - \$4999 distinguishes you as a member of the Dean's Club and UNC's Chancellors' Club*; and
- A gift of \$5000 or more distinguishes you as a member of the William Brantley Aycock Society.

*Alumni who have graduated within the last 15 years can join the Chancellors' Club at the following gift levels: \$250 for the 5 most recent classes; \$500 for those who graduated 6-10 years ago; and \$1000 for those who graduated 11-15 years ago.

Annual Fund gifts are tax-deductible, and making a gift is easy. Simply fill out and return the gift envelope included in this newsletter, or if you prefer, you may make a gift on-line at <http://www.law.unc.edu/alumni/MakeAGift.aspx>.

If you have additional questions about gifts to the Annual Fund, please contact Brandon Wright, deputy director of Development, at (919) 962-6718 or e-mail at wrightb@email.unc.edu.

Campaign for Carolina Law Report Card

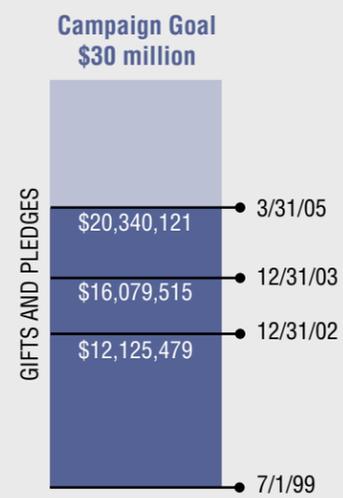
Goal: \$30,000,000
Gifts to Date: \$20,340,921

The Campaign for Carolina Law was officially announced on Oct. 11, 2002, as a part of the University's \$1.8 billion Carolina First campaign. The campaign ends on June 30, 2007.

Gifts to the campaign are focused on the School reaching specific funding goals. The impact of these gifts to date:

Professorships:8
Scholarships:20
Program Support:15
Library:2
Facilities:2
Named Dean's Discretionary Funds:5
Planned Gifts:13

To learn more about the Campaign for Carolina Law and how you can help, contact Mary S. Murray, assistant dean for External Relations, at (919) 962-7701 or msmurray@email.unc.edu.



Chancellors' Scholars Alumni Luncheon

Alumni gathered with faculty and current students on March 5 to enjoy a lunch with the Chancellors' Scholars from the entering Carolina Law Class of 2008. The luncheon is a unique opportunity for these students to learn "first hand" about the Carolina Law experience and the value of a law degree from UNC.

The Chancellors' Scholars Program was founded in 1989 and provides substantial merit-based financial assistance to students of superior character, leadership and academic achievement. Modeled after the prestigious Morehead Scholar program, Chancellors' Scholars are matched with a faculty mentor to develop his or her intellectual and career interests in law.

This year, we were honored to have former Chancellor William P. Aycock '48 attend the luncheon. Special thanks to all alumni who joined us for the festivities:

Leonor O. Childers '00
Kelly T. Cochran '01
The Hon. Patricia DeVine '83
Jason D. Evans '01
Donna T. Eyster '00
Andrew H. Foster '00
The Hon. Henry E. Frye '59
Reginald J. Johnson '97

Christopher M. Kindel '01
Scott A. Maitland '95
Bryan A. McGann '01
Elizabeth T. MeHaffey '01
David M. Moore II '69
Kelly L. Podger '02
The Hon. W. Erwin Spainhour '70
James P. West '91

Detach here

The University of North Carolina School of Law Alumni Information Update Form

The Law Alumni Association needs your help to stay in touch. Please use the form below to note address changes, career information or other news you would like to share through the *Alumni News*. We look forward to hearing from you.

First Name _____ Middle _____ Last _____ Class Year _____

Employer _____

Business Address _____ City _____ State _____ Zip _____

Business Phone (____) _____ Business Fax (____) _____ E-mail _____

Home Address _____ City _____ State _____ Zip _____

Home Phone (____) _____ Do you prefer to receive mail at your home, or your business?

Is there news you'd like to share with your fellow alumni? _____

Please mail or fax to: **Louise Harris**, UNC-Chapel Hill School of Law, CB #3380, Chapel Hill, NC 27599-3380 Fax: (919) 843-9917
You may also e-mail your updates to: law_alumni@unc.edu

or submit changes online!

Visit the Carolina Law Online Alumni Directory at www.law.unc.edu/alumni

Alumni & Development News

Attending the Annual Meetings of the NCADA, NCATL or NCBA?

Please join us for a Carolina Law alumni event!

Carolina Law Alumni Luncheon – June 10

N.C. Association of Defense Attorneys Annual Meeting
Hilton Head Oceanfront Resort, Hilton Head Island, S.C.

The Law Alumni Association invites all alumni attending the NCADA annual meeting at the Hilton Head Oceanfront Resort to join friends and colleagues for a Carolina Law Luncheon at 1:00 p.m. on Friday, June 10, 2005. Gail B. Agrawal, interim dean, will be present to visit with alumni. **Reservations are requested by June 4.**

Carolina Law Alumni Breakfast – June 22

N.C. Academy of Trial Lawyers
Sea Trail Resort, Sunset Beach, N.C.

Join fellow law alumni at Sea Trails Resort for the NCATL annual meeting in Sunset Beach, N.C. The Law Alumni Association will host an Alumni Breakfast on Wednesday, June 22 at 8:00 a.m. Dean Gene Nichol will be present to visit with alumni. **Reservations are requested by June 9.**

Carolina Law Alumni Breakfast – June 25

N.C. Bar Association Annual Meeting
Grove Park Inn, Asheville, N.C.

The Law Alumni Association invites all alumni attending the NCBA annual meeting to enjoy an early breakfast with friends and colleagues at 7:45 a.m. on Saturday, June 25, 2005. Dean Gene Nichol will be present to visit with alumni and give an update on Carolina Law. **Reservations are requested by June 9.**

To reserve your space at any of these events, please contact Louise Harris, assistant dean for Alumni and Special Programs, at louise@unc.edu or (919) 962-1592. ☎

Call for Nominations!

The Carolina Law Alumni Association is seeking nominations for its Distinguished Alumni Award and its Outstanding Recent Graduate Award. Letters of nomination for the 2005 Distinguished Alumni Award and the 2005 Outstanding Graduate Award will be accepted until July 18 for this year's awards. Both awards will be presented at the annual Law Alumni Gala on Friday, September 30, 2005.

The Distinguished Alumni Award

The Distinguished Alumni Award is an annual award given by the Carolina Law Alumni Association to a graduate whose accomplishments and contributions have enhanced the School of Law and the profession of law at the local, state, national or international level. The recipient must be a graduate of the UNC School of Law and should demonstrate one or more of the following:

- Excellence in the practice of law
- Excellence in public service as members of the judiciary or other elected/appointed office
- Exemplify the high ideals of the legal profession.

The Outstanding Recent Graduate Award

The Carolina Law Alumni Association established the Outstanding Recent Graduate Award in 2002 to formally recognize recent graduates for their achievements. This award is presented to an alumnus whose achievements have brought credit to the School of Law, the legal profession, or society. The recipient must be a graduate of the UNC School of Law within the past 10 years, and must demonstrate one of the following:

- Accomplishments within the legal profession
- High level of community involvement

Letters of nomination may be submitted to Louise Harris, assistant dean for Alumni and Special Programs by e-mail at louise@unc.edu or by fax at (919) 843-9917. Nominations may also be mailed to Louise Harris, Assistant Dean for Alumni and Special Programs, UNC School of Law, CB# 3380, Chapel Hill, NC 27599-3380. ☎

Tipping The Scales: Women in the Legal Profession Symposium

1. Over 200 Carolina Law alumnae and students enjoyed the symposium Women in Law Tipping the Scales: Voices of Experience, Visions of Progress held at the School of Law on March 31, 2005.
2. Anita Brown-Graham '91, Carolyn Coward '99, Taylor Daly '79, Robin Hudson '76, Liz Martin '98, Elaine Whitford '89 and Chris Mumma '98 participated in the panel "Balancing Personal and Professional Goals" moderated by professor Glenn George.
3. Carolina Law students, (left to right) Natoya Powell '05 and Chris Medlin '05 visit with Beth Fleishman '77, an alumna panelist from the sessions, "When You Are the Only Woman in the Room."
4. Tristan A. Fuierer '03, Marianne Fuierer, Brain Drozd '07, Mimi Van and Maria Mangano '82.



Summer 2005 Calendar of Events

May 14 Davis Society Inductions Chancellor's Scholars Reception Graduation BBQ  UNC School of Law	May 15 Class of 2005 Commencement 	May 19 Gene R. Nichol Farewell Reception 6:30 p.m. UNC School of Law	June 1 Greensboro Summer Associate Reception Nexsen Pruet Adams Kleemeier Greensboro, N.C.	June 2 Raleigh Summer Associate Reception Wyrick Robbins Yates & Ponton Raleigh, N.C.	June 7 Charlotte Summer Associate Reception Womble Carlyle Sandridge & Rice Charlotte, N.C.
June 10 NCADA Carolina Law Alumni Luncheon NCADA Annual Conference Hilton Head, S.C.	June 14 Atlanta Summer Associate Reception Arnold Golden Gregory Atlanta, Ga.	June 22 NCATL Carolina Law Alumni Breakfast NCATL Annual Conference Sunset Beach, N.C.	June 25 NCBA Carolina Law Alumni Breakfast NCBA Annual Conference Asheville, N.C.	July 19 Washington, D.C. Summer Associate Reception Location TBD Washington, D.C.	
August 25-26 UNC School of Law Orientation  UNC School of Law	September 30 Law Alumni Association Board of Directors Luncheon and Meeting The Carolina Inn Chapel Hill, N.C.	September 30 - October 1 Law Alumni Weekend 	October 7 NCAWA Carolina Law Alumni Breakfast NCAWA Annual Meeting Wrightsville Beach, N.C.	November 7-8 U.S. Supreme Court Admission Trip Washington, D.C.	



A Message from the President of the Law Alumni Association

Dear Friends:

Our law school will enter a new era with the departure of Dean Gene R. Nichol at the end of June when he leaves to become the president of The College of William and Mary. Dean Nichol awakened a new energy among our alumni that needs to be perpetuated by a new dean. Financial contributions to the School of Law from alumni have increased, and alumni have exhibited heightened interest in its activities during his tenure.

Those who did not get to know Gene Nichol while he has been at Chapel Hill have been deprived of the opportunity to meet and observe an extraordinary person. He is a noted constitutional scholar, a dynamic speaker and leader, and a riveting lecturer. I have personal knowledge of his classroom demeanor and delivery. I attended a wonderful lecture series that he and professor William Leuchtenburg conducted at the William Friday Center on the 1937 constitutional crisis in the U.S. Supreme Court and the events leading up to Franklin D. Roosevelt's failed attempt to pack the court.

Gene is a person that one just has to notice. Many of the opinion pieces published in The News and Observer have stirred up some people, but Gene has taken care to bring to the School nationally known persons with political and philosophical views diametrically opposed to his own. I believe that is how it should be at a great law school. Law students should be exposed to all sides of controversial concepts, be trained to analyze the facts, determine where the truth lies and make reasoned decisions. Good lawyers do this every day. Gene Nichol has encouraged and fostered this process.

We wish him the best of everything, but we will miss him.

Sincerely yours,

W. Edwin Spainhour '70

Changes in Firm Campaign to Broaden Appeal to Smaller Firms

Each spring, the School of Law encourages a friendly but competitive campaign among those law firms in the state and nation that employ a number of Carolina Law alumni. With the assistance of alumni volunteers, the School's development office challenges law alumni employed by the firm to give some amount to the campaign with the goal of reaching 100% participation.

Previously, the Firm Campaign was only open to law firms with nine or more Carolina Law alumni. This year the number of alumni has been lowered to five, opening the campaign to more firms and responding to a request by smaller firms who wanted an opportunity to participate in the campaign.

Each firm achieving 100 percent participation will have its name prominently displayed on a plaque in the Career Services Office, offering a

bit in the way of bragging rights as well as substantial name visibility to law students interviewing for jobs. Firms achieving 100 percent participation will also be listed in the summer edition of *Carolina Law Alumni News*.

The majority of gifts received during the Firm Campaign are designated to the Annual Fund, which funds a variety of important initiatives, including scholarship assistance, support for student services and research support to faculty. As such, the Firm Campaign is a vital component of the School of Law's annual giving program.

If your firm is interested in participating in the Firm Campaign, please contact Brandon Wright at (919) 962-6718 or e-mail at wrightb@email.unc.edu.

2004 Firm Campaign – 100% Giving Participation

Carruthers & Roth
 Johnston Allison & Hord
 Kilpatrick Stockton, Raleigh
 Moore & Van Allen, RTP
 Nelson Mullins Riley & Scarborough, Raleigh
 Parker Poe Adams & Berstein, Charlotte
 Parker Poe Adams & Berstein, Raleigh
 Poyner & Spruill, Charlotte
 Schell Bray Aycock Abel & Livingston
 Smith, Anderson, Blount, Dorsett,
 Mitchell & Jernigan
 Smith Moore, Raleigh
 Tuggle Duggins & Meshan
 Ward and Smith



MARK YOUR CALENDAR NOW!

for the 2005 Law Alumni Weekend Sept. 30 - Oct. 1, 2005

55 60
 65 70
 75 80
 85 90
 95 00

Celebrate your reunion at Law Alumni Weekend! We will honor the classes of '55, '60, '65, '70, '75, '80, '85, '90, '95 and '00

Hotel space is limited, so make your reservation today for the 2005 Law Alumni Weekend. Hotels in the Chapel Hill area include:

Best Western University Inn
 (919) 932-3000

Carolina Inn
 (919) 933-2001

Comfort Inn University
 (919) 490-4949

Courtyard By Marriott
 (919) 883-0700

Days Inn Chapel Hill
 (919) 929-3090

Governors Club Cottages
 (919) 918-7260

Hampton Inn Chapel Hill
 (919) 968-3000

Hampton Inn Suites Durham
 (919) 403-8700

Holiday Inn Chapel Hill
 (919) 929-2171

The Siena Hotel
 (919) 929-4000

Sheraton Chapel Hill
 (919) 968-4900

Would you like to help plan your class reunion? Please contact Louise Harris, assistant dean for Alumni and Special Programs, at louise@unc.edu or (919) 962-1592.

Career Services

Fall Recruiting at Carolina Law

On-Campus Interviewing

Dates for on-campus interviewing visits this year are August 18 - Sept. 30, 2005. Interviews will not be held on September 2 and 5 (Labor Day Weekend). Please keep in mind that interview dates are scheduled on a first-come, first-served basis.

Unlike many other law schools, Carolina Law allows employers to prescreen interviewees by reviewing resumes collected by the School of Law in the weeks prior to the on-campus interview date. Employers may choose a 20- or 30-minute interview schedule and may interview second- or third-year students. During the on-campus visit, recruiters are given reserved parking spaces next to the School, greeted by a student who escorts them to the Career Services Office (CSO) and treated to lunch at the Carolina Club.

Other Recruiting Methods: Resume Collections and Direct Contact

Employers do not have to come on-campus in order to recruit Carolina Law students. The CSO offers employers two other methods of recruiting students for summer and permanent positions. The first option is called a "resume collection." Upon request from the employer, CSO will advertise to its students the availability of summer clerkships or permanent positions with an employer. The office will collect resumes over a two-week period and will send the resumes as a group to the employer. The employer may then contact CSO to set up an on-campus interview or the individual student to schedule an interview at a mutually convenient time and location. The second type of off-campus recruiting activity is called "direct contact." At the request of the employer, CSO will advertise the employment opportunity to Carolina students and interested students will contact the employer directly.

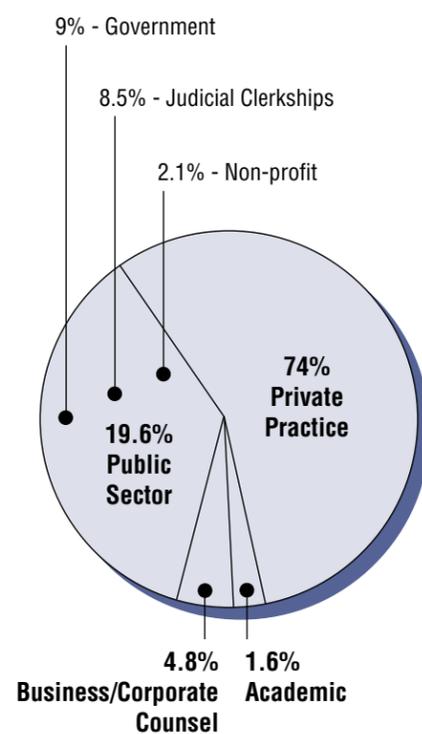
To recruit Carolina Law students by any of the methods listed above, please complete the recruiting form found in our "Invitation to Recruit." A copy of the "Invitation to Recruit" can be downloaded online at <http://www.law.unc.edu/CareerServices/Documents/InvitationtoRecruit2005.pdf> or you may contact Kala Glenn-Pruitt, recruiting administrator, at (919) 962-0280 or kvglennp@email.unc.edu.

Fees for Fall Recruiting*

Law Firm (1-10) \$75
Law Firm (11-50) ... \$250
Law Firm (51+) \$300
Corporations \$300

* Government agencies and public interest organizations are exempt from all fees. For one room/schedule - additional interview rooms may be reserved upon request for an additional fee of \$100 per room.

Class of 2004 Employment by Category



CALLING ALL ALUMNI! Career Services is planning the 5th Annual Carolina Law Career Night and Alumni participation is needed!

Many first year students do not know in which area of law they want to practice. They may not know what it means to be an entertainment lawyer or a lawyer who does labor or securities work. They may not have thought about working for the government or becoming a solo practitioner.

For the fifth year, the Career Services Office (CSO) is organizing a program at the School of Law to help students better understand their career options. Current plans are to hold an evening session in early November to provide students with an opportunity to talk with attorneys working in various areas of specialty. Attorneys will be seated at a table behind a sign with his or her area or type of practice, and the students will circulate from table to table asking questions. Last year, nearly 40 alumni and more than 150 students participated.

In order to provide as large a range of practice areas and types as possible, CSO needs the participation of alumni who are interested in assisting our students. If you are willing to volunteer an evening of your time, please contact Ellen Hill, deputy director of CSO, at (919) 843-9918 or eshill@email.unc.edu.

Faculty Notes

Tamar Birkhead

Clinical assistant professor of law Tamar R. Birkhead has been appointed to the Advisory Board for the North Carolina Juvenile Defender, a newly established position intended to elevate the quality of juvenile defense practice across the state. Birkhead was also appointed to the board for The North Carolina Center on Actual Innocence.

John Boger

Wade Edwards Professor of Law and Deputy Director of the Center for Civil Rights John Boger was a featured presenter this spring at law schools in Ohio, Louisiana and Minnesota. He presented "The Legal Status of Race-Conscious Student Assignment Plans" as part of "Meeting the Challenge of Grutter: Affirmative Action in Twenty-Five Years," at Moritz College of Law, Ohio State University; "Invisible Fences: How Southern Communities Exclude Their Low-Income (and Minority) Neighbors" at Loyola New Orleans School of Law; and "The Achievements of Desegregation in North Carolina" as part of "With All Deliberate Speed: Brown II and Desegregation's Children" at the University of Minnesota School of Law. In addition, he presented at the Mecklenburg Bar Foundation Leadership Institute on "Recent Legal Developments in CMS Public Schools," and he participated in a debate

on affirmative action in education, presented by the North Carolina Young Lawyer's Division.

Lissa Broome

Director for the Center of Banking and Finance and Wachovia Term Professor of Banking Law Lissa Broome spoke at the School's 2005 Festival of Legal Learning, where she presented "UCC Article 9 - Priorities."

Patricia Bryan

Professor of law Patricia Bryan was a featured speaker at a program at the Chicago Cultural Center sponsored by several organizations, including the Illinois Chapter of the American Association of University Women, and celebrating the 25th anniversary of the movie "A Jury of Her Peers." In April, she appeared at three local bookstores and eight different venues in Iowa, including the State Historical Society of Iowa, to promote her new book, *Midnight Assassin: A Chilling Account of Iowa's Hossack Murder*.

John Calmore

Reef C. Ivey II Research Professor of Law John Calmore recently published "Displacing the Common Sense Intrusion of Whiteness from Within and Without: The Chicano Fight for Justice in East L.A.," in the *California Law Review* and "Chasing the Wind": Pursuing Social Justice, Over-

coming Legal Miseducation, and Engaging in Professional Re-Socialization," in the *Loyola Law Review*. In January, he was the keynote speaker at Loyola Law School's King Day Celebration in Los Angeles where he spoke of "The Sustaining Power of Hope Against the Odds," a quality that Martin Luther King, Jr. personified. Calmore also served as a panelist in February, discussing the topic of "Meeting the Challenges of Integrating Race into the Law School Curriculum," at a conference sponsored by the Center for the Study of Race & Race Relations, University of Florida Levin College of Law. This spring, Calmore worked with the Orange County Board of Commissioners and staff to develop and implement "social justice goals." Presently, at the county government level, it appears that only Santa Barbara, Santa Cruz and Marin counties in California have adopted social justice goals.

Andrew Chin

Associate professor of law Andrew Chin recently published "Antitrust Analysis in Software Product Markets" in *Harvard Journal of Law and Technology Decoding Microsoft* in *Wake Forest Law Review*. He presented "Decoding Microsoft at the DePaul Center for Intellectual Property Law and Information Technology in April and "Research in the Shadow of DNA Patents"

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at a Wake Forest Law School faculty workshop in March. Chin was also a panelist on “The Future of P2P: Effects on Efficiency and Competition” at a program sponsored by the Federal Trade Commission last December.

John Conley

William Rand Kenan Professor of Law John Conley joined Henry Brandis Professor of Law Ken Broun in presenting “Scientific Evidence in North Carolina after Howerton” at the School of Law’s 2005 Festival of Legal Learning and “Forensic DNA Analysis” at a conference sponsored by the *North Carolina Journal of Law and Technology*. He recently spoke on software patents at the “Hot Topics in Intellectual Property Law” conference at Duke Law School and is the keynote speaker at the upcoming 50th Anniversary International Linguistic Association conference in New York City. This past December, Conley participated in filing an amicus curiae brief in the U.S. Court of Appeals for the Federal Circuit on the subject of the patentability of gene fragments called expressed sequence tags.

Adrienne Davis

Reef C. Ivey II Professor of Law Adrienne Davis presented comments, “Three Snapshots of Engagement, or, the Scholar Modified,” at the plenary session of the AALS annual meeting in January. She was recently at the University of Virginia Law School where she presented “Through the Tort Lens Darkly: Slavery, Unjust Enrichment, and Corrective Justice” at a social justice conference and “Miscegenation & Morality: The Contemporary Politics and Racial Meanings of Marriage” to a class on critical legal thought. In March, Davis delivered a distinguished lecture on behalf of the Organization of American Historians at the Northern Kentucky University; presented “Manumission, Miscegenation & Marriage: The Sexual Economy of American Slavery” as a part of a faculty workshop at Duke Law School; and participated in a discussion panel on “Feminist Approaches to Labor History” for the Triangle Working Group in Feminist History.

Charles Daye

Henry Brandis Professor of Law Charles Daye’s article “Intersections, Roadblocks, and Dead Ends – Sketching A Housing Social Efficiency Analysis” will soon appear in American Planning Association’s *Planning Reform in the New Century*. Daye has also written “In Memoriam – Marilyn V. Yarbrough: ‘She Was a Great Woman,’” which was published in the *North Carolina Law Review*, and “Q & A on the Collateral Source Rule in North Carolina,” which appeared in *Trial Briefs*, a publication of the North Carolina Academy of Trial Lawyers. His essay, “Promise and Paradox,” will be included in *Voices from the Brown Generation*, a publication edited by Mildred Robinson and Richard Bonnie.

Adam Feibelman

Associate professor of law Adam Feibelman’s article, “Defining the Social Insurance Function of Consumer Bankruptcy,” appeared in the *American Bankruptcy Institute Law Review* this spring.

Elizabeth Gibson

In February, Burton Craige Professor of Law Elizabeth Gibson presented “What Remains of State Sovereign Immunity In Bankruptcy Cases After Hood?” at the School’s 2005 Festival of Legal Learning. She spoke in Atlanta at the 31st Annual Southeastern Bankruptcy Law Institute on “Sovereign Immunity” and “Bankruptcy Court Jurisdiction” and also moderated a panel at the spring meeting of the American Bankruptcy Institute in Washington, D.C., on “Proof of Claim Documentation.”

Thomas Hazen

The fifth edition of Cary C. Boshamer Professor of Law Thomas Hazen’s *Treatise on the Law of Securities Regulation* was published by Thomson-West in December 2004. This latest edition expanded to six volumes as compared to the four volumes of the fourth edition. Hazen participated in the School’s 2005 Festival of Learning, speaking on “Developments in Broker-Dealer and Mutual Fund Sales Practices.” He also served as a panelist at the 2005 North Carolina Bar Association Business Law Section Annual Meeting in February, where he spoke on “The North Carolina Business Corporation Act: A Retrospective.”

Donald Hornstein

In February, the Carolina Academic Press published Aubrey L. Brooks Professor of Law Donald Hornstein’s chapter on “Rescuing Science From Politics” in *A New Progressive Agenda for Public Health and the Environment*, a book by the Center for Progressive Regulation. Another book chapter by Hornstein, “The Data Wars Versus Institutions for Science-Policy Collaboration,” will be published by the Cambridge University Press later this year. His article, “Complexity Theory, Adaptation, and Administrative Law” will be published by the *Duke Law Journal* this summer. In April, Hornstein presented a lecture at the Duke Center for Environmental Solutions on “Lessons From Evolutionary Game Theory for Collaboration-Oriented Regulation.” This summer Hornstein is planning to pass the 1000-mile mark in his hike on the Appalachian Trail with his teenage son, Eli (Hornstein hiked the entire AT in 1975 but says it doesn’t count “because he was young.”)

Melissa Jacoby

Associate professor of law Melissa Jacoby has been named secretary of the National Bankruptcy Conference and secretary/treasurer of the section on financial institutions and consumer financial services of the Association of American Law Schools. *The Houston Law Review* recently published her article “Negotiating Bankruptcy Legislation through the News Media,” and *The American Heart Hospital Journal* published her piece “Not-for-Profit Hospital Billing and Collection: Resisting Quick Legal

Fixes” in an article symposium. She continues to research medical-related financial trouble, and her manuscript “Beyond Hospital Misbehavior; An Expanded Account of the Financial Consequences of Illness and Injury” (coauthored with Elizabeth Warren of Harvard Law School) has been accepted for publication by *Northwestern Law Review*. She also has just completed a book review about corporate reorganization for a symposium in the *American Bankruptcy Institute Law Review*. Jacoby recently spoke at the School of Law’s 2005 Festival of Legal Learning as well as at the University of Texas/Harvard Law School Conference on Commercial Law Realities.

Thomas Kelly

Clinical professor of law and Co-Director of Externship Program Thomas Kelley’s article, “Rediscovering Vulgar Charity: A Historical Analysis of America’s Tangled Nonprofit Law,” will appear in the May 2005 issue of the *Fordham Law Review*.

Joseph Kennedy

Associate professor of law Joseph Kennedy has been selected to serve as faculty editor for and contributor to *Georgetown Law Journal*’s symposium issue on recent developments in criminal justice on the Supreme Court.

Anne Klinefelter

Associate Director and clinical assistant professor of law Anne Klinefelter was recently elected vice president/president elect of the southeastern chapter of the American Association of Law Libraries (SEAALL). Her term as vice president runs from April 2005 to April 2006, with her term as president running from April 2006 to April 2007.

Kimberly D. Krawiec

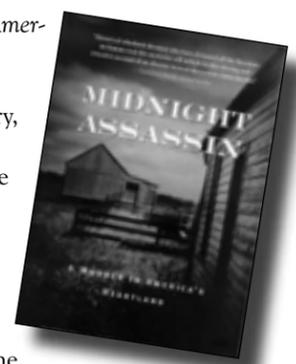
Professor of law Kimberly D. Krawiec spent the spring semester at the University of Virginia where she was a visiting professor. She has a number of law review articles that will be published this year: “Common Law Disclosure Duties and the Sin of Omission: Testing the Meta-Theories,” with Kathryn Zeiler will appear in the *Virginia*

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Turn of the Century Murder the Subject of Law Professor’s New Book

Patricia Bryan publishes *Midnight Assassin: A Murder in America’s Heartland*

Professor Patricia Bryan’s long awaited book, *Midnight Assassin: A Murder in America’s Heartland*, has arrived at local bookstores. The book, written with Bryan’s husband Thomas Wolf and published by Algonquin Books, is a nonfiction account of the murder that inspired Susan Glaspell to write her classic short story, “A Jury of Her Peers” in 1917. Many of Bryan’s former students will recognize the subject matter, because she has discussed the story in her law and literature seminars for the past 15 years.



Midnight Assassin tells the story of the murder of John Hossack, a prosperous Iowa farmer, in December 1900. He was murdered in his bed – killed by two blows by an ax to his head. Four days later, the victim’s wife of 33 years, Margaret Hossack, was arrested at her husband’s funeral and charged with the crime.

The accused woman, who was supported by all nine of her children, claimed to be innocent, but she was tried for first-degree murder in one of the most sensational legal dramas of the time. The prosecutors relied on testimony that the defendant had been abused and threatened by her husband to prove that she had a motive to kill him, and they asked that she be sentenced to death.

The book covers the murder, investigation, the Hossack family, and the lawyers who argued the case in the courtroom. According to a starred review in *Publishers Weekly*, Bryan and Wolf “vividly portray the era’s attitudes toward women (indicated by a tolerance of domestic abuse) while crafting a tale that reads like a good novel...”

For more information about the book and the Hossack case, including transcriptions of Susan Glaspell’s newspaper articles and pictures of the places and people involved, visit the Web site at www.midnightassassin.com.

Faculty Notes

Law Review; "Organizational Form as Status and Signal," in *Wake Forest Law Review*; "Incomplete Contracts in a Complete Contract World," with Scott Baker in the *Florida State Law Review*; "The Economics of Limited Liability: An Empirical Study of New York Law Firms," with Scott Baker in the *University of Illinois Law Review*; and "Organizational Misconduct: Beyond the Principal-Agent Model," in the *Florida State Law Review*. This spring she presented "The Future of Closely Held Business Entities" at Wake Forest University School of Law and "Default Rules in Public and Private Law" at Florida State University School of Law.

Arnold Loewy

Graham Kenan Professor of Law Arnold Loewy has three law review articles scheduled for publication in the coming months: "Statutory Rape in a Post *Lawrence v. Texas* World" in *SMU Law Review*; "Obscenity: An Outdated Concept for the Twenty-first Century" in *Nexus Law Review* and "The Cowboy and the Cop: The Saga of Dudley Hiibel, 9/11, and the Vanishing Fourth Amendment," in the *Pennsylvania State Law Review*. Loewy's editorial, "State law had to govern the Schiavo case," appeared in the *Raleigh News and Observer* in March.

William Marshall

Professor of law William Marshall recently published "False Campaign Speech and the First Amendment" in the *University of Pennsylvania Law Review*; "Be Careful What You Wish For: The Problems with Using Empirical Rankings To Select Supreme Court Justices" in the *University of Southern California Law Review* and "The Limits on Congress's Power to Investigate the President" in the *Illinois Law Review*.

Hiroshi Motomura

In April, Kenan Distinguished Professor of Law Hiroshi Motomura spoke on "Biometrics, Privacy, and National Security," at the *North Carolina Central Law Journal* Symposium on Immigration and National Security, and he presented "Immigration Law Through the Lens of Habeas Corpus" at "The Great Writ: Developments in the Law of Habeas Corpus," a symposium held at the Cornell Law School. An article with the same title is forthcoming in *Cornell Law Review*. In March, Motomura participated in a Federal Judicial Center Seminar (for Federal Judges) on Law and National Security in the War on Terrorism, at Duke University School of Law, where he discussed "Immigration and National Security." Earlier this spring he served as moderator for a panel on "U.S.-Mexican Human Rights and Immigration Relations" at the *North Carolina*

Journal of International Law and Commercial Regulation symposium, "U.S.-Mexico Relations: Bridging Borders or Burning Bridges?". He participated in the School of Law's 2005 Festival of Legal Learning, teaching a course on "Americans-in-Waiting: The Lost Story of Immigration and Citizenship in the United States." Last December Motomura delivered a talk on "U.S. Immigration Policies and the Effects of Immigration on U.S. Policy and Society" at the German Institute for International and Security Affairs, Stiftung Wissenschaft und Politik, in Berlin.

John Orth

William Rand Kenan Jr. Professor of Law John Orth contributed chapters 31-33 on Joint Tenancies, Tenancies in Common, and Tenancies by the Entirety in *Thompson on Real Property*. He also published "The Secret Sources of Judicial Power" in *The Loyola Law Review*.

Daniel Pollitt

In January, Kenan Professor of Law Emeritus Dan Pollitt was honored by the University/Community Planning Corporation Board of Directors with the 2005 Martin Luther King Citizenship Award. Pollitt was honored for "a lifetime of strong and determined work against injustice, for an ongoing legacy of standing in behalf of human and civil rights, and for a remarkable history of always choosing to stand on the side of those whose voices others sought to silence."

Gerald Postema

Cary C. Boshamer Professor of Philosophy Gerald Postema has received a number of honors, including the Distinguished Teaching Award for Post-Baccalaureate Instruction from the University of North Carolina at Chapel Hill and three fellowships for 2005-2006 (the John Simon Guggenheim Foundation Fellowship, the National Humanities Center Fellowship and the W.N. Reynolds Fellowship). Postema has also been named the Arthur L. Goodhart Distinguished Visiting Professor of Legal Science at Cambridge University for 2007-08 academic year. Postema served as associate editor for *Treatise of General Jurisprudence and the Philosophy of Law*, the first five (of eleven) volumes of which will be published in May by Springer Verlag. He also served as editor for *Philosophy and the Law of Torts* and associate editor for the Chinese translation. In April, he attended a conference on the legal philosophy of Joel Feinberg at Georgia State University, where he presented "Politics is in the Grievance." Earlier in the month, he spoke at Wake Forest University during the Hester seminar on Hume's Naturalism, presenting "Whence Avidity? Hume's Psychology and the Origins of Justice."

Law Community Mourns Death of Mary Oliver

Mary Oliver '51, former law librarian and professor of law, died April 1 at Carol Woods in Chapel Hill. Described as "a great teacher, librarian and colleague," Oliver joined the UNC School of Law's Law Library as an assistant law librarian in 1952. In 1955 she was appointed law librarian and assistant professor of law, becoming the first female faculty member at the School. Oliver remained at the School of law until her retirement in 1984.

Donations in memory of Mary Oliver may be made to the Mary Oliver Memorial Book Fund. For more information, please contact Brandon Wright, deputy director of Development, at (919) 962-6718 or wrightb@email.unc.edu.

Mark Weisburd

Professor of law Mark Weisburd was the "Distinguished Discussant" at the Annual Grotius Lecture on March 30, co-sponsored by American University and the American Society of International Law. His role was to comment on the lecture itself, which was given by Justice Michael Kirby of the Supreme Court of Australia. Weisburd provided a short comment on *Roper v. Simmons*, the recent Supreme Court decision holding the death penalty unconstitutional when applied to a person as punishment for a crime committed before the offender's eighteenth birthday to the *Virginia Journal of International Law*.

Deborah Weissman

Director of Clinical Programs and associate professor of law Deborah Weissman was the keynote speaker for the Conference in Celebration of the International Day for the Elimination of Violence Against Women and Children. She also spoke on "The Political Economy of Violence: Toward an Understanding of the Gender Murders in Cd. Juarez" at the *North Carolina Journal of International Law and Commercial Regulation* symposium on U.S.-Mexico Relations and at The Intersection of Domestic Violence and Immigration Law, held this past March at Duke Law School. Weissman participated in the UNC-Chapel Hill Women's Week panel on Domestic Violence and was a panelist for the AALS Annual Conference, Poverty and Democracy. In February she taught "Domestic Violence: State, National and International Developments" at the School of Law's 2005 Festival of Legal Learning.

Class Notes

'62

Sylvia Ximines Allen was inducted into the National Bar Association Hall of Fame.

'66

Correction: In the winter 2004 issue of *Carolina Law Alumni News*, we mistakenly listed James Eugene Long '66 in the "In Memoriam" section. He is alive and well, and we deeply regret the error.

'67

David William Long was selected by his peers for inclusion in *The Best Lawyers in America 2005-2006*.

'67

Stuart Alan Saunders joined the staff of the Hampton, Va., Public Defender's office.

'68

Howard Edwards Manning, Jr. was named Tar Heel of the Year for 2004 by the *Raleigh News and Observer*.

'69

John Lewis Shaw was selected by his peers for inclusion in *The Best Lawyers in America 2005-2006*. Robert Ambrose Wicker was appointed by Gov. Mike Easley to the N.C. State Ports Authority.

'70

Steven Alan Hockfield [RIGHT] was selected as a member of *Business North Carolina's* "Legal Elite" in 2005. Hockfield is managing partner at Erdman and Hockfield, LLP in Charlotte, N.C. Kenneth B. Spaulding was named by Gov. Mike Easley to the N.C. Board of Transportation.



'71

Jasper Bryant Allen, Jr. was featured in a *Burlington Times* News series on the county's most influential people.

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'72

Michael David Meeker [RIGHT] was selected as a member of *Business North Carolina's* "Legal Elite" for 2005.



'73

Samuel Allen Cathey retired after 25 years on the bench in Iredell County. **Richard Lynn Gray** was promoted to executive vice president and general counsel at AIG United Guaranty. **Cecil Webster Harrison, Jr.** was selected by her peers for inclusion in *The Best Lawyers in America* 2005-2006. **Edward Fitzgerald Parnell II** was selected by his peers for inclusion in *The Best Lawyers in America* 2005-2006.

'74

Edward Cyrus Winslow III [RIGHT] was selected as a member of *Business North Carolina's* "Legal Elite" for 2005.



'75

Michael Allen Almond retired as president and CEO of the Charlotte Regional Partnership.

'75

Irvin "Hank" W. Hankins III was named to the prestigious *Best Lawyers in America* 2005-2006 in the area of business litigation. **Catherine Canady McLamb** formed the Wake Family Law Group in Raleigh, N.C.

'76

Hubert Glenn Tolson Dunn was selected by his peers for inclusion in *The Best Lawyers in America* 2005-2006.

'77

Lemuel Hardy Gibbons III was selected by his peers for inclusion in *The Best Lawyers in America* 2005-2006. **Gary Stephen Parsons** was voted the top Business Litigation Attorney in North Carolina in a poll conducted by *Business North Carolina* for its January 2005 cover story rating the state's "Legal Elite."

'78

Jonathan Adams Barrett [RIGHT] was named partner-in-charge of Mayer, Brown, Rowe & Maw LLP, in their Charlotte, N.C., office.



'80

Isaacs Noyes Northup, Jr. has become a fellow of the American College of Trial Lawyers. **Stanley Leigh Rodenbough IV** [RIGHT] was selected as a member of *Business North Carolina's* "Legal Elite" for 2005.



'81

Mary Thompson Skinner opened a law office in Oriental, N.C. **Peter William Sheil** was promoted to executive vice president of Movieline, L.L.C.

'82

Martin Luther Holton III was promoted to senior vice president and deputy general counsel for litigation at R.J. Reynolds Tobacco Company. **William Leonard McBlief** was named attorney for Halifax County. **Michael Ferd Schilawski** has formed the Wake Family Law Group in Raleigh, N.C.

'83

Thomas Delano Eatman, Jr. was selected by his peers for inclusion in *The Best Lawyers in America* 2005-2006. **Lisa Jeffrey Gilliland** was named to the new position of vice president and chief operating officer in the international development group at RTI International. **Mark Robert Hastings** recently joined Prudential as a vice president in Newark, N.J. **Ruth Rubin Sperling** was selected as a member of *Business North Carolina's* "Legal Elite" for 2005.

'84

Marc David Bishop [RIGHT] was selected as a member of *Business North Carolina's* "Legal Elite" for 2005. **Robert Michael Di Giovanni** joined IBM as a senior



negotiations executive. He will continue to be based in Los Angeles, Calif.

'85

Ramona Cunningham O'Bryant received the 2004 Women in Business Award at The Business Journal of the Greater Triad Area's fifth annual luncheon in November 2004. **Janice Perrin Paul** opened a law office in Manteo, N.C. She plans to limit her practice to family law matters. **Robin Wicks Robinson** received the Pro Bono Award from the New Hanover County Bar Association.

'86

Laura Goldberg Lape was named a Distinguished Teaching Fellow at Syracuse Law.

'87

Mark Thomas Cain has been named member at Schell Bray Aycock Abel & Livingston, LLP. **Eugene Steven Griggs** [RIGHT] joined Poyner & Spruill, LLP in their Charlotte, N.C., office.



'89

Douglas Earl Berger joined The Law Offices of James Scott Farrin as mediator for worker's compensation cases.

'90

Barbara Ann Jackson was sworn in as the newest member of the N.C. Court of Appeals. She becomes the 61st person to serve on the N.C. Court of Appeals. **Anne L. Johnson** is one of a select group of executives and business leaders statewide who have been chosen to participate in Leadership Maryland. She is special counsel in the business department of the mid-atlantic regional law firm Saul Ewing, LLP.

'93

Maureen Ellen O'Neill has been elected as partner at Paul, Hastings, Janofsky & Walker LLP in their Atlanta, Ga., office.

'96

David Robert Barnard was named member at Lathrop & Gage, L.C.

'97

John Huddleston Beyer was named partner at Parker, Poe, Adams and Bernstein in their Charlotte, N.C., office. **Drupti P. Chauhan** was selected by the World Affairs Council as a 2005 American Marshall Memorial Fellow from North Carolina. **Thomas R. Johnson** [RIGHT] was voted partner at Perking Coie in Portland, Ore. He focuses his practice on business and commercial litigation. **Alan Kronovet** was recently promoted to managing director with Wachovia. **Suzanne Richards Ladd** formed the Wake Family Law Group in Raleigh, N.C. **Scott David Syfert** was named member at Moore & Van Allen in their Charlotte, N.C., office.



'98

Jennifer Michelle Bradley joined the newly formed Wake Family Law Group as a senior associate. **Denise Arlene Lockett** joined the Boone, N.C., Office of Legal Aid as managing attorney. **Paul Matthew Sykes** [RIGHT] joined the law firm of Bradley



Arant Rose & White, LLP in Birmingham, Ala. Mr. Sykes represents businesses and individuals in a wide variety of intellectual property and technology-related legal matters. **Andrew Reeves Ussery** [LEFT] was elected as a member of McAngus Goudelock & Courie P.L.L.C in Charlotte, N.C.

'99

James Calvin Cunningham III has been called to active duty in the U.S. Army Reserve in connection with Operation Iraqi Freedom. **Deborah Evans Sperati** was elected to serve on the board of directors for the Rocky Mount Chamber of Commerce through 2007. She practices with Poyner & Spruill, LLP.

'00

Deepa A. Damre joined Barclays Global Investors, N.A. as principal/counsel in their headquarters in San Francisco,

Calif. **Patricia Wilson Ferguson** opened Ferguson & Hyatt in Fayetteville, N.C. **Karen Jacobs** joined Hoffmann-La Roche in the patent department and licensing group. **Pamela Newell Williams** [RIGHT] joined the legal team at Brent Adams and Associates in their Raleigh, N.C. office.



'01

Matthew A. Fisher joined the law firm of Bode, Call & Stroupe, L.L.P in Raleigh, N.C. **Frank Walter Leak, Jr.** joined Young, Morphis, Bach & Taylor in Hickory, N.C. He focuses on intellectual property litigation. **David Lybrook Neal** was elected to the board of trustees of the Z. Smith Reynolds Foundation for a three-year term. **William Augustus Oden III** joined Ward and Smith in New Bern, N.C.

'02

Andrea Winters [RIGHT] joined The Connor Law Firm, P.L.L.C. in July 2004. She concentrates her practice in family law, real estate, and employment law.



'03

Ross McCoy Bradford was appointed assistant general counsel at the National Trust for Historic Preservation in Washington, D.C. **Richard Alexander Diener** opened his own practice in the Greene County town of Snow Hill, N.C. **Rebecca Suits Hartsough** has been appointed as magistrate court judge in Cobb County, Ga. **Yolanda Wilene Lawrence** is the new assistant district attorney in North Carolina's First Prosecutorial District. She will cover the seven counties in the state's northeast corner. **John James Pavey, Jr.** has formed a partnership with Michele Donele Smith entitled, Pavey & Smith. The firm will specialize in real property, personal injury, wills, estates and corporations. **Damon Christian Wlodarczyk** completed his two year position as staff attorney for the Supreme Court of South Carolina. He will join McDonald, McKenzie, Rubin, Miller, and Lybrand, L.L.P in Columbia, S.C., as a litigation associate.

'04

Tawanda Natasha Foster is an assistant district attorney for Johnston, Harnett and Lee counties. **Crishon Danyelle Jordan** accepted a position with the Charles Hall Law Firm and will focus on real estate and criminal law. **Moses Kim** joined Faison & Gillespie. He will focus his practice on plaintiff's medical malpractice litigation. **Eurie Hayes Smith IV** joined the law firm of King & Ballow in Nashville, Tenn. **Tanya Lynette Williams** joined Ulmer & Berne, LLP in their litigation department.

In Memoriam

'37

Henry Wilkins Lewis

'41

William McWhorter Cochrane

'48

James Ruffin Bailey
Lemuel Hardy Gibbons

'50

Marshall Turner Spears, Jr.

'62

Alvis Augustus Lee

'69

Gerald Edwin Shaw

'93

Gregory John Ramage

'94

Nancy Williams Warren Gregory

'95

Daniel Paul Bishop

'00

Clyde "Trey" Alexander Cheek III



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Q&A With Michael States continued from page 6

and one-fifth of the class is 28 years or older. Women make up 45 percent of the class, while minorities make up 24 percent. Are you pleased with the diversity reflected in the incoming class? And did you notice any interesting trends this year?

A: When I look at a class, I try to put together a group whose backgrounds and experiences are so varied that when they get together in a classroom, they will think differently about the questions their professors ask, and I hope they share those experiences. There is a real commitment here to having diverse people converge on this place to share their life experiences, and I plan to maintain that tradition. Although I haven't noticed anything I would call a "trend," I have seen more active duty military personnel who have served in Afghanistan or Iraq wanting to come to law school. That's obviously some unique life experience I would love to have in our classrooms next fall.

Q: Any other trends? For example, in students' motivations for attending law school?

A: I don't think there are any new trends in student motivations – students seem interested in law school for the same reasons they've always wanted to go to law school. Many students express interest in helping people who can't help themselves, and Carolina has always attracted that kind of student. We also have students expressing interest in international, intellectual

property, banking, civil rights, immigration and public interest law. Being a school of this reputation, we're going to attract students who want to do everything. That's the great thing about Carolina and its curriculum – we can prepare students to do whatever they are interested in doing. Our alumni work throughout the world practicing every specialty of law possible. That's one of the strengths of Carolina Law.

Q: How do you spend your time when you aren't at the School of Law?

A: (Laughing) There is no time when I'm not at the law school. Devora Murchison, who worked here for 14 years and whom I'm sure many of our alumni remember, retired in December, so I am in the process of hiring another person to work in our office. We're a little shorthanded in the meantime, and I don't have a lot of spare time these days. But I'm looking forward to getting out and playing golf. And I haven't seen any basketball games yet. I am a University of Kansas alum, and I am as nutty about basketball as anyone out there.

Q: That being the case, our coach must look a little familiar to you.

A: I'm a big fan of Coach Williams. I may be one of the few Kansas fans who wasn't disappointed when he left the school. And now that I am here, I can completely understand why he decided to come home; it was a no-brainer. You only need to spend a week here in Chapel Hill to figure it out. 🍷

~ Karen Stinneford



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your
reunion
at Law
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honor the
classes of:

**55 60
65 70
75 80
85 90
95 00**