

THE MAGAZINE OF NORTHWESTERN PRITZKER SCHOOL OF LAW

# NORTHWESTERN LAW REPORTER

VOLUME VIII  
NUMBER 2  
FALL 2019

REMEMBERING  
Justice John Paul  
Stevens (JD '47)  
1920-2019

Northwestern  
PRITZKER SCHOOL OF LAW

# Northwestern

PRITZKER SCHOOL OF LAW

NORTHWESTERN LAW REPORTER  
Fall 2019, Volume VIII, Number 2

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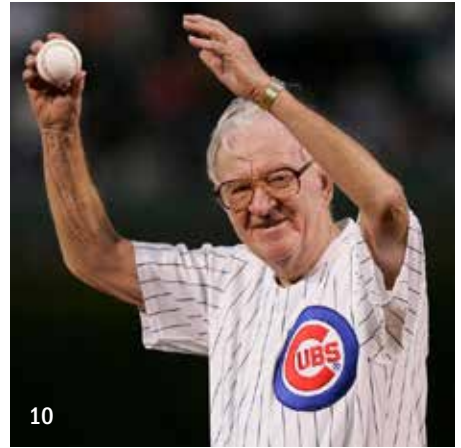
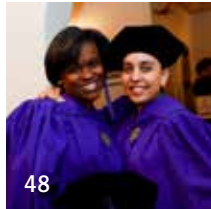


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# NORTHWESTERN LAW REPORTER

VOLUME VIII  
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## NOTEWORTHY

### Q&A with Dean Yuracko: “We Are Graduating Extraordinary Classes of Diverse Individuals, and We Have an Obligation to Our Students”



As the new academic year begins, Kimberly Yuracko, Dean and Judd and Mary Morris Leighton Professor of Law, sits down with the *Reporter* to shed light on some of her strategic priorities.

**One of the first things you did as dean was bring on an associate dean of inclusion and engagement, Shannon Bartlett. Can you speak to some of the progress that has been made in the areas of diversity and inclusion, as well as the ongoing priorities for D&I?**

The Law School has been a leader in diversity in legal education throughout its history. Nevertheless, we recognize that we must continue to expand the ranks of women and minorities among our students, our faculty, and our staff, and to leverage that diversity to create a fully inclusive and engaged community. Our new associate dean of inclusion and engagement has worked over the past year to build programming and initiatives designed to foster inclusion and engagement among students, staff, and faculty. As we go into the new academic year, I also have convened a diversity and inclusion working group that will spend the year proposing recommendations for how we can improve the Law School’s culture to ensure we are an inclusive community for everyone. I am excited about these initiatives, and I look forward to continuing to set the bar for diversity and inclusion in the legal education space.

**While this year’s incoming 1L class has 49 percent women, only 24 percent of all law firm partners are women, according to the 2018 Law360 Glass Ceiling Report. What do you see as the Law School’s responsibility to improve the diversity of the overall profession?**

I think the Law School has an obligation to work with the profession to become more fair, inclusive, and meritocratic. We are graduating extraordinary classes of diverse individuals, and I think we have an obligation to our students to do our best to ensure that the profession they are entering is one that will recognize and reward their contributions fairly. Plus, we have a larger commitment to our profession. Legal services, access to justice — all of these things will be improved if we have a more diverse profession in every respect.

**You’ve been passionate about the Law School’s dedication to alumni throughout their careers, including offering continuous career advising and providing networking and educational opportunities throughout the year. Can you tell us about some developments in this area?**

During the past year, we launched a pilot on-ramp program for alumni who had left the legal profession but were seeking to return (see page 9), and this fall we will formally launch the program for a larger audience. We have also begun a series of peer forums for alumni who are at similar stages of their careers (see page 50), and our full-time alumni career advisor meets regularly with alumni, provides individual counseling services, and holds webinars and sessions providing career development advice. Also, in June 2019, we held our first “Global Engagement Weekend” in Paris, where more than 100 members of our community gathered for several faculty and practitioner panels as well as social activities (see page 51).

**With the many new initiatives you have brought to the Law School, what is one you are most proud of?**

The establishment of the Student Assistance and Relief (STAR) Fund, which combats the disproportionate financial burden that low-income students and students pursuing public interest careers suffer. It ensures that all of our students can participate fully in our academic community. The STAR Fund provides direct student assistance for emergency needs, as well as costs associated with job preparedness, such as interview travel costs, interview clothing costs, bar course materials, and cost of living expenses while studying for the bar. ■

## Northwestern Law Announces New Scholarship Recognizing African American History and Culture

In February, Northwestern Pritzker School of Law announced a first-of-its-kind scholarship which will be awarded annually to outstanding students who demonstrate interest in, or commitment to, African American history and culture.

The Law School received commitments totaling \$400,000 from a group of African American alumni to launch the historic initiative, which will be known as the African American History and Culture Endowed Scholarship. “The African American History and Culture Endowed Scholarship will enhance the Law School’s efforts to recruit to diversify our student body and foster an inclusive and socially engaged academic community,” Dean Kimberly Yuracko said in a letter to the Law School community.

On February 28, the final day of Black History Month, Northwestern Law students, alumni, faculty, and staff gathered in the Atrium to celebrate the new scholarship, which was generously funded by Jared Bartie (JD ’93), Sharon Bowen (JD ’82), Toni Bush (JD ’81), Rita Fry (JD ’79), Gail Hasbrouck (JD ’76), John Palmer (JD ’09), Wesley Morrisette (JD ’14), David Rone (JD ’87), and



From left to right: Andrew M. Stroth (JD ’99), Wesley Morrisette (JD ’14), Jared Bartie (JD ’93), Dean Kim Yuracko, Rita Fry (JD ’79), and David Rone (JD ’87) at a February celebration announcing the scholarship.

Andrew M. Stroth (JD ’99). Each of the founding members of the scholarship were active members of the Black Law Students Association (BLSA) during their time on campus.

“There is a recognition of the importance of diversity in the legal community, and we have to break down as many barriers as possible to getting a good education and being ready for opportunities in the legal community,” Hasbrouck says.

Nnenna Onyema, the 2018-2019 BLSA president, says the scholarship speaks to the power of community. “The BLSA community is blown away by the generosity of our African American alumni community,” she says. “We know from experience that for African American students, the financial burden of law school is, at best, a very present source of stress for current students, and at worst, a barrier to entry for the faces we will not ever meet.” ■

## Spring Lectures Discuss Civil Rights, Reproductive Justice



Last spring, Northwestern Law hosted two of its public lecture series: the Pope & John Lecture on Professionalism on March 18, featuring Chief Judge Ruben Castillo (JD ’79), United States District Court for the Northern District of Illinois, and



the Julius Rosenthal Foundation Lecture Series from April 8-10, given by Reva Siegel, Nicholas deB. Katzenbach Professor of Law at Yale Law School.

Chief Judge Castillo’s lecture, “Reflections

on a Four-Decade Legal Career,” was an in-depth discussion of civil rights and diversity, the impact of technology on civility in the law, judicial leadership, and legal training.

Chief Judge Castillo, the first Hispanic Chief Judge of the Northern District of Illinois, didn’t hesitate to point out how far the judiciary still needs to come in terms of diversity.

“I can tell you that right now, in 2019, there are no African American males on my court; no African American males on my court in Chicago. That’s a sad state of affairs.”

He also discussed his efforts to expand the Northern District’s re-entry courts, which help former federal offenders reestablish themselves in the community.

“I believe in compassion, re-entry points, and that we can do better as a society.”

In April, Professor Siegel delivered a series of three lectures titled “Reproductive Justice in the Age of Trump,” which sought

to look beyond *Roe v. Wade* and investigate the other legal issues at play in reproductive decision-making.

“I’d like to take our troubled, tribal America and have a meaningful conversation about what it means to protect life,” she said.

The three lectures were “The Constitution Without Kennedy,” which looked at the ways in which the new makeup of the Supreme Court might decide differently on major constitutional issues; “Equal Protection Puzzles about Pregnancy,” which examined the potential loss of abortion rights in conjunction with regulations on maternity care and legal protections for pregnant women and mothers; and “Prochoicelife — Liberty, Equality, Abortion and Beyond,” which discussed how different states are handling these issues and how a different framework might protect women’s reproductive choices including, but also well beyond, abortion. ■

## DPELC Distinguished Entrepreneur Award Winner Shares Lessons Learned

Myra Pasek (JD '90) opened her keynote address at the 2019 Donald Pritzker Entrepreneurship Law Center (DPELC) Annual Conference by explaining that she doesn't take her career too seriously. "I've always known that both work and school can be really fun," she said. But those sitting in the audience of Lincoln Hall were ready to take her advice quite seriously. Pasek, the 2019 Distinguished Entrepreneur Award recipient, has had a career that many young lawyers dream of — after years at big law firms, she made the switch into the world of tech startups, working at high-profile companies like Tesla and Impossible Foods. Today, she is general counsel at Ouster, a San Francisco company bringing 3D sensors to the masses.

While working at startups can seem exciting to young lawyers, Pasek emphasized the importance of her early training. "Going to a big firm is a way to hone skills and get experience you need in a really short time," she said. "That's important for young lawyers to realize. It might be fun to go to a startup right away, but you need that training." It wasn't until she'd spent more than 15 years in law



firms that Pasek realized she wanted to transition to a startup. And not just any startup, but specifically Tesla, which she first learned about on a 2007 *Vanity Fair* cover that mentioned "souped-up electric sports cars."

"I was absolutely enamored with this company," she said. "When I saw the article, I was like, 'this is green and glamorous. How much better does it get?'" Taking on the role of associate general counsel at Tesla — one she got after eagerly pursuing the company — was a crash course in startup lawyering. "I learned very quickly that as good of a lawyer as I was trained to be, I had to not be as rigid about eliminating risks as I would have been if I were an outside lawyer," Pasek said. "My job was to get stuff out of the way and figure out

what risks I had to worry about. I had to figure out *what* would happen if the worst happened, and *when* that worst would happen."

One of the key tasks for lawyers at many startups — especially the ones Pasek has worked at — is to simply clear the way so that visionaries can focus on their visions. Oftentimes, that meant helping her CEOs, who were scientists and engineers, to navigate the sometimes gray areas of law. "The law is a human-made endeavor," she said. "It's permeated by humans and their failings. It's about persuasion. It's about bias. It's not necessarily about facts. It was my

**"I feel sorry for people who, on their deathbed, feel like their life's work was so meaningless that they wish they'd spent less time doing it. On my deathbed, the question I want to be asking isn't 'Did I work too much?' but 'Did I work on the right things?'"**

—MYRA PASEK (JD '90)

job to help [Elon Musk] navigate through the mysteries of illogical and unpredictable human behavior."

After nearly six years at Tesla, Pasek moved to Impossible Foods, which develops plant-based substitutes for meat and dairy products, and later to Ouster, which makes lidar sensors that, as Pasek put it, "see the environment like the human eye — except anything the eye can do, lidar can do better."

Though seemingly glamorous, Pasek made clear that working at a tech company is also extremely complicated. "It's my job to make sure our technology does not get stolen, that I don't miss anything, that there isn't some clause in our contract that by mistake gives away our IP. And the frustration is, if I do my job well, it looks like I'm not doing anything. It can look easy, like there were no problems for me to avoid in the first place," she said. "One of the big differences between what I do now and working in a law firm is that everything is my problem."

So why does she do it? "I hear a saying a lot that bothers me," Pasek said. "That saying is: 'Nobody on their deathbed wishes they had spent more time working.' I feel sorry for people who, on their deathbed, feel like their life's work was so meaningless that they wish they'd spent less time doing it. On my deathbed, the question I want to be asking isn't 'Did I work too much?' but 'Did I work on the right things?'" ■

## In His Own Words: Jerry Reinsdorf

Jerry Reinsdorf (JD '60), chairman of the Chicago White Sox and Chicago Bulls, sat down with Vice Dean Jim Speta for an episode of *Planet Lex: The Northwestern Pritzker School of Law Podcast* to discuss his storied career, including his transition from lawyer to franchise owner and his advice for recent graduates.

**On being in the stands the first time Jackie Robinson wore a Dodgers uniform:**

“The stands were not filled. I was 11 years old. I hadn’t the slightest idea what the social significance was. The only thing my friends and I wanted to know was could Jackie play baseball. ... Nobody really thought about color. You have to remember in Brooklyn it was really a melting pot, we had black friends and Jewish friends and Italian friends and Catholic friends. Nobody thought about those things. We just wanted to know, could Jackie play? And he could.”

**On the benefits of having a legal background in business:**

“A legal background, if you don’t let it overcome you or subsume you, is very helpful. ... As a lawyer you get exposed to many different types of businesses and many different clients, you get to see what clients did right and clients did wrong and you don’t have to make the same mistakes that they made when you get into business. With a legal background, you are able to identify good lawyers and bad lawyers. But you’ve got to overcome your legal training in one respect: At least when I went to [law] school, we were taught to find the problems. In business you’ve got to not only find the problems, you’ve got to solve the problems.”

**On the obligation to give back:**

“Sports teams take so much from the city and from its people, there is an obligation to give back. ... And it’s easy, because we can do things that ordinary businesses can’t do. We could all give money, but [sports teams] can leverage ourselves. Nobody else can bring players to a hospital to visit sick kids, and you would be amazed at the effect that has on sick kids and their parents.”



**On his advice for graduates:**

“Whatever your job is, be the best you can at that job. Don’t be thinking about your second job. Whatever position you’re in, be the best you possibly can. If you do a good job, people will find out. You don’t have to tell anybody. Always keep your word. Be extremely decent to people. And maybe the most important thing is, if there’s somebody you really don’t like, don’t let him or her know about it. Pretend you like everybody. Because you never know when somebody is going to be in a position to help you or hurt you, so there’s no reason for anybody to think you don’t like them.” ■



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# 19

**Countries represented at the Law School’s first-ever Global Engagement Weekend, held in Paris in June.**

# ON RECORD

## THE *Northwestern Law faculty in the news*

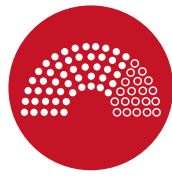
“Is it permissible for justices to provide anonymous leaks to the press about their private conferences? May they criticize political candidates, speak at meetings of partisan legal organizations, or raise funds for charities? May they vacation with litigants in the middle of a pending case or comment on legal issues or proceedings in lower courts? May clerks and court staff be assigned to work on the justices’ private books and memoirs? These are not hypotheticals. At least one justice has engaged in each of these activities in past years, and there is no definitive code of conduct that prohibits them.”

—Steven Lubet, “Why Won’t John Roberts Accept an Ethics Code for Supreme Court Justices?” *Slate*, 1/16/19



“If you’re a consumer trying to figure out ‘how much privacy am I giving up to get this cute picture of me aged?’ you can’t. I couldn’t figure out exactly what I was being asked to give up.”

—Matthew Kugler in “Russian-made FaceApp, which can add years to your selfie, under fire for privacy risks,” *Chicago Tribune*, 7/18/19



“The Constitution should be amended to prohibit suspending, terminating or withdrawing from treaties that have been ratified by the Senate without first obtaining a two-thirds vote of the Senate approving the president’s request. President Trump has abandoned or threatened to abandon so many critical treaty relationships that this check on his power, and that of his successors, has become imperative for national security.”

—David Scheffer, “A Retreat from NATO?” *New York Times*, 2/1/19





“Under the unanimously decided *Whren v. United States*, even if every

car is driving over the speed limit, police can exercise their discretion as to whom to pull over, even if they choose on the basis of race, gender or any other what we would consider improper criteria. And this is true even though the court knows full well that it is practically impossible to follow every regulation concerning automobiles. ... The court is being asked to decide whether probable cause for a minor offense — be it driving 1 mile over the speed limit or failing to signal — not only allows the police to racially profile them, as *Whren v. U.S.* allows, but also to make a retaliatory arrest after a perceived slight or because of animus the officer may harbor.”

—**Tonja Jacobi**, “Standards for police are low enough. Supreme Court must stand against police retaliation,” *USA Today*, 3/29/19



“There’s a definite lag between what’s happening culturally and what’s happening

in criminal law. I haven’t seen the #MeToo movement usher in a wave of criminal law reform. Maybe that’s to come, but I haven’t seen it.”

—**Deborah Tuerkheimer** in “In defining consent, there’s a gap between the law, culture,” *Associated Press*, 5/20/19



“If coercive interrogations are outrageous enough to mesmerize — and horrify — millions of viewers, then they should be

at the forefront of criminal justice reform agendas. ... If reforms are adopted in the interrogation room, we might take real steps toward making the true crime obsession with false confessions obsolete — by reducing the prevalence of these terrible miscarriages of justice in the first place.”

—**Laura Nirider and Steven Drizin**, “False confessions drive the true crime TV craze, but it’s time to end the spectacle,” *Chicago Tribune*, 8/9/19

—**Stephanie Kollmann**, “Quit blaming Chicago’s gun violence on ‘lenient’ laws and judges,” *Chicago Sun-Times*, 7/22/19

**“The Chicago Police Department should stop characterizing weighty courtroom concerns like legal innocence, due process, the presumption of pretrial release, illegal search and seizure, public safety risks and proportionality as lenience. For one thing, Cook County is already responsible for 58% of people committed to state prison for weapons possession (32% higher than its share of people committed for other offenses). For another, CPD has not made an arrest in 93% of Chicago’s shootings and murders in the first half of 2019; nothing courts do is more ‘lenient’ than that.”**

## Five Members of the Class of 2019 Secure Public Interest Fellowships

Five members of the Class of 2019 will launch their careers in public interest through both national and Northwestern Law post-graduate fellowships this fall.

The national fellowships, secured through the Skadden Foundation, Equal Justice Works, and the Equal Justice Initiative, were won by Hillary Chutter-Ames, Nina Terebessy, and Natalie Unger, respectively.

“Northwestern Law is a leader in preparing students for public interest careers, and our Class of 2019 national fellowship winners are evidence of that. We are so proud of them,” says Cindy Wilson, director of the Public Interest Center and a clinical professor of law.



### HILLARY CHUTTER-AMES, SKADDEN FELLOWSHIP

Hillary Chutter-Ames (JD '19) was one of 27 recipients of a 2019 Skadden Fellowship, one of the most prestigious and competitive public interest fellowships in the country. Chutter-Ames will work at Business and Professional People for the Public Interest,

where she will provide direct legal services to a coalition of community-based organizations working to decrease police violence, reduce constitutional violations, improve police accountability, and make neighborhoods safer. At Northwestern Law, Chutter-Ames served as president of the Public Interest Law Group and editor-in-chief of the *Northwestern University Law Review*.

against students, as uncovered by a 2018 *Chicago Tribune* investigation. This will include direct representation of students in Title IX and related issues; providing trainings and resources to students, families, and community stakeholders; and monitoring CPS and other Cook County school districts as they revise their policies and procedures with regard to on-campus sexual assault. Terebessy previously interned at LAF as well as the Chicago Coalition for the Homeless and was an associate editor of the *Northwestern University Law Review*.



### NATALIE UNGER, EQUAL JUSTICE INITIATIVE FELLOWSHIP

Natalie Unger (JD '19) was selected for the two-year Equal Justice Initiative (EJI) Fellowship. Founded by Bryan Stevenson, EJI is a non-profit law office and human rights organization based in Montgomery, Alabama that provides legal assistance to condemned prisoners, children in the criminal justice system, people wrongly convicted or sentenced, and the poor and vulnerable facing imprisonment.

Unger previously worked as a Gideon's Promise Summer Law Clerk with Nashville Defenders. She also served as articles editor of the *Journal of Criminal Law and Criminology*.



### NINA TEREBESSY, EQUAL JUSTICE WORKS FELLOWSHIP

Nina Terebessy (JD '19) received a 2019 Equal Justice Works Fellowship sponsored by AbbVie Inc. and Kirkland & Ellis LLP. She will be hosted by LAF, where she will work on a project aimed at responding to Chicago Public Schools' system-wide failure to identify and appropriately respond to sexual misconduct and violence

### Northwestern Law Post-Graduate Fellows

Northwestern Law Post-Graduate Fellowships were created to help address the mismatch between demand for services and supply of

talent. Each Post-Graduate Fellow receives a grant in the amount of \$50,000, plus medical insurance coverage, to support one year of full-time service as a lawyer at a nonprofit or government agency. While there is a tremendous need for legal services in the public interest sector, there is a shortage of opportunity because of the lack of adequate financing. As a result, entry-level positions for public interest-minded recent law school graduates are scarce.

“Our post-graduate program has been incredibly successful in launching public service careers,” Wilson says. “The program is a win-win: Our graduates get terrific public interest experience right out of law school, and organizations fighting for justice get access to our very talented graduates.”

### SARAH AAGARD

Sarah Aagard (JD '19) has been selected as a Gideon's Promise Fellow in the Kentucky Department of Public Advocacy, Kentucky's public defender system. Under the Gideon's Promise Law School Partnership Project, Northwestern Law will sponsor Aagard's first year of their three-year intensive training program. Aagard previously interned in the King County Department of Public Defense in Seattle and she is a former president of the student group SFPIF which raises money to support Northwestern Law students in their summer jobs.



From left: Sydney Penny and Sarah Aagard

### SYDNEY PENNY

Sydney Penny (JD '19) received a Barry McNamara Post-Graduate Fellowship to join the civil rights team at Equip for Equality, a non-profit legal services agency dedicated to advancing the rights of people with disabilities. Penny has spent much of her time at Northwestern working on disability rights issues, previously interning at Equip for Equality, as well as advocating for people with disabilities — including incarcerated people with disabilities — at the Uptown People's Law Center. ■

## Law School Launches New On-Ramping Program

During the 2018-2019 academic year, the Law School piloted Step Forward, a program that helps alumnae who have left the legal profession and are looking to return to the workforce. Step Forward is one of the Law School's new gender initiatives, which aim to increase gender equity in the legal profession.

“Multiple studies have established that women enter the legal profession at roughly the same rate as men, but the representation of women declines significantly as they rise in seniority at law firms. Women make up 47 percent of associates, 30 percent of non-equity partners and only 19 percent of equity partners. Some of this attrition is due to women leaving the profession, and the workplace, altogether,” says Kit Chaskin (JD '90), director of gender initiatives. “Women seeking re-entry frequently

encounter implicit bias against mothers in the hiring process, and the Law School is uniquely positioned to make an impact in the lives of these women, as well as on the profession itself, by providing a new talent pool of highly qualified female candidates.”

The pilot program included five candidates, all of whom practiced law for at least two years after graduation, and all of whom had been out of the traditional workforce for at least 10 years. The program consists of monthly in-person meetings with Law School staff, including the alumni career advisor, as well as goal setting and professional development learning modules.

After the program's conclusion, one graduate got a returnship at Illinois Legal Aid Online, two established a job share doing pro-bono litigation, and one took on a role working on a congressional primary campaign.

Step Forward officially launches during the 2019-2020 academic year, beginning with a two-day boot camp. While it's currently only open to Chicago-area participants, the Law School hopes to expand the program nationally or internationally in 2021. Unlike other return-to-work programs, Step Forward is a free service, and does not require that candidates seek employment at law firms. Instead, it's aimed at helping alumnae find meaningful work in the broader legal profession or JD-adjacent fields.

Chicago area alumnae who practiced for at least two years and have been out of the profession for at least two years are eligible for Step Forward. Interested applicants, as well as Law School alumni interested in providing coaching and mentoring to candidates, should email Kit Chaskin at [kit@law.northwestern.edu](mailto:kit@law.northwestern.edu). ■



# Remembering Justice John Paul Stevens (JD '47)

“A lawyer’s most valuable asset is his or her reputation for integrity,” John Paul Stevens wrote in his recent memoir, *The Making of a Justice: Reflections on My First 94 Years*. Justice Stevens, one of the longest-serving justices on the Supreme Court and one of Northwestern Pritzker School of Law’s most prominent graduates, died on July 16, 2019, at 99 years old. His reputation, above all else, was one of integrity.

“Justice John Paul Stevens was a brilliant mind who made an indelible mark on the Supreme Court and our country,” says Kimberly Yuracko, dean of Northwestern Law. “All of us at Northwestern Law are extraordinarily proud to have him as an alum. He was a treasured friend of the Law School and he will be dearly missed.”

Northwestern University President Morton Schapiro says Stevens’ influence was felt on campus and throughout the country.

“The Northwestern University community notes with sorrow the passing of one of this university’s most distinguished alumni,” Schapiro says. “Justice Stevens’ principled approach to

American jurisprudence and his intellectual independence will have an enduring influence here and across our nation.”

Stevens graduated magna cum laude from Northwestern Law in 1947 and served as co-editor-in-chief of the *Northwestern University Law Review*. He earned his undergraduate degree from the University of Chicago.

## Leader of the Court’s liberal wing

Stevens was a moderate Republican and former antitrust lawyer when President Gerald Ford nominated him as an Associate Justice of the Supreme Court. He took his seat December 19, 1975. Over the years, he came to be seen as a leader of the Supreme Court’s liberal wing. He was the Court’s third longest-serving justice before he retired in 2010.

“John Paul Stevens will long be remembered for his many important contributions to Supreme Court jurisprudence,” says Martin Redish, the Louis and Harriet Ancel Professor of Law and Public Policy at Northwestern Law. “He fought against a rigid, narrow, and manipulative reading of the Constitution, in favor of a common-sense mode of textual interpretation that viewed constitutional issues through the lens of modern realities, as well as historical context.

“And he did so with wit, intelligence and the compelling force of logic. I can honestly say, without hyperbole, that he deserves recognition as one of the truly great justices in Supreme Court history,” says Redish, who writes on the subjects of federal jurisdiction, civil procedure, freedom of expression, and constitutional law.

In a 2017 interview for the Law

Left: Justice Stevens with Law School Dean James Rabl in 1976; Right: Stevens in 2018.



School's Oral History Project recorded in his chambers at the Supreme Court, Stevens said, "I like our [justice] system much better than other systems, where they suppress dissent rather than let the dissenters say what they want to say. I think it's much healthier to have every member of the Court perfectly free to express his or her own views."

Robert Bennett, the Nathaniel L. Nathanson Professor of Law Emeritus at Northwestern Law and former dean of the Law School, says Stevens "was as close as you get to what a Supreme Court justice should be."

"Justice Stevens was striking for combining congeniality and respect for the Supreme Court as an institution with a willingness to say so when he thought the Court had gone wrong," Bennett said.

## Stevens at Northwestern Law

In 1986, Stevens' law clerks established an endowment that supports the John Paul Stevens Prize for Academic Excellence to recognize and award a monetary prize to the graduating



Left: Stevens delivers the Law School convocation address in 2011; Right: Stevens throws the first pitch at Wrigley Field in 2005.



3L student with the highest GPA annually. In 1992, several of his former classmates established the John Paul Stevens Professorship at the Law School, which is currently held by Professor Andrew Koppelman. The Law School also has the Justice John Paul Stevens Public Interest Fellowship Program, which provides financial assistance to students who seek public interest summer jobs.

Stevens looked back on his time at the Law School in a 2009 interview with *Northwestern Magazine*.

"They had a wonderful faculty at Northwestern, and it was quite small, I think eight or 10 professors," Stevens recalled. "It was just a handful of the best. They were really quality teachers and they all made a very significant impression on me. It's different now where schools have these huge faculties — I don't know how the students can develop the same relationships we did."

Stevens returned to his alma mater to deliver Northwestern Law's convocation address in May 2011, which had special significance for Stevens as well as for the Northwestern community.

Stevens missed his own law school convocation in 1947. He was allowed to miss his final exam for Federal Taxation, the only course he took his last term, in order to begin his law clerkship in Washington, DC.

The convocation in 2011 concluded Stevens' two-day visit to the Law School. The day before, an academic symposium and a celebratory dinner were held in his honor. Stevens also participated in a question-and-answer session moderated by Law School alumni.

In 2012, Stevens donated his Supreme Court chair to the Law School. He sat in this chair during much of his tenure on the Supreme Court.

## Chicagoan and longtime Cubs fan

Stevens served in the United States Navy from 1942 to 1945 and was a law clerk to Supreme Court Justice Wiley Rutledge during the 1947 term. He was admitted to law practice in Illinois in 1949.

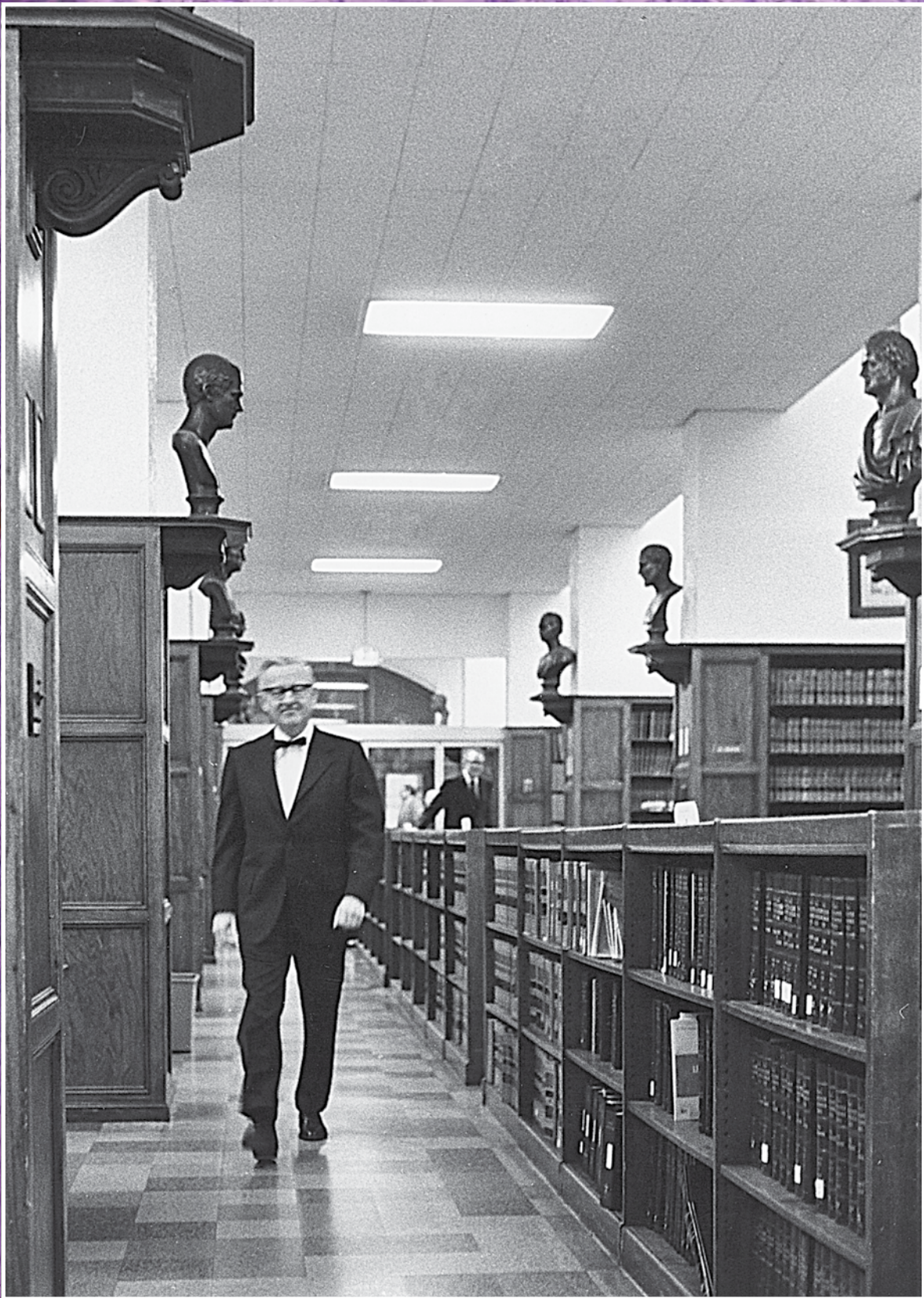
Born in Chicago and raised in Hyde Park, Stevens was a lifelong fan of the Cubs and went to his first game at Wrigley Field during the 1929 World Series.

Steven Calabresi, the Clayton J. & Henry R. Barber Professor of Law at Northwestern Law, says Justice Stevens was a brilliant man with exceptionally high standards in opinion writing and in his

work as a Supreme Court justice.

"He worked hard, wrote beautifully, and was a real leader on the Supreme Court," says Calabresi, who teaches Constitutional Law. "Justice Stevens was an absolutely superb member of the Supreme Court."

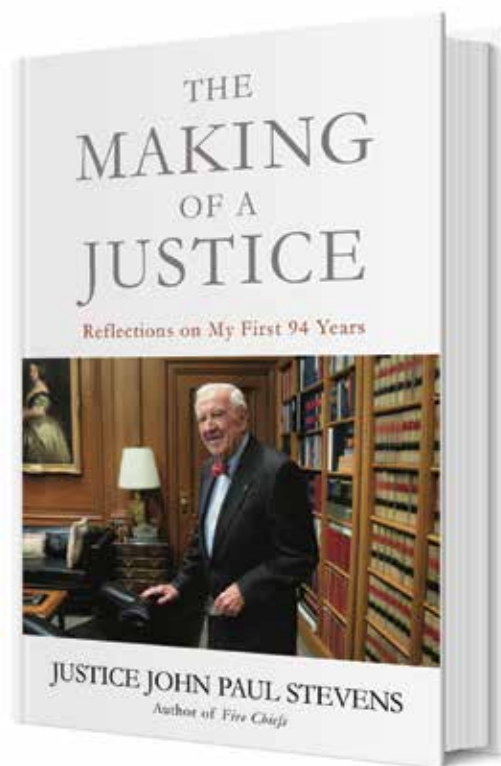




In His Own Words:  
Justice John Paul  
Stevens on His Years  
at Northwestern Law



In this excerpt of his recent memoir,  
*The Making of a Justice: Reflections on My  
First 94 Years*, the late Supreme Court Justice  
remembers the Northwestern Law courses and  
professors who influenced his life and career.



**B**

ecause I intended to practice law in Chicago, I thought it would be wise to obtain my legal education at either

the University of Chicago or Northwestern. I chose Northwestern partly because my father had made the same choice when John Henry Wigmore was the dean and partly because I had already spent so many years as a student in schools affiliated with the University of Chicago that I thought a new environment would be healthy. At that time, both schools, like most of the leading law schools in the country, gave students the opportunity to graduate after only two calendar years of study; each year included a third “semester” of study instead of a vacation during the summer months.

There were only about sixty students — all men — in the class that enrolled in the fall of 1945. All of us fit comfortably in Booth Hall, a tiered classroom in which we all looked down at our professor. Leon Green, the dean, taught the torts course, and Harold Havighurst, who was to become dean after Leon retired,

taught us contracts. In both courses we used casebooks prepared by our teachers. Instead of organizing the subject by studying cases involving one rule after another, the books included separate chapters for cases involving different types of fact patterns. Chapter 2 of the torts casebook was titled “Threats, Insults, Blows, Attacks, Fights, Restraints, Nervous Shocks,” and the contracts casebook contained four parts: “Services,” “Gratuities,” “Loans,” and “Contracts for the Sale of Goods.” Their approach stressed the importance of a thorough understanding of the facts that had given rise to disputes and identifying the decision-maker — usually either the judge or the jury, but often either a federal or a state judge, or a corporate executive rather than the directors or the shareholders — who should resolve the issues in the case. Dean Green frequently contrasted the approach adopted at Yale, where he had previously taught, and Northwestern to the rule-oriented approach followed at Harvard and Michigan. I have sometimes thought that the emphasis on facts and procedure instead of generally applicable



substantive rules provided us with a vertical rather than a horizontal legal education.

It is perhaps of note that the Constitution principally identifies the decision-makers — the legislature, the executive, and the judiciary — rather than the rules that govern our behavior, with a few exceptions (for example, ex post facto laws are taboo). It tells us who shall make new rules and how to do so.

The torts class was also unique because Dean Green required the student discussing a case to stand while stating the case and answering his questions. In his view it was important for lawyers to be able to think on their feet. He had written extensively and critically about the doctrine of proximate cause, which he believed did more to confuse than to help judges analyze cases. In his opinion it made more sense to begin the analysis of a tort case by defining the duty that the defendant owed to the plaintiff rather than the remoteness or the proximity of the causal connection between the defendant's conduct and the plaintiff's injury. The dean was also a strict disciplinarian; when he learned that my friends Art Seder, Dick Cooper, Bud Wilson, and I played a few hands of bridge while eating our lunch in the basement, he concluded that card games and studying law did not belong in the same building and put an end to our games.

Unlike at most leading law schools today, in the entire Northwestern faculty when I was a student there were only about a dozen teachers, including two or three practicing lawyers who taught on a part-time basis. I was favorably impressed by each of them.

Nathaniel Nathanson, who taught constitutional law, was a few days late arriving back in Chicago after completing his wartime job with the Office of Price Administration. The students named his class "Nate's Mystery Hour" because his discussions raised so many questions that he let the students try to answer for themselves. I think we spent several weeks discussing Chief Justice Marshall's opinion in *Marbury v. Madison*. We had no trouble understanding the proposition that the Supreme Court has the power to decide that an Act of Congress is unconstitutional, but I am not sure we understood why Congress lacked the power to authorize the Court to grant a writ of mandamus ordering the Secretary of State

to deliver Marbury's commission as a judge. What I best remember about Nat's teaching is his repeated admonition to "beware of glittering generalities." That advice, which he may well have learned from clerking for Justice Louis Brandeis, is consistent with the basic principle of judicial restraint that Brandeis described in his separate opinion in *Ashwander v. TVA*<sup>1</sup>: The Court should avoid deciding cases on constitutional grounds whenever possible, and when it is necessary to reach a constitutional issue, the Court should decide no more than is necessary to dispose of the case. Nat and his former boss would both have disagreed with the unnecessarily broad holding in *Citizens United v. FEC*,<sup>2</sup> a decision I return to in later chapters.

Our discussion of Chief Justice William Howard Taft's famous opinion in *Myers*



Stevens (back row, second from right) as part of the 1953–54 faculty of the Law School.

*v. United States*<sup>3</sup> was memorable for several reasons. In that case, by a six-to-three vote, the Court held that a statute prohibiting the president from discharging postmasters without cause was unconstitutional. The author of the opinion was the only former president of the United States to sit on the Court. The dissenters were Justices Holmes, Brandeis, and McReynolds, each of whom

1. 297 U.S. 288, 347 (1936). 2. 558 U.S. 310 (2010).  
3. 272 U.S. 52 (1926).

wrote a separate opinion.

Relying heavily on a detailed discussion of history — including the Senate’s acquittal of President Andrew Johnson after the Civil War — Taft reasoned that the statute impermissibly limited the power of the executive granted by Article II of the Constitution. In their dissents, both Holmes and Brandeis argued that the congressional power to create a post office included the lesser power to protect postmasters from discharge without cause. Just a few years later, in a challenge to President Roosevelt’s attempted removal of a member of the Federal Trade Commission, the Court unanimously upheld the statutory provision that protected the commissioner from discharge without cause. *Myers* stands out in my memory because Nat insisted that we understand the competing arguments instead of casually assuming that the case had been wrongly decided because both Brandeis and Holmes had dissented and because the Court later unanimously held that President Roosevelt lacked the power to remove a member of the Federal

importance of adopting some unique practice that would enhance the likelihood that potential clients would recognize and remember your name — his specific suggestion was to use green ink when signing letters or pleadings. The green ink idea did not appeal to me, but his suggestion made me realize that “John Stevens” was not much more unique than “John Smith” and prompted me to add my middle name to my signature. I don’t know whether my new practice of including my middle name ever got me any law business, but it did prompt fairly frequent questions about whether I had been named after naval hero John Paul Jones. My truthful answer to those queries was that I had no idea why my parents picked either of my given names.

Two lessons that I learned in Jim Rahl’s course on antitrust law merit special comment. First, sometimes the text of a federal statute cannot be read literally. Section One of the Sherman Act proscribes “every” contract in restraint of trade. As Justice Brandeis cogently explained in *Chicago Board of Trade v. United States*,<sup>4</sup> every enforceable contract restrains trade; indeed, that is the very purpose of an enforceable contract. Accordingly, the statute must be read as prohibiting only unreasonable restraints of trade. Second, the so-called rule of reason that the Court adopted to avoid the problem created by a literal reading of the statutory text also has a narrower scope than the name of the rule suggests. It does not protect any rule that a judge might consider reasonable, but only those rules that do not have an adverse effect on competition in a free market.

Brunson MacChesney, who taught the course in agency, did not finish his wartime work in Washington until after courses began. After only a few days of teaching, he arrived in class wearing the large, elaborately rib-boned medal awarded by the French government to recipients of the Legion of Honor. Instead of immediately explaining his unusually distracting attire, it was only at the end of the class that he told us that French custom, or perhaps some provision of French law, included a requirement that every recipient of the medal wear it in public the day after it was awarded. The veterans in the class might

4. 246 U.S. 231 (1918).  
5. 384 U.S. 436 (1966).



From left: Stevens, Rahl, Meg Strotz, and Northwestern University President Robert Strotz in 1976.

Trade Commission without cause.

Homer Carey, who taught the courses in real property and future interests, sometimes spent class time giving us advice about practical aspects of the practice of law. On one of those occasions he commented on the

have been more favorably impressed if he had provided us with that explanation immediately. Sometimes the timing of an explanation may be more important than its content.

Fred Inbau, who taught evidence and criminal law, had written extensively about the admissibility of confessions. One of his writings was cited by Chief Justice Warren in *Miranda v. Arizona*.<sup>5</sup> He was well liked by his students who often called him “Fearless Fred” or “Hanging Fred” because they thought of him (somewhat unfairly) as favoring unduly strict enforcement of the criminal law. I have no memory of any discussion of either the wisdom or the constitutionality of the death penalty in any of his classes.

Walter Schaefer, who had gained widespread respect for his work with Albert E. Jenner in modernizing the Illinois rules of Civil Procedure, taught us that subject. He later was closely associated with Adlai Stevenson when he was the Governor of Illinois and when he was twice defeated by General Eisenhower in presidential elections. Wally also became a highly respected justice of the Illinois Supreme Court.

During our senior year, Art Seder and I served as coeditors-in-chief of what was then named the *Illinois Law Review*. Our editions included several pieces discussing the then recent Taft-Hartley Amendments to the National Labor Relations Act, and a comment that I wrote about pricefixing in the movie industry. My work on that comment — which principally discussed Judge Learned Hand’s opinion in *United States v. Paramount Pictures* — played an important role in developing my special interest in antitrust law.

In the summer of 1947, Art and I had a meeting in our law review office with the two members of the faculty whom I have not yet mentioned. Willard Wirtz, who later served as secretary of labor under Presidents John F. Kennedy and Lyndon Johnson, had begun his teaching career at the University of Iowa Law School when Wiley Rutledge was the dean; he and Rutledge remained close friends after Rutledge became a federal judge. Willard Pedrick, who taught classes in both torts and federal taxation, had been a law clerk for Fred Vinson when he was a judge on the Court of Appeals for the District of Columbia. At our meeting, they informed us that Congress

had enacted a statute authorizing Supreme Court justices to hire additional clerks for the terms beginning that October and thereafter. They were relatively certain that Vinson and Rutledge would hire applicants whom they recommended. The job with Rutledge would be for the October 1947 term, and the job with the chief justice would be for two years beginning in October 1948. The professors told us that they planned to recommend us for the two jobs, but wanted us to decide which

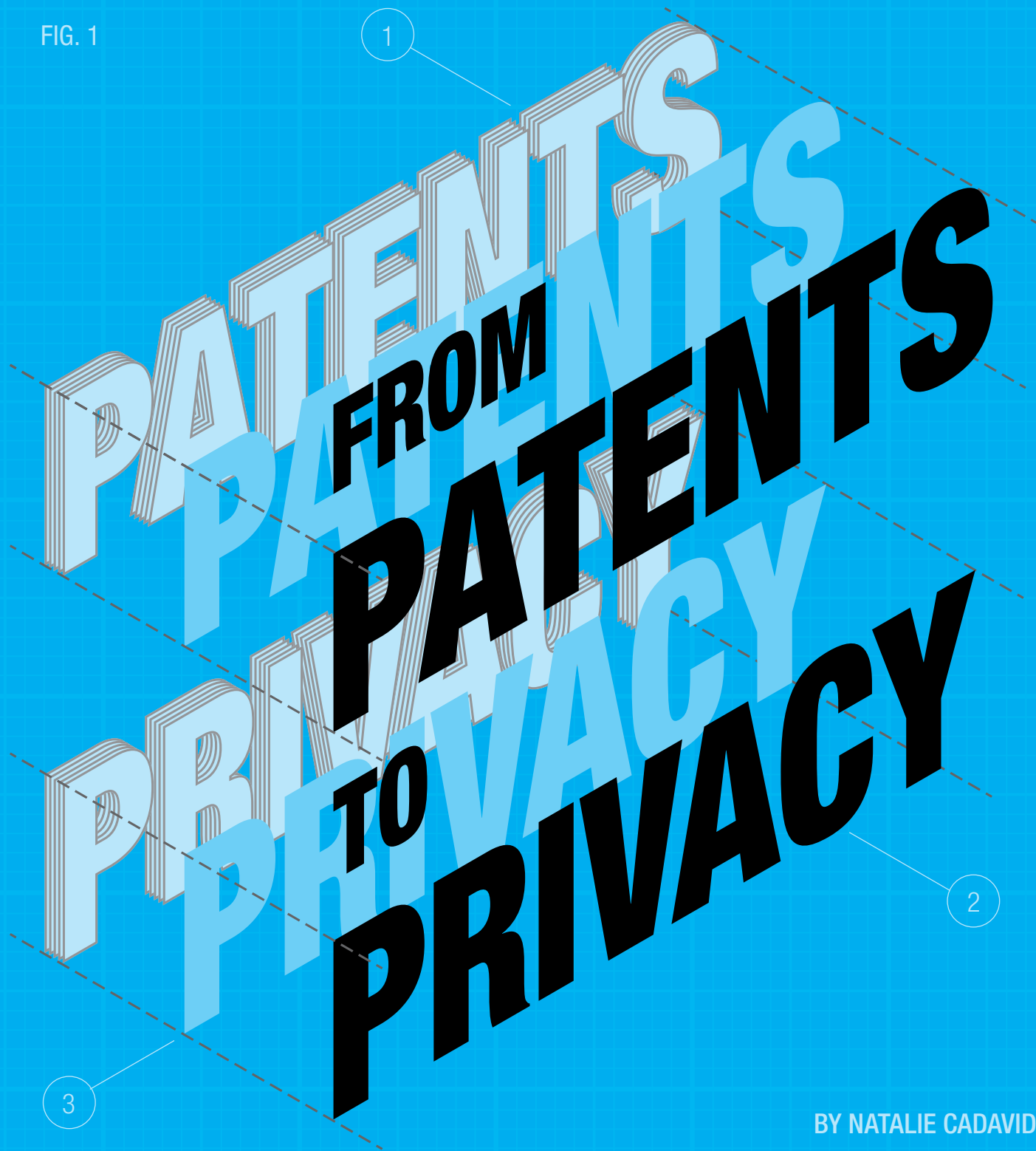


job each of us would apply for. We both preferred the Rutledge option because we were interested in entering practice as promptly as possible. Because the professors considered us equally well qualified, we confronted a potential deadlock. Accordingly, we flipped a coin. I won and Justice Rutledge did hire me without an interview. I was permitted to depart for Washington without taking the final exam in the course on federal taxation and without attending the graduation exercises. Art taught in the law school for a year before beginning his clerkship with the chief justice.

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*Excerpted from The Making of a Justice: Reflections on My First 94 Years by Justice John Paul Stevens. Copyright © 2019. Available from Little, Brown and Company, an imprint of Hachette Book Group, Inc.*

FIG. 1



BY NATALIE CADAVID

**NORTHWESTERN LAW'S INTELLECTUAL PROPERTY  
SCHOLARS ARE LEADING THE FIELD WITH AN  
EMPIRICAL AND INTERDISCIPLINARY APPROACH**



Associate professor Laura Pedraza-Fariña's path to the study of law began during protests at Yale University, where she was studying for a PhD in genetics. A Doctors Without Borders clinic in Khayelitsha Township, outside Cape Town, was pressing Yale to allow South Africa to make or import generic versions of an HIV breakthrough drug for which Yale held the patent. The drug in question, d4T, an antiretroviral drug also known as stavudine or by the brand name Zerit, sold exclusively by Bristol-Meyers Squibb, was one of the first components of the multiple therapy cocktail that brought AIDS largely under control in the United States. At the time, d4T was earning Yale over \$30 million in annual revenue. A full 50,000 Khayelitsha Township residents were HIV positive, and none could afford antiretroviral therapy at the U.S and European prices: \$10,000 to \$15,000 per patient, per year.

In response to student demands, Yale took steps to remove barriers in its contracts with Bristol-Meyers Squibb, helping the drug become more readily available in South Africa. The protests ended, but they inspired Pedraza-Fariña to consider some important questions: What were a health-related patent holder's rights and what was too much protection? And at what point did the patent on a valuable breakthrough become bad for access and innovation? "It was not my planned path to go to law school," Pedraza-Fariña says. "But, like many former scientists, I became interested in the history and sociology of science and the consequences of scientific research at the human level."

Professor Peter DiCola, a Searle Research Fellow and copyright law scholar, was a hobbyist musician at Princeton booking storied indie bands like Stereolab and the late Elliott Smith in his free time, just before the world shifted irrevocably from analog to digital. The internet was nascent, and Jenny Toomey and Kristin Thomson, members of the local band Tsunami,

were in the process of creating the Future Music Coalition (FMC), an advocacy group with a mission to ensure a legitimate music marketplace in the digital age. "There was all this optimism that the internet would open things up for musicians, as the great equalizer," DiCola says. He joined forces with Toomey and Thomson early on and worked as a researcher for FMC policy summits, which brought stakeholders within the music ecosystem — working musicians, artist advocates, policymakers, industry leaders and lawyers — together to understand the changing landscape of music distribution.

DiCola's resulting scholarship, at the intersection of economics and copyright law, has been shape-shifting. >|| Zr| [hg] K^` neZrthg[h \_F ^] [Z%>grhkrZ]of ^grfZg] [Me\\hf f ngbZrthgl , his dissertation for his PhD in economics at the University of Michigan, was informed by his experiences with the FMC and led him to author a series of white papers submitted to Federal Communications Commission (FCC) proceedings. One of those papers, "Radio Deregulation: Has It Served Citizens and Musicians?", was cited by the Third Circuit Court of Appeals in *I khf ^ra^nl [KZ] th[] khc^\\r[]<<*, a series of cases from 2003

to 2010 that challenged new media ownership rules and the threat of media concentration to free speech and the public interest.

In an era of rapid technological change, the members of Northwestern Law's Intellectual Property (IP) faculty are focused on the study of innovation and the law. Collectively, the group represents impressive strength and influence — their scholarship guides countless courts and policymakers who must keep pace with staggering innovations.

David Schwartz, associate dean of research and intellectual life and professor of law, is interested in a study of patent law that goes beyond the common practitioner approach of "just reading cases," he says. This has been an evolution for Schwartz, who joined the Northwestern Law faculty in 2015 after 11 years in private practice, both as a partner at two IP



**UNCERTAINTY BREEDS LITIGATION. THERE HAVE BEEN FOUR SUPREME COURT CASES IN THE PAST TEN YEARS REGARDING WHAT IS PATENTABLE SUBJECT MATTER."**

**—PROFESSOR DAVID SCHWARTZ**



Peter DiCola and Laura Pedraza-Fariña

boutiques and an associate at Jenner and Block. Schwartz's scholarship is focused on discovering novel ways to synthesize empirical and experimental data — especially in an age of Big Data — and his scholarship has assisted the agencies and courts that adjudicate patent related issues, including the inevitable disputes that follow. He has studied the rise of contingent fee representation in patent litigation and is a national expert regarding patent assertion entities, known as “patent trolls” — companies who buy patents often from the original inventor, then enforce the patents against infringing corporations, either by charging licensing fees or threatening to bring lawsuits. In the latter case, companies often settle. His article “Understanding the Realities of Modern Patent Litigation,” which appeared in the *Texas Law Review*, was cited by the U.S. Supreme Court in its decision in *SCA Hygiene Products Aktiebolag v. First Quality Baby Products* in 2017.

Recently, Schwartz hit the motherlode for his research

in the form of a large data set of patent applications, released by the U.S. Patent and Trademark Office. Schwartz reviewed the abandoned patent applications and studied how they're used in evaluating new applications. He presented his findings, “The Hidden Value of Patent Applications to the Patent System,” at The Munich Summer Institute, Bavarian Academy of Sciences & Humanities in June 2019 and the University of San Diego IP Speaker Series in February 2019, among other conferences.

“Thirty years ago, [patent law] was not an important area,” Schwartz says. “In the '90s, the economy picked up, tech companies boomed, and we saw a shift to a pro-patent stance. Patents were becoming more commercially valuable. Now we see industries like software, medical technology and diagnostics interested in the scope of patents and what is patentable subject matter. Uncertainty breeds litigation. There have been four Supreme Court cases in the past 10 years regarding what is patentable subject matter.”

In the adjacent area of trademark law, Shari Seidman Diamond, Howard J. Trienens Professor of Law and professor of psychology, has spent close to 50 years studying the presentation of scientific evidence in courtrooms

and its evaluation by judges and juries. Diamond authored the *Reference Guide on Survey Research* for the *Reference Manual for Scientific Evidence*, a heavily cited and essential manual that assists federal judges in managing cases involving scientific and technical evidence. First published in 1994 by the Federal Judicial Center, judges often refer to the manual to help them evaluate the relevance and reliability of evidence being proffered. “I described scientific standards as a benchmark for federal judges,” Diamond says. “Over time, the number of trademark surveys and the court's ability to evaluate them increased. Now the standards are widely accepted.”

Trademark survey methodology in particular — designed to measure consumer response to the strength of a trademark, such as the recognition of elements of a logo — is a growing area that is becoming more complex. Diamond is at the forefront of these methodologies, noting that their not-so-distant predecessors now seem archaic. “The early use of surveys

was an improvement over the previous ways of proving consumer confusion, which traditionally involved a parade of witnesses selected by the parties,” Diamond says. “But early surveys were paper and pencil tests conducted in malls or over the telephone. Today, trademark surveys have changed dramatically because of the internet, presenting a whole new set of challenges for both courts and attorneys. They have to learn new skills to evaluate these new technologies and their validity.” Diamond co-edited *Trademark and Deceptive Advertising Surveys: Law, Science, and Design* (2012), a treatise published by the American Bar Association, which includes chapters on surveys in modern litigation, trademark dilution cases, and internet surveys. She currently serves on the Seventh Circuit Committee on Pattern Criminal Jury Instructions and, in 2012, she was elected to the American Academy of Arts and Sciences, a distinguished honorary society founded in 1780 to advance learning in service to the public good.

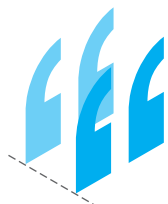
As the longest serving member of the Northwestern Law IP faculty, Diamond is pleased that the faculty has expanded over the years to reflect IP’s growing importance in the law, not just covering the core areas — patent, copyright and trademark — but also growing tentacles into newer areas. Associate professor Matthew Kugler joined the Northwestern Law faculty in 2016, with a keen focus in the areas of cybersecurity, bioethics, privacy, criminal procedure and trade secrets. Kugler holds a PhD from Princeton in psychology and social policy, was a law clerk to the Honorable Richard Posner in the Seventh Circuit Court of Appeals, and received the Casper Platt Award for the best paper by the University of Chicago Law School, for “Affinities in Privacy Attitudes.”

One of Kugler’s primary areas of study is biometric identifiers, such as fingerprints or facial scans, which have become fixtures of daily life. Take tagging devices on social media, for example, or thumbprints to open smartphones. Kugler’s scholarship investigates whether the public believes it has a reasonable right to privacy with regard to biometric data and whether the collection of biometric identifiers could put consumers at risk. He is busy writing a forthcoming paper “From Identification to Identity Theft: Public Perceptions of Biometric Privacy Harms,” that specifically considers the Illinois Biometric Information Privacy Act. “Courts are

dealing with this on a daily basis,” Kugler says. “Illinois has the strongest biometric privacy statute in the country. It was passed early, in 2008, before the technology industry had fully mobilized around the issue of privacy. At the time, the public was scared by the bankruptcy of a company called Pay by Touch, and the law was passed without opposition. Now we are seeing lawsuits by employees against employers who use biometric timeclock technology, like fingerprint readers, and against technology companies that use facial recognition without having gotten the proper written consent under statutory requirements.” According to Kugler, this area will be more stringently regulated in the future, so the question he’s considering is how it should be regulated. “In many cases, data is being collected and the owner isn’t doing anything with it. It’s just a loaded gun lying there with all the potential uses of the information,” he says.

Kugler’s research and advocacy work is helping advance an understanding of privacy law not just in Illinois, but also in the federal courts, which are wrestling with the intersectional aspects of criminal law, privacy rights, and Constitutional law. Kugler posits that the growing field of privacy will be led by criminal procedure. Criminal defendants are bringing claims, often under the Fourth Amendment, as seen in the recent landmark privacy case *Carpenter v. United States*, in which the Supreme Court held that a warrant is required for police to access

cell-site location information (CSLI) from a wireless carrier. In *Carpenter*, the police accessed the detailed movements of the defendant, an armed robber, over 127 days, without first securing a warrant. The Supreme Court noted the recent seismic shifts in digital technology which allow carriers to collect deeply revealing information about cellphone owners, incriminating evidence that, under the Court’s holding, should be protected by the U.S. Constitution. Kugler co-wrote a 2017 op-ed in the *Los Angeles Times*, “Your phone knows where you’ve been, and the government wants to know too,” in advance of the *Carpenter* decision, arguing that criminal cases such as these will set the standards for the public’s expectation of privacy. Kugler and his co-author, Sarah O. Schrup, clinical associate professor of law and director of the Appellate Advocacy Center, along with 17 other lawyers and legal scholars, filed an amicus brief in the case, citing the “mountain of research” on the privacy beliefs of ordinary



**NOT ONLY DOES NORTHWESTERN LAW VALUE AND PUT RESOURCES BEHIND EMPIRICAL RESEARCH, BUT IT UNDERSTANDS THE VALUE OF INTERDISCIPLINARY PRACTICES.”**

**—PROFESSOR MATTHEW KUGLER**

citizens, who in most cases don't know their location information is being collected and do not expect it can be freely shared.

The IP faculty are all in agreement that what makes Northwestern Law an exceptional place to be an intellectual property scholar is the unparalleled access to an array of resources crucial to their research. "Not only does Northwestern Law value and put resources behind empirical research, but it understands the value of interdisciplinary practices," Kugler says, citing the Law School's affiliation with the Northwestern University Center on Law, Business, and Economics (CLBE). The CLBE is a nonprofit research organization committed to studying the impact of laws and regulations on economic growth, and is led by Matthew Spitzer, Howard and Elizabeth Chapman Professor of Law. The CLBE regularly organizes events on innovation and antitrust economics, in addition to housing a database for academic researchers regarding technology standards and Standard Setting Organizations (SSOs).

"We research the economics of how things get invented, such as compensation incentives for inventors and the abuse of patents," Spitzer says. "We are currently working on an experimental piece on attitudes toward risk, testing for factors such as how certain the compensation will be and whether it matters if an invention is socially conscious."

In another example of interdisciplinary research, Pedraza-Fariña partners with Northwestern's Science in Human Culture Program, which brings social scientists together to study world-wide transformations in science, technology and medicine. "It is a deep collaboration outside of the law, to inform the law," she says.

The IP faculty also notes the immense value of its proximity to the Chicago IP bar. "Outside of Washington, by virtue of the Patent & Trademark Office being there, and the Bay Area, with high tech, the Chicago IP legal community is among the strongest in the country," Schwartz says. "Many of the judges in the Northern District of Illinois, including Judges Holderman, Kennelly, Kendall, Lefkow, and Gottschall, have taken a strong interest in IP cases."

Kugler echoes that sentiment, citing recent visiting professors, including the co-chair of a large law firm's global privacy

and cybersecurity practice and two assistant U.S. Attorneys. "The IP faculty is able to meld the theoretical and the practitioner experience," he says. "Practitioners, who rightly have an obligation to be a zealous advocate for their clients, unfortunately do not have the ability to see the issues with the detachment we do, it's not a conversation they are allowed to have. As academics, we are able to be detached and see the larger picture, and add empirical data on top of that."

In October 2018, Northwestern Law students had the opportunity to attend live proceedings of the United States Court of Appeals for the Federal Circuit, the only appellate-level court with jurisdiction to hear patent appeals, on the Northwestern Law campus. The Federal Circuit annually hears arguments outside of Washington, DC as part of its nationwide statutory requirement to provide reasonable opportunities to citizens to appear before the court. The oral arguments focused on patent infringement and a federal

employee dispute, and was open to Northwestern students, faculty, alumni, staff, and the general public. In October 2019, for the first time, the Law School will host the Patent Trial and Appeal Board, an administrative law body created in 2012, under the America Invents Act, to decide issues of patentability. Select students will have the opportunity to present summaries of the cases before

the administrative law judges, supervised by Pedraza-Fariña and Schwartz.

During their tenures, each member of the IP faculty has witnessed large transformations in their specialties, propelled by rapidly changing technologies and economic forces, and their deft scholarship will continue to navigate such shifts. In the music industry, according to DiCola, "there has been a shift in economic forces to a concentration by the tech platforms and they now have the power to set the price for music. Google, Facebook, Apple and Amazon are at the center and wield enormous economic power. Google is bigger than Exxon Mobil. Tech platforms know their customers by the data they collect and want to cross-sell on their platforms." DiCola's *Arizona Law Review* article, "Money from Music: Survey Evidence on Musicians' Revenue and Lessons About Copyright Incentives," has been downloaded more than 4,000 times. "Much of the music industry has become



**INNOVATIONS ARE TYPICALLY CREATED BY COMMUNITIES, NOT THIS MYTHICAL PERSON, THE LONE WOLF. LEAPS HAPPEN WHEN KNOWLEDGE FROM ONE NETWORK IS SHARED WITH ANOTHER."**

**—PROFESSOR LAURA PEDRAZA-FARIÑA**





From left: David Schwartz, Matthew Kugler, Shari Seidman Diamond, and Matthew Spitzer

what is known as a ‘loss leader,’” DiCola notes, “meaning music is now a product sold at a loss to attract customers to tech platforms more generally. They may lose money on music, but they make it up elsewhere, by cross-selling gifts or subscriptions.” The focus of DiCola’s scholarship also included the topic of digital sampling, or the appropriation of a snippet of a sound recording—such as a recognizable rhythm or melody copyrighted by another musician—without a license, and investigates whether there is room for such creative practices short of licensing, under the fair use doctrine or de minimis thresholds. DiCola authored the book *Creative License: The Law and Culture of Digital Sampling* (with Kembrew McLeod) and is also studying copyright in the context of professional photography, after receiving a grant from Case Western Reserve University School of Law’s Spangenberg Center in 2016.

While Pedraza-Fariña’s research has focused on health-related patents, the implications in her findings, like all of her colleagues’ work, are much broader. “Innovations are typically created by communities, not this mythical person, the lone wolf,” Pedraza-Fariña says. “Leaps happen when knowledge from one network is shared with another.” Pedraza-Fariña cites the Northwestern Consortium for Oncofertility as a successful model of innovation, with its key area of study

the question of fertility post cancer treatment. “You would think it’s an obvious question to study, but the models of gynecologists and endocrinologists did not include a post-cancer model,” Pedraza-Fariña says. “Research oncologists had incorrect conceptions of the priorities of women. They believed a woman’s priority should be eradicating cancer, not preserving her fertility, so they assumed she would be interested in aggressive treatment. There were no studies of the effect of chemotherapy drugs on fertility. There was this huge gap.” Questions like these, where there is a gap between fields, can get tossed back and forth before meaningful studies occur, Pedraza-Fariña says. Inspired by interviews with Oncofertility Consortium members, she has published several articles analyzing the dynamics of scientific collaboration. Her study of how scientific social norms can interfere with breakthrough innovation, “Anti-Innovation Norms,” was published in 2018 in the *Northwestern University Law Review*. “Perhaps patent law is not the best policy lever to foster breakthrough innovation. Patentable or not patentable should not be a binary switch for innovation. To encourage breakthroughs, what we want is to remove barriers to collaboration by addressing harmful social norms. To develop good patent law, you have to understand the underlying social norms and incentive structures of communities of innovators.”

# Taste Makers



By Amy Weiss



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Gourmet ice cream sandwiches, organic low-sugar energy bars, and award-winning pilsners are not your typical post-law school endeavors. But for a group of Northwestern Law alumni, taking equal parts passion and ideas — and seasoning with a legal education — made for a winning recipe.

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### **Curt Goldman (JD-MBA '05) CEO, CNI Brands**

When Curt Goldman was beginning his JD-MBA program at Northwestern Law, his younger brother Scott was playing hockey in France's Loire Valley, learning French and visiting distilleries in his downtime.

"I went over and visited several times," Curt says. "We struck up a great relationship with the family that owned Combier," a distillery founded in the early 19th century that produced the world's first triple sec. "When my brother finished playing hockey, he came back to the States. I was finishing up law school and business school, and we were hungry to start something on our own."

Curt, Scott, and their brother Ryan wanted to bring Combier liqueurs to U.S. consumers and formed a company in 2007 to be its sole North American marketer and distributor. Today their company, CNI Brands, has a portfolio of 32 boutique spirit and cider brands from France, Mexico, and Chile. Small distilleries



**Favorite CNI Brands Spirit:**  
 “Banhez Mezcal. It’s all done by hand and it comes from a specific place in the world that’s full of intrigue and culture.”



Curt Goldman (JD-MBA '05)



produce the products and CNI imports them into the United States by boat, then connects them with their network of state-specific distributors across the country.

The company grew slowly at first, while Curt worked full-time as an associate at Shearman and Sterling in their mergers & acquisitions and bankruptcy & restructuring practices. “We figured I could do all the legal work and then I could leave the selling

side to my brothers,” he says. “I thought it would be a good side project when I had free time from being a lawyer.”

The company became successful enough that eventually each of the brothers committed to CNI full time. Curt left his law firm job to become CNI’s CEO in 2012. “My identity here is more of a business guy, but going in having a legal foundation where you can negotiate has been great,” he says. “You can go into a roundtable and negotiate business terms of an important contract before lawyers come into the room. I think the law degree has been far and away the most valuable tool in my toolbox.”

Looking ahead, Curt says he is most excited about the growth of mezcal, an agave-based spirit usually from Oaxaca, Mexico. CNI’s Banhez Mezcal won Best Mezcal at the 2017 San Francisco World Spirits Competition. “There’s

no real category leader. There’s still a lot of opportunity and we’re right now the number three or four mezcal brand in the U.S.,” he says. “It’s not dominated by big brands, so it allows consumers to organically discover brands and stories on their own.”

## Evan Sallee (JD '12) CEO, Fair State Brewing Cooperative

“I’m sure a lot of my classmates remember me as the guy who had some homebrew at his parties in law school,” says Evan Sallee, who began homebrewing when he was 18 years old.

Sallee, the CEO of Fair State Brewing Cooperative in Minneapolis, didn’t start law school intending to open a brewery. But by the time he graduated, the wheels were turning.

A spring break visit to Texas during his 2L year took Sallee and his friend Niko Tonks, now Fair State Co-op’s head brewer, to the first cooperatively owned brewery in the country. “That was a light bulb moment for me,” Sallee says. “I remember hopping on my phone and researching cooperative statutes, trying to wrap my head around the cooperative entity as a real legal structure, putting my law student hat on to figure out what that meant.”

“I always say that if you’re a homebrewer, the first time you make a beer that is not really, really atrocious, everyone says you need to start a brewery,” Sallee, who founded Fair State Brewing Cooperative with two friends, says. “We had honestly never had that in our personal game plans. We always felt that there are tons of people out there that make really good beer, and if we were going to start a business, we would need something extra that





we could bring to the game. The cooperative model was that extra hook, something unique that we could bring to the market." Fair State Co-op offers paid memberships to patrons who become what they call "Member-Owners." Member-Owners vote on decisions facing the brewery; elect and run for the Board of Directors; receive discounts and patronage refunds, and gain access to special community events.

Sallee spent the summer before his 3L year researching the idea and decided he would move back to Minneapolis after graduation to try to make it happen. He passed the bar and began taking on contract work as a lawyer for nonprofits and government agencies while simultaneously creating a new business.

Fair State Co-op opened in September 2014 and has grown in production over 100 percent each year since. In 2015, Ratebeer.com named Fair State one of its Top Ten New Brewers in the World and in 2016, they outgrew the Minneapolis production facility where their taproom is located and expanded to a much larger production facility in St. Paul. Today, their beer is sold in 10 states, as well as Canada and Japan.

Sallee says his legal education comes into play in both small and very big ways. "In the day-to-day, it's a useful skill to have.



*Evan Sallee (JD '12)*



It's a heavily regulated industry, so it's extremely helpful to have that background and the know-how to coordinate and communicate with government agencies and all of their representatives. Trademark is also an enormous deal in the beer space," he says. But most importantly: "There is no way we would have gone with



**Favorite Fair State Co-op Beer:** "It's like choosing children! The beer I drink the most of is our pilsner. We do an unfiltered German Pilsner Keller Kazbek and a smoked sour barrel aged beer Lichtenhainer that I like a lot."

the cooperative model if I did not have legal training. It's a complex structure and the way in which we have done it is unique. I do not think I would have had the confidence or even the idea to put it together. We wouldn't be here if I did not have that foundational understanding."

## Gus Shamieh (JD '16) Founder and President, CREAM (Cookies Rule Everything Around Me)

It all started with a bit of childhood ingenuity.

"When my older sister and I were kids, my mom would bake different kinds of cookies at home, her own recipes, and we would put different things between them — marshmallows, peanut butter, chocolate bars. But then one time we tried ice cream and we fell in love," says Gus Shamieh, founder and president of CREAM (Cookies Rule Everything Around Me) ice cream shops. "It just became a staple in my house. After soccer practice, baseball practice, games, whatever, friends would want to come over and visit Mrs. Shamieh's house for ice cream sandwiches.

That's all it ever was."



That all changed following the economic crash of 2008. "I had just graduated high school and our family had to reevaluate what we wanted to do to be able to provide for the family. And we thought, 'Hey, we love this dessert so much. Our family and friends love it so much. Why don't we open a store and sell it to others?'" They opened the first CREAM location in Berkeley, California in 2010, while Shamieh was attending college in the Bay Area, and within days there were lines out the door.

With the success of the initial store, Shamieh and his family decided a franchising model made sense for expansion, a decision that ultimately led him to law school. "Franchising is an incredibly cumbersome process that requires a lot of strategic thinking, along with preparation of documents and making sure that things are established properly. As a business person, I felt like I was at a disadvantage because I wasn't able to communicate with the lawyers at a level that I felt comfortable with in order to protect what we'd built," he says. "Of course, our lawyers had our best interests in mind, but nobody knows your brand better than you do. So my family and I decided that it was a strategic move for me to take three years to go to one of the best law schools in the country, and I decided to do just that."

Today, there are 26 CREAM stores across California, Colorado, and Florida. Responsible growth with the right partners has been key, as Shamieh emphasizes the company's commitment to its four core principles: quality, affordability, customer service, and atmosphere. "Being a young entrepreneur, I really wanted to enjoy where I worked and I wanted customers to enjoy their time there. I didn't want it to just be a trip to the ice cream store, I wanted it to be a memory. The music would be a little louder than normal and you would see me singing and dancing behind the cash register, making jokes and having fun with the customers. I



think that was key in building a loyal base when we started.”

The fun and youthful environment brings in customers, but Shamieh credits his law degree for helping him navigate business interactions as the business grows. “My legal education informs a lot of my decisions to this day and informs how I communicate with people,” he says. “Often times I’m dealing with people who have 30, 40 years of experience and as a young entrepreneur, sometimes you’re not taken seriously even though you’ve built something tangible. Having a degree behind you like a JD from Northwestern adds a level of credibility that allows you to take business relationships to a deeper level.”



## Emily Shaules (JD '01) Founder and CEO, Shift Bars

Emily Shaules was in a hurry and ran into Whole Foods to pick up a quick snack. She was in the middle of a cleanse that didn’t allow sugar, but she was sure she’d be able to find something that would work among the dozens of energy bars available.

“It’s ridiculous how many bars there are. I literally sat down in the aisle, people were stepping over me while I read every single ingredient panel, and I was not allowed to have any of them on this cleanse,” Shaules says. “And I thought to myself, ‘Well, this is silly. I know about all these zero-glycemic sweeteners.’ I had interned at a health food retreat center, and I just thought, ‘Well, if no one else is going to do this, I will.’”

Shaules created Shift Bars, an organic energy bar with only one gram of sugar. “They’re gluten-free, they’re vegan, they have 10 grams of protein, they’re kosher, they’re non-GMO, all of that wonderful stuff as well. But the hole in the market that I wanted to fill was the combination of organic and really low sugar, because currently that’s not really in the marketplace. There are a lot of organic energy bars, but they tend to be sweetened with honey, dates, or other dried fruits, so they can have up to 15 or 20 grams of sugar in a bar. And then on the flip side, there are a lot of low-sugar bars but they tend to have a lot of chemicals.”

After several years of working as a labor and employment and legal aid attorney, Shaules decided a traditional legal career wasn’t the right fit for her and she went on to work as an actor and a health and wellness coach. But her legal training has



### Favorite CREAM Sandwich:

“Easy.  
Snickerdoodle  
cookie with  
cookie dough  
ice cream and  
caramel sauce  
on top.”



Gus Shamieh (JD '16)



something like this. Not only the organic and the low-sugar aspect, but we really try to take the entire person into account," she says. "We want people to know that we care about them, and that you don't have to change your lifestyle overnight 100 percent in order to see results. That's why I named the company Shift. You start shifting towards a healthier lifestyle and over time that really builds up and you start shifting more into

become useful again as an entrepreneur.

"I know as an absolute fact that my very first seed investor would not have come on board had it not been for the law degree. He said, 'That let me know that you weren't just another hippie with a dream, that you could actually get stuff done,'" she says. "My experience in labor and employment specifically has been helpful. It's very exciting for me to be able to create an employment atmosphere that creates passion in people to share their strengths and their gifts, and to be rewarded for that, instead of just kind of trying to suck out as much as I can and not give back."

Shift Bars have been sold in 40 mom-and-pop stores in the Santa Barbara area, and a launch to full production is scheduled for the next year. Grammy-award winning singer-songwriter Jason Mraz is an early partner, and Shaules continues to seek investors as Shift Bars grows. She and her team are encouraged by the initial response.

"It just proves to me that the market is very hungry for

who you really are instead of who you've been told to be, or what society says you should be. It's a process, so we want to be there for people along the way."

## Rita Srivastava (JD '07) Senior Counsel, Global Labor & Employment Law, McDonald's Corporation

Rita Srivastava first fell in love with labor and employment law in then-professor Kim Yuracko's Employment Law class. About a decade later, she joined the legal team at one of the largest employers in the world, McDonald's.

Srivastava worked in the employment law group at Paul Hastings in New York prior to her 3L year and returned after



Emily Shaules (JD '01)



**Favorite Shift Bar flavor:**  
"Definitely Dark Chocolate Enhancement. People have told me they taste like brownie batter, and I can't think of a higher compliment than that!"





graduating. After three years, she moved back to Chicago and worked in labor and employment at Morgan, Lewis & Bockius. "One of my coworkers left the labor and employment team to go in-house at McDonald's and that's how I was introduced to them. I really fell in love with the people and the depth and breadth of the employment work there," she says.

Srivastava joined McDonald's in 2016 as senior counsel in their Global Labor & Employment group. "One piece that was surprising for me was just how kind and family-oriented the people in the legal department in McDonald's were, which was a good surprise. It's a big huge corporate brand but the people are so caring and interested in your professional growth and development and making sure that you bring your whole self to work."

Working for such a large and well-known brand creates both pressure and opportunity. "With the brand recognition we have, there's an added desire to make sure we're being cognizant that even small issues could turn into large issues. We always want to make sure we're protecting our brand and making sure people see us as the good employer that we believe that we are, and that we endeavor to be with all of our compliance and training,"



Rita Srivastava (JD '07)



**Favorite McDonald's order:**  
"French fries or a snack size  
Oreo McFlurry."

she says. "Another piece about working for McDonald's versus working for another company is one of our huge tenets is using our 'scale for good,' which permeates in the supply chain and in a bunch of other directions. And we try to make that happen in the legal space too whether it's by helping promote the hiring of diverse attorneys or putting our force behind pro bono efforts."

As part of her onboarding, Srivastava went through restaurant training and spent time doing different jobs at a Chicago-area

McDonald's, including working the register. Home office staff

returns to work in the restaurants every year on

Founder's Day, which celebrates founder Ray Kroc's birthday. "It's nice and different to see a

product go out that's very tangible, and know you are helping the employees make special moments for the families and the kids who come into McDonald's restaurants." ■



## CLINIC NEWS

### Appellate Advocacy Center Scores Four Wins at SCOTUS This Term



Sarah Schrup, clinical associate professor of law, and the Appellate Advocacy Center, which she directs, were involved in four cases before the Supreme Court during the 2018-19 term and won all of them. *United States v. Davis*, *Rehaif v. United States*, and *United States v. Haymond* were all part of the Supreme Court

supervised release was unconstitutional because the sentence was not determined by a jury.

In *Cochise Consultancy Inc. v. United States, ex rel. Hunt*, in a unanimous decision, the Court held that a provision of False Claims Act that stops the clock on the period for filing suit until relevant facts are discovered applies to private parties in cases in which the government has not intervened.

**“I’m always proud to be a part of the Clinic, but especially so this year. I’m fairly certain that this win rate at the appellate level is among the best in the country. It results from the students’ extreme dedication to the cases, and our faculty members’ many combined decades of experience.”**

Clinic course, which Schrup leads alongside Sidley Austin’s Jeffrey Green and Carter Phillips (JD ’77). In *Cochise Consultancy Inc. v. United States, ex rel. Hunt*, Schrup was assisted by Sue Provenzano, William Trumbull Professor of Practice, and Jocelyn Francoeur, director of the Law School’s Academic and Professional Excellence (APEX) Program.

In *United States v. Davis*, the Court found that in the statutes that boost penalties for “crimes of violence” committed with firearms, the definition of “crimes of violence” was unconstitutionally vague.

*Rehaif v. United States* dealt with the same statutes, and the Court decided the government must prove that the defendant knew he possessed a firearm and also knew he belonged to the category of persons prohibited from possessing a firearm.

In *United States v. Haymond*, the Court found that a law sending a defendant back to prison because he violated terms of his

In all four cases, Schrup and her colleagues, with the assistance of students, wrote briefs and prepared the lawyers who would be giving oral arguments before the Court. They also brought in fellow Northwestern Law faculty members and alumni to moot the cases.

“I’m always proud to be a part of the Clinic, but especially so this year. I’m fairly certain that this win rate at the appellate level is among the best in the country,” Schrup says. “It results from the students’ extreme dedication to the cases, and our faculty members’ many combined decades of experience.” ■

### Samantha Fidler Receives CLEA Outstanding Student Award



Samantha Fidler (JD ’19) was chosen as this year’s Bluhm Legal Clinic recipient of the Outstanding Student Award from

the Clinical Legal Educators Association (CLEA), given “for excellence in clinical fieldwork and for exceptionally thoughtful, self-reflective participation in an accompanying clinical seminar.”

Fidler spent four semesters in the Center on Wrongful Convictions (CWC), and was nominated by CWC attorneys Karen Daniel, Andrea Lewis, and Greg Swygert, who said: “Samantha has shown extraordinary dedication to her clients and their cases. Among other matters, Sam has worked on four

certificate of innocence petitions for four unconstitutional gun-related convictions. ... There are tricky legal questions involved in these cases, all of which Sam has correctly analyzed in the petitions. Like the best lawyers, she continually and without prompting goes back over her work to improve it, then double- and triple-check. Throughout this year, she has been a class leader and a mentor to newer clinic students, many of whom have expressed their appreciation for her leadership and assistance.” ■

## That Night Brings Story of CWC Client and Attorney to the Stage



Brian Weddington and Susie Griffith in *That Night*

In April, Erasing the Distance — a documentary theater company focusing on mental health issues — staged *That Night*, an original production about Center on Wrongful Convictions (CWC) client Dana Holland and his attorney, clinical professor of law emerita and former CWC director Karen Daniel, at Stage 773.

Holland was exonerated in 2003 after serving 10 years behind bars as a result of wrongful convictions for two separate crimes. One of the crimes was a rape, of which he was absolved by DNA. The other was an armed robbery and attempted murder in which he became a suspect only because of his arrest for the rape he did not commit.

Holland and Daniel were played by Brian Weddington and Susie Griffith, respectively. Holland and Daniel were interviewed extensively about their experiences, and then the show was adapted by Jana Ross, Melanie Thompson, Cage Sebastian Pierre, and Heather Bodie, who directed the production. ■



# Major Gifts between January and June 2019

## Anonymous

An anonymous alumnus has generously recorded a new estate gift raising his total bequest commitment to Northwestern Law to \$3.25 million. This extraordinary deferred gift will be used to bolster an existing endowed scholarship and to establish a new endowed discretionary fund to be utilized by a future dean of the Law School. The gift will greatly enhance the Law School's ability to meet the financial needs of our students and allow flexibility for future Law School deans to implement their vision.

## Sharon Y. Bowen (JD '82, MBA '82) and Larry Morse

Ms. Bowen and Mr. Morse have documented a major gift bequest to support the newly established African American History and Culture Endowed Scholarship. Ms. Bowen is an independent director of Intercontinental Exchange, Inc. and has more than 35 years of regulatory, securities, and public policy expertise. She served as Chair of the Law Board and was on the Women in Law Panel in New York in April 2019. Ms. Bowen and Mr. Morse reside in New York City.

## Antoinette Cook Bush (JD '81) and Dwight L. Bush, Sr.

The Bushes have generously pledged \$100,000 to the newly established African American History and Culture Endowed Scholarship. Ms. Bush is the Executive Vice President and Global Head of Government Affairs for News Corporation in Washington DC and was previously at Skadden, Arps, Meagher & Flom LLP for nearly 20 years. She served on the Northwestern Law Board for five years and was on the inaugural Women in Law Panel in DC in April 2019.

## Jerome S. Gutkin (WCAS '61, JD '65) and Anita Klein Gutkin (COMM '63)

The Gutkins have generously committed \$250,000 to support the Law School through an unrestricted planned gift and a pledge to the Law School Annual Fund. They have been loyal donors to the Law School for over 40 years and currently serve on the Motion to Lead Campaign Cabinet. Mr. Gutkin has been a member of the Law Board since 2014 and has participated in many class reunion activities. The Gutkins have four sons, two of whom are also Northwestern alumni, and reside in Phoenix.

## John F. Jennings (JD '67) and Stephen Molinari

Mr. Jennings and Mr. Molinari have generously pledged \$250,000 to endow a scholarship for students who have demonstrated commitment to public interest law, with a focus on advancing

lesbian, gay, bisexual and transgender equality. Mr. Jennings served as Subcommittee Staff Director and then as a General Counsel for the U.S. House of Representatives' Committee on Education and Labor from 1967 to 1994. He founded the Center on Education Policy in 1995. Mr. Molinari received his law degree from Georgetown University and worked at the U.S. Food and Drug Administration and National Institute on Drug Abuse. They reside in Chicago.

## Retta A. Miller (JD '85)

Ms. Miller has documented a generous bequest of \$100,000 to support the Bluhm Legal Clinic in honor of its 50th anniversary. During law school, Ms. Miller was executive editor of the *Journal of International Law and Business*, a member of the national moot court team, and deeply involved with the Clinic. She is a partner at Jackson Walker LLP in Dallas.

## John R. O'Neil (JD '98) and Lynn S. O'Neil

The O'Neils' generous gift of \$100,000 will benefit the Law School Annual Fund and the Center for Practice Engagement and Innovation (CPEI), which ensures students are prepared to engage the practice of law at a time of fundamental change and dynamic evolution in the legal profession. Mr. O'Neil is a partner at Kirkland & Ellis, heads the investment funds practice group, and is also a member of the firm's global management Committee.



The Campaign for  
Northwestern Pritzker  
School of Law

**Ira H. Raphaelson (WCAS '74, JD '77) and Andrea J. Raphaelson (COMM '75)**

Mr. and Mrs. Raphaelson have made a generous bequest commitment of \$125,000 to support fellowships for recent graduates interested in public service. Mr. Raphaelson is Senior Counsel at White & Case in Washington, DC and spent the first 15 years of his career as an Assistant States Attorney

and Assistant U.S. Attorney in Chicago before serving as a presidential appointee in the Justice Department. He has been a longtime member (and formerly served as Chair) of the Law Board and also serves as an adjunct professor.

**Jeffrey T. Veber (JD '92) and Kimberly Veber**

The Vebers' generous \$100,000

gift establishes the Veber Family Scholarship for Law School students. Mr. Veber is Vice Chair of VedderPrice's Executive Committee, and serves on the firm's Board of Directors and Global Transportation Finance team. He has over 25 years of experience representing clients in transportation finance matters. The Vebers live in Rye, New York.

## Hochkammers Generously Support Law School through Several Gifts

Bill Hochkammer (JD '69) and Marcia Hochkammer (BS '67) have generously supported Northwestern Pritzker School of Law with several major gifts, totaling more than \$522,000, throughout the Motion to Lead Campaign. The Hochkammers have been loyal donors to the Law School for more than 40 years.

In 2013, they endowed the William O. and Marcia A. Hochkammer Scholarship for students with demonstrated financial need. Their most recent pledge of \$200,000 furthers the scholarship's impact for the Law School's deserving students, and commits \$50,000 to the Law School Fund.

The Hochkammers' ties to Northwestern are longstanding and meaningful. Ms. Hochkammer graduated from Northwestern University, as did her parents, Theodore Teitgen (BA '31, MD '35) and Mildred Teitgen (BA '32); brother, Arthur Teitgen (BS '61); grandfather, Arthur Theodore Teitgen (MD 1907); and great uncle, Arthur Herbert Teitgen (DDS 1905). The Hochkammers' daughter, Anna (BA '94), also graduated from Northwestern.

Mr. Hochkammer is a partner at Honigman LLP specializing in healthcare and alternative risk financing. He served as the firm's Chairman from 1991 to 1998 and as Chief Executive Officer from 1993 to 1998. He is a life member of the Law Board, a member of the Law School's Campaign Cabinet, and currently serves on his 50th reunion committee.

Scholarship support is an important pillar of the Motion to Lead Campaign, which has raised over \$248 million and secured over 40 new scholarships from alumni and friends. "The support of our alumni allows us to educate extraordinarily talented students regardless of financial condition and circumstance, thereby diversifying and strengthening our community," Dean Kimberly Yuracko said. "We are truly grateful for the Hochkammers' enduring generosity."



## FACULTY FOCUS

### Research and Clinical Faculty Members Partner in Juvenile Justice Clinic

Joshua Kleinfeld, Tom Geraghty, and Maria Hawilo demonstrate the power of collaboration between research and clinical faculty.

After learning that he'd received tenure in 2017, Joshua Kleinfeld's first call wasn't celebratory — it was to ask to work in the Bluhm Legal Clinic.

"It wasn't more than three or four seconds after getting the good news about tenure that I picked up the phone and called Tom [Geraghty]," Kleinfeld, professor of law, says. Two major factors drove him to want to work in Geraghty's juvenile justice clinic; the first was scholarly.

"My background is in philosophy and law, and my theory, *reconstructivism*, is an attempt at a comprehensive theory of criminal law to compete with foundational theories like utilitarianism and retributivism," he says. "And yet, I felt a deficit. I had a philosophy PhD, a JD, and a certain amount of practice experience in corporate criminal law, but I had never actually had an individual human being depending on my ability to navigate the criminal system. I felt like I would be a better scholar and teacher — and ultimately I would produce a richer and more nuanced theory of criminal law — if I had more concrete experience."

Kleinfeld was also driven by the loss of his close friend, neurosurgeon and author Paul Kalanithi, whose best-selling posthumous memoir *When Breath Becomes Air* inspired many readers to reevaluate their own lives. "I believe my teaching and scholarship make the world a better place, but they do so in a pretty indirect way. I wanted to follow Paul's example and contribute more directly to others. What could I do in that respect? I could defend children accused of crimes."

Geraghty, Class of 1967 James B. Haddad Professor of Law, readily agreed. When he had been seeking faculty members to teach at Addis Ababa University School of Law in Ethiopia in 2012, Kleinfeld volunteered. "I was so impressed with the work that he did over there and I knew of his adventuresome spirit and his talents as a teacher because of that," Geraghty says. "Also, I had been a criminal defense lawyer for 45 years and had never really had the chance to work closely with a member of the research faculty on my cases, which mostly involved young people charged with serious crimes both in juvenile court and adult criminal court. I thought it would be extremely useful for me and for my students to see what perspectives Joshua could bring to our work."

Following visiting professorships at Stanford and Harvard, Kleinfeld joined the juvenile justice clinic, taught by Geraghty and Maria Hawilo, as a co-instructor for the 2018-19 academic year. While continuing his primary work as a research professor, Kleinfeld repurposed a portion of his teaching to the Clinic.

Geraghty says Kleinfeld's openness to learning and sharing his expertise was incredibly valuable to students and clients. And his contributions haven't just been theoretical.

"We had a case involving statutory interpretation, and I don't think the judge that we were before at 26<sup>th</sup> and California — a very able judge — had really heard a sophisticated argument about



From left: Maria Hawilo, Joshua Kleinfeld, and Tom Geraghty

it," Geraghty says. "Joshua presented it and the judge was quite impressed. I imagine he probably thought to himself, 'Well this is something that all judges out of 26<sup>th</sup> and California could benefit from. An outsider coming in with some really fresh perspectives based on experience as a scholar.'"

"And more important than impressed, he was persuaded," says Kleinfeld. "We won."

Kleinfeld's year in the Clinic was eye-opening, challenging, and an experience he plans to continue. "I'm pretty theoretical, as legal scholars go, and a lot of people would think that I'm the last person who would do concrete practice work in the Clinic," he says. "But I have found my work greatly enhanced by the practice experience and by the Clinic. It's easy for the different faculties and other important parts of a modern law school, like research librarians and staff, to get siloed. I think it's healthier for the institution if there is some crossing of those barriers." ■

## Cheating Pays



*Emily Kadens is a professor of law. This is an excerpt of an article originally published in the Columbia Law Review.*

On May 29, 1622, the English Court of Star Chamber found the London grocer Francis Newton guilty of a nearly decade-long pattern of cheating on the weight of wares and containers. The court fined Newton the enormous sum of £1,000 and required him to make a public apology before the Grocers' Company, the London guild to which he belonged. The men who heard this confession on July 26, 1622 were his trading partners, customers, friends, guild brethren, enemies, and neighbors. They were part of a network that ran from the import merchants and local manufacturers from whom the grocers bought wares, to the provincial middlemen and retailers to whom the grocers in turn sold those goods. These men all knew about the allegations against Newton. Three lawsuits over the previous four years had involved deposition testimony from over 100 individuals, including some of the men in that room and many of the men and women who sold to and bought from Newton. Gossip about his misdealing had spread through the grocer community of London and well out into the countryside.

The organization of Newton's trade encapsulated the prerequisites of

public- and private-ordering explanations for cooperation in contracting. He engaged in repeat, bilateral transactions with a large number of other traders. All of these traders together existed within a dense network in which reputation-creating gossip could flow almost costlessly. A powerful guild could, in theory, impose and enforce boycotts, and an extensive and sophisticated court system provided a state-sanctioned means of punishing defectors.

And yet, despite the existence of the presumed preconditions for cooperation, Newton cheated. He cheated a lot of people, each a little bit, and he got away with it for a long time. And then, even after he was caught and very publicly punished, he continued to do business within the same network, in the same location, for the rest of his life. He died in 1630, a man of property, perhaps not as successful as he would have been but wealthy enough to leave land in the countryside and a going concern in central London to his heirs. Fathers continued to place their sons with him as apprentices, and none of his existing apprentices left him after his sentence, though they could have done so under the rules and practices of the guild. Merchants continued to sell him expensive goods. His old customers did not abandon him. And notwithstanding the fact that his nephew, the eventual heir to his business, had been his apprentice during the time of his trial and punishment and testified on his uncle's behalf, no stigma seems to have attached to him in his career. The nephew became a governor of the Grocers' Company, a knight, and a very wealthy man.

Private-ordering theories would likely not predict this outcome. These theories hold that merchants have an incentive to act honestly because they will get a bad reputation if they act dishonestly, and this

will damage their future business prospects. This Essay argues that reputation-based private-ordering theories predict the wrong outcome in the Newton case, and in similar cases of low-level cheating both historical and modern, because they fail to recognize that not all opportunistic behavior is the same. Reputation-based private ordering that creates a disincentive for individuals or firms to commit big cheats may not effectively prevent the sort of small cheats in which Newton engaged.

The difference between big and small cheats lies primarily in the difficulty of discovery, the cheater's plausible deniability, and the victim's willingness to suffer the flawed performance in silence. The big cheat—failure to deliver or to pay, delivery of unusable goods, hold-up, or significant misrepresentation—will rarely pass unnoticed. But victims of small cheats—the chiseling, shirking, and taking advantage at the margins—may never detect the cheating. And if victims discover the breach, the cheat may be minor enough that they may not be sure whether a trading partner had merely made a mistake she will happily correct, committed an inadvertent breach that will never happen again, or deliberately wronged them. In addition, even if victims discover what they believe is low-level cheating, they may still prefer not to publicize it. Doing so may be too much effort; victims may want to continue to do business with the cheater; or they may not be certain that others will believe their claims that the cheater cheated. If victims do not realize they have been cheated or prefer not to impugn the cheater's reputation, they cannot leverage either private ordering or the courts to discipline the cheater.

From the cheater's perspective, therefore, honesty may not pay when one can profit from small cheats without suffering future consequences. ■

## Deborah Tuerkheimer Awarded Ver Steeg Fellowship



Deborah Tuerkheimer, the Class of 1940 Research Professor of Law, was one of two 2019 recipients of the 13th annual Dorothy Ann and Clarence L. Ver Steeg Distinguished Research Fellowship Award. The other recipient was José Medina, the Walter Dill Scott Professor of Philosophy in the Weinberg College of Arts and Sciences.

The Ver Steeg Fellowship supports research and scholarship by tenured Northwestern professors whose work enhances the national and international reputation of the University, and carries an award of \$40,000 per award recipient.

“Through their brilliant research, both José and Deborah forge new knowledge and approaches to crucial questions of injustice, violence, race and gender,” said Provost Jonathan Holloway, whose office bestows the Ver Steeg Fellowship annually. “As globally renowned scholars, they are pushing boundaries in their fields and in society.”

Tuerkheimer is one of the nation’s leading legal scholars, distinguished by her

tremendous contributions to criminal law, evidence, and feminist theory. An elected member of the prestigious American Law Institute, Tuerkheimer is serving as a consultant on reforms to the Model Penal Code in the area of sexual assault and related offenses, and as an advisor to the Project on Sexual and Gender-Based Misconduct on Campus.

A graduate of Harvard College and Yale Law School, Tuerkheimer publishes widely in leading media outlets and law reviews. Her groundbreaking first book, *Flawed Convictions: ‘Shaken Baby Syndrome’ and the Inertia of Justice* (Oxford University Press, 2014), explored the shifting science around diagnosing child abuse, and the ways in which a scientific consensus can impact, and distort, the legal process.

“I am most grateful to the Ver Steeg family for its extraordinary support of scholarship,” Tuerkheimer said. “The award will help facilitate my continued research and writing aimed at improving our societal responses to sexual misconduct. It is

a privilege to be working to advance this conversation, particularly in the #MeToo era when so much is in flux.”

Medina is a leading philosopher of his generation. His work focuses on the intersections of critical race theory, gender theory, political philosophy, communication theory and social epistemology.

The Ver Steeg Fellowship was established and endowed by the late Clarence L. Ver Steeg and his wife, Dorothy. Clarence Ver Steeg was a faculty member in the department of history from 1950 to 1992 and served as dean of The Graduate School from 1975 to 1986.

Established in 2006, the fellowship is the University’s first endowed award for excellence in research by a faculty member. ■

## Beyond #MeToo

An excerpt of Tuerkheimer’s forthcoming article in the *New York University Law Review*.

In early October 2017, accusations of sexual assault and harassment against Harvey Weinstein, first published by the *New York Times* and *The New Yorker*, catalyzed the #MeToo movement. As allegations against Weinstein multiplied in the coming weeks and months, the media intensified its focus on sexual misconduct by other powerful men. Soon the coverage of misconduct ranging from boorish to criminal expanded to disparate industries and institutions, including publishing, fashion, music, sports, entertainment, architecture, advertising, comedy, philanthropy, hospitality, retail, farm, factory, academia, technology, media, church, and politics. By the close of 2017, #MeToo had spawned a massive reckoning with a vast continuum of sexual abuse.

More than a year later, the landscape



of sexual misconduct allegations looks markedly different from any that has come before. As survivors — mostly women — have found strength in numbers and a growing cultural responsiveness to their claims, the widespread impetus to disclose abuse has intensified. In this rapidly shifting environment, a new system of sexual misconduct accusation has emerged and quickly become dominant. Yet the ascendance of what I will call “unofficial reporting channels”—a collection of informal channels that circumvent the law and law-adjacent institutional structures—has been entirely overlooked.

Channels for reporting sexual misconduct that skirt established complaint pathways should hold special interest for

Whisper Network, the Shadow Court of Public Opinion, and the New Court of Public Opinion. A functional analysis of these channels establishes that unofficial reporting can advance several important ends.

Even so, there are limits to what informal accusation can accomplish, particularly because it deliberately bypasses official systems of accountability. To be clear, this shunning of the law of sexual misconduct is not a novel development, nor is it unexpected. Sexual abuse victims have long been disserved by the criminal law, by campus disciplinary processes, and by workplace complaint mechanisms. Over time, survivors have mostly turned away from the institutions that have forsaken them.

**Sexual abuse victims have long been disserved by the criminal law, by campus disciplinary processes, and by workplace complaint mechanisms. Over time, survivors have mostly turned away from the institutions that have forsaken them.**

legal scholars and lawyers, who generally proceed from certain assumptions regarding the primacy of formal systems of accountability. These basic assumptions need revision if, as I will argue, by aiming to satisfy goals that our laws and legal institutions fail to achieve, informal reporting channels are serving as substitutes for the officially sanctioned mechanisms of redress that monopolize scholarly attention. Moreover, by viewing unofficial reporting channels as imperfect legal workarounds, we can better discern what these channels accomplish and where they fall short.

To make sense of what is currently unfolding, a proposed taxonomy classifies informal avenues of complaint into four distinct types: the Traditional Whisper Network, the Double Secret

As the #MeToo movement has gathered force, the law has remained largely missing in action, with the perceived futility of invoking formal accountability measures taken as given. But the near absence of law is too damning to ignore. Rather than remain a dominant feature of our societal approach to sexual assault and harassment, the proliferation of informal complaint underscores the need to invigorate our systems of formalized redress. Unless we are willing to consign the laws that regulate sexual misconduct to a state of perpetual dormancy, the channels that activate legal consequences must be reimaged. By creating a next generation of official reporting channels, we can breathe new life into the law of sexual misconduct, along with the protections it offers victims and accused alike. ■

## Spitzer Receives ALER Distinguished Article Prize



Matthew Spitzer, Howard and Elizabeth Chapman Professor and director of the Northwestern University Center on Law, Business, and

Economics, was awarded the *American Law and Economics Review* (ALER) Distinguished Article Prize for his paper “Appointing Extremists,” with co-author Michael Bailey of Georgetown University. The paper examines the Supreme Court justice nomination process and presents a model illustrating that uncertainty about a potential justice’s preferences can lead a president to prefer a nominee with extreme preferences. It was selected by the ALER prize committee from a group of papers nominated by the ALER editors.

“We are thrilled that Matt Spitzer has been recognized for this high honor in the field of law and economics, an area of strength for Northwestern,” says Dean Kimberly Yuracko. “His work as a scholar and his initiatives through the Center on Law, Business, and Economics have had a substantial impact on the field and are a point of pride for Northwestern Law.”

The ALER annually awards this prize to the best article published in the Review from the preceding year, and presents the award at the American Law and Economics Association (ALEA) meeting, which was held in May at New York University School of Law. Northwestern Law has a long tradition of participating at the conference, which is the largest and longest running academic conference in the field of law and economics, and one of the largest interdisciplinary law conferences. ■

## A Conversation with Zachary Clopton

Zachary Clopton joins the Northwestern Law faculty as a professor of law. His research and teaching interests include civil procedure, complex litigation, international business transactions and litigation, and national security law. He previously taught at the University of Chicago Law School and most recently at Cornell Law School.

Prior to teaching, Clopton worked in the national security group at Wilmer Hale in Washington, DC, clerked for the Honorable Diane P. Wood of the United States Court of Appeals for the Seventh Circuit, and served as an Assistant United States Attorney in the Northern District of Illinois. He earned a BA from Yale University, an MPhil in International Relations from Cambridge University, where he was a Gates Foundation Scholar, and his JD from Harvard Law School.

**What brought you back to academia after working in the public and private sectors?**

I've always liked research, writing, and teaching. The only question for me was whether that was going to be all that I did, or a part of what I did. So, when I was in practice I also took the time to do some adjunct teaching and some legal scholarship. But when I figured out that I could do that as my full-time job, that's when I made the transition from the U.S. Attorney's Office into an academic position.

**What are the main areas of focus in your research? What are you working on now?**

The question that's most interesting to me is how to think about legal questions when multiple legal systems have some stake in the resolution. So, that could be state and federal. It could be the U.S. and a foreign country. It could even be civil and criminal. A lot of my research looks at the interface between multiple legal systems, and the procedural and jurisdictional rules that need to be in place to kind of adjudicate those potential conflicts to take advantage of the benefits of overlapping systems and to try to minimize some of the costs that can arise.

One major thread of my research has focused on what I call civil enforcement, which is basically the use of civil litigation to further various public policy aims. This comes up commonly in areas like antitrust or securities law, or environmental law or civil rights. What's interesting about these areas is that you have multiple places where cases can be brought (such as in state or federal court), but also lots of potential people bringing those cases. In many of these areas you could just as easily have a government actor, say the U.S. Department of Justice or a state attorney general, bringing a claim. Or you could have private citizens bringing, essentially, an identical claim on identical facts. So, there we have kind of complexity on multiple levels, both in terms of the court systems, and also the



potential legal actors involved.

One other area where I've been spending a lot of time recently and I'm very excited about is a process called multidistrict litigation, or MDL for short. Multidistrict litigation is a process in the federal courts to coordinate cases across different federal district courts that otherwise would be proceeding in parallel. MDL brings these cases together for

some unified proceedings and perhaps resolution, but still allows each of the cases to retain their own individual character. Unlike a class action that brings together, potentially, thousands or tens of thousands of claims into a single claim, what an MDL does is it keeps each case independent. Each plaintiff can decide whether to settle his or her case or not, but because these cases can involve overlapping or common issues, an MDL tries to bring them together with the hopes of a global resolution, whether that's a settlement or a court judgment. MDLs have just exploded, at least in terms of the numbers in federal courts. Today, any mass tort is likely to end up in an MDL. The BP oil spill was an MDL. The NFL concussion litigation was an MDL. The opioid litigation that has been in the news is an MDL. It's become the way to resolve mass tort cases in federal court today.

**What are you most looking forward to about joining Northwestern Law?**

I'm very excited about joining both the local community at Northwestern Law School, which includes amazing faculty, administrators, staff, and students, and also the broader Northwestern legal community that includes the alumni network of lawyers and judges doing amazing things in a dynamic legal environment like Chicago. Especially for someone who studies civil procedure and complex civil litigation, there's really no better place to be than at a law school like Northwestern in a city like Chicago, where a lot of this work is happening in the flesh. Northwestern has a reputation as a place that really values the study of civil litigation and procedure, has world class faculty in those areas, and has produced amazing lawyers who have gone on to be leaders on those topics as well. ■

# Faculty Publications

The Northwestern Law faculty produces world-class scholarship on a diverse range of contemporary legal issues. The following is a selection of scholarly works by residential faculty published in the last academic year.



**Ronald J. Allen**  
JOHN HENRY WIGMORE  
PROFESSOR OF LAW

“Relative Plausibility and its Critics.” *International Journal of Evidence & Proof* (with Michael S. Pardo). 2019.

“Clarifying Relative Plausibility: A Rejoinder.” *International Journal of Evidence & Proof* (with Michael S. Pardo). 2019.

“The Declining Utility of Analyzing Burdens of Persuasion.” *Seton Hall Law Review*. 2018.

“Explanations and the Preponderance Standard: Still Kicking Rocks with Dr. Johnson” (with Michael S. Pardo). *Seton Hall Law Review*. 2018.



**Karen J. Alter**  
PROFESSOR OF LAW  
(COURTESY)

“Critical Junctures and the Future of International Courts in a Post-Liberal World Order” in *The Future of International Courts*

*and Tribunals: Regional, Institutional, and Procedural Challenges*, edited by Avidan Kent, Nikos Skoutaris, and Jamie Trinidad. 2019.

“The Empire of International Law?” in *The American Journal of International Law*. 2019.

“National Perspectives on International Constitutional Review: Diverging Optics” in *Comparative Judicial Review*, edited by Erin F. Delaney and Rosalind Dixon. 2018.

“Gender and Status in American Political Science: Who Determines Whether a Scholar Is Noteworthy?” *Northwestern Public Law Research Paper* (with Jean Clipperton, Emily Schraudenbach, and Laura Rozier). 2018.

“Theorizing the Judicialization of International Relations.” *iCourts Working Paper Series* (with Emilie Marie Hafner-Burton and Laurence Helfer). 2018.

“The Rise of International Regime Complexity.” *Annual Review of Law & Social Science* (with Kal Raustiala). 2018.



**Michael Barsa**  
PROFESSOR OF PRACTICE

“Judicial Review in an Age of Hyper-Polarization and Alternative Facts.” *San Diego Journal of Climate and Energy Law* (with David A. Dana). 2018.



**Sheila Bedi**  
CLINICAL ASSOCIATE  
PROFESSOR OF LAW

“Chicago’s Policing Problem Is Systemic. Truth and Reconciliation Are Needed.” *USA Today* (with David Anderson Hooker). 2018.

“Gov. Haslam Needs to Do the Right Thing and Grant Cyntoia Brown Clemency.” *The Hill*. 2018.



**Bernard Black**  
NICHOLAS D. CHABRAJA  
PROFESSOR OF LAW AND  
BUSINESS

“Fictions and Facts: Medical Malpractice Litigation, Physician Supply, and Health Care Spending in Texas Before and After HB 4.” *Texas Tech Law Review*

(with Charles M. Silver and David A. Hyman). 2019.

“Maryland’s Experiment With Capitated Payments For Rural Hospitals: Large Reductions In Hospital-Based Care.” *Health Affairs* (with Jesse M. Pines, Sonal Vats, and Mark S. Zocchi). 2019.

“Damage Caps and Defensive Medicine: Reexamination with Patient-Level Data.” *Journal of Empirical Legal Studies* (with Ali Moghtaderi and Steven Farmer). 2019.

“Physicians with Multiple Paid Medical Malpractice Claims: Are They Outliers or Just Unlucky?” *International Review of Law and Economics* (with David A. Hyman and Joshua Y. Lerner). 2019.

“A Standard-Setting Body for US Health Care Quality Measurement.” *American Journal of Medical Quality* (with J. Matthew Austin and Peter J. Pronovost). 2018.

“The Nonprime Mortgage Crisis and Positive Feedback Lending.” *Journal of Law, Finance, and Accounting* (with Charles K. Whitehead and Jennifer Mitchell Coupland). 2018.

“The Trouble with Instruments: The Need for Pre-Treatment Balance in Shock-IV Designs.” *Northwestern Law & Economics Research Paper* (with Vladimir A. Atanasov). 2019.

“Which Aspects of Corporate Governance Do and Do Not Matter in Emerging Markets.” *Northwestern Law & Economics Research Paper* (with Antonio Gledson de Carvalho, Vikramaditya Khanna, Woochan Kim, and Burcin Yurtoglu). 2019.

“The Deterrent Effect of Tort Law: Evidence from Medical Malpractice Reform.” *Northwestern Law & Economics Research Paper* (with Zenon Zabinski). 2018.

“Applying Shock-Based versus Panel Data Methods in Corporate Finance and Accounting Research: Evidence from a Case Study of Korea.” *Northwestern Law & Economics Research Paper* (with Woochan Kim and Julia Nasev). 2018.

“The Effect of Health Insurance on Mortality: Power Analysis and What We Can Learn from the Affordable Care Act Coverage Expansions.” *National Bureau of Economic Research Working Paper* (with Alex Hollingsworth, Leticia Nunes, and Kosali Simon). 2019.

“The Value of Country-Specific Versus Commercial Indices in Emerging Markets.” *University of Michigan Law & Economics Research Paper* (with Antonio Gledson de Carvalho, Woochan Kim, and Burcin Yurtoglu). 2018.



**Locke E. Bowman**  
CLINICAL PROFESSOR OF LAW

“Toward a Just Model of Pretrial Release: A History of Bail Reform and a Prescription for What’s Next.” *Journal of Criminal Law and Criminology* (with Alexa Van Brunt). 2019.



**Robert P. Burns**  
WILLIAM W. GURLEY  
PROFESSOR OF LAW

“Law and the Modern Identity.” *Northwestern Public Law Research Paper*. 2019.

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“A Path to Self-Awareness in Forty-five Years of Law and Literature: Reflections on James Boyd White’s ‘The Legal Imagination’ and Its Impact on Law and Humanities Scholarship.” *Law & Humanities*. 2019.



**Steven G. Calabresi**  
CLAYTON J. AND HENRY R.  
BARBER PROFESSOR OF LAW  
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"Why Robert Mueller's

Appointment as Special Counsel Was Unlawful." *Notre Dame Law Review* (with Gary Lawson). 2019.  
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"Neither Kavanaugh nor Constitutional Originalism Are Scary." *The Hill*. 2018.  
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**Alyson Carrel**  
CLINICAL ASSOCIATE  
PROFESSOR OF LAW  
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Artificial Intelligence Requires  
Emotional Intelligence: A New  
Competency Model for the 21st  
Century Legal Professional." *Georgia State University  
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**Brian Citro**  
CLINICAL ASSISTANT  
PROFESSOR OF LAW  
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"Ending Tuberculosis Will Take Lower Drug Prices and a New, Improved Innovation Ecosystem." *Stat* (with John Stephens and Prabha Mahesh). 2018.  
"Measuring Structural Stigma: Human Rights and Legal Discrimination" in *TB Stigma — Measurement Guidance*. 2018.



**David Dana**  
KIRKLAND & ELLIS  
PROFESSOR OF LAW  
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Private Governance." *Journal of  
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Janice Nadler). 2019.

"Property's Edges." *Boston College Law Review* (with Nadav Shoked). 2019.  
"Framing of Geoengineering Affects Support for Climate Change Mitigation." *Environmental Communication* (with Kaitlin T. Raimi, Alexander Maki, and Michael P. Vandenberg). 2019.  
"Judicial Review in an Age of Hyper-Polarization and Alternative Facts." *San Diego Journal of Climate and Energy Law* (with Michael Barsa). 2018.



**Erin F. Delaney**  
PROFESSOR OF LAW  
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European Constitution*, edited by N.W. Barber, Maria Cahill, and Richard Ekins. 2019.

"Brexit Optimism and British Constitutional Renewal" in *Constitutional Democracy in Crisis*, edited by Mark Graber, Sanford Levinson, and Mark Tushnet. 2018.  
"The Challenge of Integrating Theory and Practice." *Judicial Power Project*. 2018.  
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**Shari Seidman Diamond**  
HOWARD J. TRIENENS  
PROFESSOR OF LAW  
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**Michelle S. Falkoff**  
CLINICAL PROFESSOR  
OF LAW  
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Predators." *Los Angeles Review  
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**Daniel Gandert**  
CLINICAL ASSISTANT  
PROFESSOR OF LAW  
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**Stephen B. Goldberg**  
PROFESSOR OF LAW  
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**Dana Hill**  
CLINICAL PROFESSOR OF LAW  
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**Allan Horwich**  
PROFESSOR OF PRACTICE  
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**Tonja Jacobi**  
STANFORD CLINTON, SR.  
AND ZYLPHA KILBRIDE  
CLINTON RESEARCH  
PROFESSOR OF LAW  
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"Why Won't the US Supreme Court Do Anything About Racism?." *AEON* (with Ross Berlin). 2019.

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**Emily Kadens**  
PROFESSOR OF LAW

"The Dark Side of Reputation." *Cardozo Law Review*. 2019.

"Cheating Pays." *Columbia Law Review*. 2019.

"Convergence and the Colonization of Custom in Pre-Modern Europe" in *Comparative Legal History*, edited by Olivier Moreteau and Kjell Modeer. 2019.



**Michael S. Kang**  
WILLIAM G. AND VIRGINIA K. KARNES RESEARCH PROFESSOR OF LAW

"The Problem of Irresponsible Party Government." *Columbia Law Review Online*. 2019.

"Sore Loser Laws in Presidential and Congressional Elections" in *Routledge Handbook of Primary Elections*, edited by Robert Boatright (with Barry Burden). 2019.

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**Joshua Seth Kleinfeld**  
PROFESSOR OF LAW

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**Jonathan Koehler**  
BEATRICE KUHN PROFESSOR OF LAW

"Certainty and Uncertainty in Reporting Fingerprint Evidence." *Dædalus* (with Jay B. Kadane). 2018.

"Commentary on 'Review of Several False Positive Error Rate Estimates for Latent Fingerprint Examination Proposed Based on the 2014 Miami Dade Police Department Study.'" *Journal of Forensic Identification*. 2019.



**Andrew Koppelman**  
JOHN PAUL STEVENS PROFESSOR OF LAW

"What Kind of Human Right is Religious Liberty?" in *Research Handbook on Law and Religion*, edited by Rex Ahdar. 2018.

"The Joys of Mutual Contempt" in *Religious Freedoms, LGBT Rights, and the Prospects for Common Ground*, edited by William Eskridge, Jr. and Robin Fretwell Wilson. 2018.

"This Isn't About You: A Comment on Smith's Pagans and Christians in the City." *San Diego Law Review*. 2019.

"Tebbe and Reflective Equilibrium." *Journal of Civil Rights and Economic Development*. 2018.



**Matthew B. Kugler**  
ASSOCIATE PROFESSOR OF LAW

"From Identification to Identity Theft: Public Perceptions of Biometric Privacy Harm." *U.C. Irvine Law Review*. 2019.

"The Privacy Hierarchy: Trade Secret and Fourth Amendment Expectations." *Iowa Law Review* (with Thomas Rousse). 2019.

"Assessing the Empirical Upside of Personalized Criminal Procedure." *University of Chicago Law Review* (with Lior Strahilevitz). 2019.

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**James T. Lindgren**  
PROFESSOR OF LAW

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"Term Limits Could Fix the Dysfunction Around Supreme Court Confirmations." *Los Angeles Times* (with Ross M. Stolzenberg). 2018.

"Proposed Constitutional Amendment Against Packing the Supreme Court." *Volokh Conspiracy*. 2018.



**Daniel W. Linna Jr.**  
SENIOR LECTURER

"Measuring Innovation to Drive Change and Improve Legal-Services Delivery and Access for Everyone." in *Legal Tech: The Digitization of the Legal Market*,

edited by Markus Hartung, Micha-Manuel Bues, and Gernot Halbleib. 2018.



**Steven Lubet**  
EDNA B. AND EDNYFED H. WILLIAMS MEMORIAL PROFESSOR OF LAW

"Commentary: Steven Salaita, Rejected by U. of I. Over Israel Tweets, Seems to Have Found Peace – Driving a School Bus." *Chicago Tribune*. 2019.

"It's High Time We Killed the College Admissions Essay." *The Daily Beast*. 2019.

"Why It Is Wrong to Harangue a Captive Audience at Graduation." *Academe*. 2019.

"Ethnographers Are Not Lawyers, and Nobody Ever Said They Should Be." *Scatterplot*. 2019.

"Ethnographers in Cars with Guns." *Contexts*. 2019.

"Accuracy in Ethnography: Narratives, Documents, and Circumstances." *Contexts*. 2019.

"Commentary: What Does It Take to Get a Second Chance?" *Chicago Tribune*. 2018.

"Anti-Slavery Heroes Charles Langston and Simeon Bushnell Deserve Pardons Too, President Trump." *The Conversation*. 2018.

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"Anti-Semitism Has Consequences." *The American Prospect*. 2018.

"An Encouraging Story About Falsehood." *The American Prospect* (with Robert B. Clarke). 2018.

"The Medical Community Is Changing Its Mind on Chronic Fatigue Syndrome. Why Aren't Insurers?" *STAT News* (with David Tuller). 2018.

"Why Won't John Roberts Accept an Ethics Code for Supreme Court Justices?" *Slate*. 2019.

"Leon Redbone, Fact Checking, and Ethnography." *Social Science Space*. 2019.

"Why Reducing Law School Debt Will Not Increase Public Interest Work." *Academe*. 2019.

## New Senior Lecturer

Daniel W. Linna Jr.  
SENIOR LECTURER



Linna joins the Northwestern Law faculty as a senior lecturer and director of law and technology initiatives, the first joint position in law and engineering. He served as a visiting professor for the 2018-19 academic year, when he taught courses on artificial intelligence and in the MSL program's Innovation Lab. He was previously an adjunct professor at the University of Michigan Law School and he is an affiliated faculty member at CodeX, The Stanford Center for Legal Informatics. He was director of LegalRnD – The Center for Legal Services Innovation at Michigan State University College of Law from 2015-2018. Previously, Linna was an equity partner in the litigation department at Honigman Miller Schwartz and Cohn and clerked for U.S. Court of Appeals Judge James L. Ryan. Linna has an undergraduate degree and a JD from the University of Michigan, and a master's in public policy and administration from Michigan State University.

## New CLR Faculty



Rebekah Holman  
CLINICAL ASSISTANT  
PROFESSOR OF LAW

Holman joins the Law School after serving as an Assistant United States Attorney in the United States Attorney's Office for the Northern District of Illinois and the District of Columbia, where she tried 18 cases to verdict and briefed and argued cases before the Courts of Appeal. Prior to serving as an Assistant United States Attorney, Holman was deputy associate chief counsel at the Bureau of Alcohol, Tobacco, Firearms and Explosives, and taught legal analysis, research, and communication at DePaul University Law School. She has an undergraduate degree from Tufts University, and a JD from the University of Chicago, where she was an editor of the *University of Chicago Roundtable*, an interdisciplinary law journal.



Michael Zuckerman  
CLINICAL ASSISTANT  
PROFESSOR OF LAW

Prior to joining the Law School this fall, Zuckerman practiced law at Jones Day and clerked for several federal judges. His practice included trial and appellate litigation and internal investigations. Zuckerman clerked for the Honorable Amy J. St. Eve on the U.S. Court of Appeals for the Seventh Circuit, in addition to earlier clerkships for Judge St. Eve on the district court, the Honorable Eric L. Clay of the U.S. Court of Appeals for the Sixth Circuit, and the Honorable Cheryl L. Pollak of the U.S. District Court for the Eastern District of New York. Zuckerman has published extensively, including a widely cited series of articles on social media and juries he co-authored with Judge St. Eve in the *Duke Journal of Law and Technology*. Zuckerman earned JD *cum laude* from Cornell Law School, where he served on the *Cornell Law Review*. He holds a BS in Industrial and Labor Relations from Cornell University.



**Bruce A. Markell**  
PROFESSOR OF BANKRUPTCY  
LAW AND PRACTICE

“Dead Funds and Shipwrecks: Ultra Petroleum.” *Bankruptcy Law Letter*. 2019.

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**John O. McGinnis**  
GEORGE C. DIX PROFESSOR  
IN CONSTITUTIONAL LAW

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**Ajay Mehrotra**  
PROFESSOR OF LAW

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**Janice Nadler**  
NATHANIEL L. NATHANSON  
PROFESSOR OF LAW

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**Uzoamaka Emeka Nzelibe**  
CLINICAL ASSOCIATE  
PROFESSOR OF LAW

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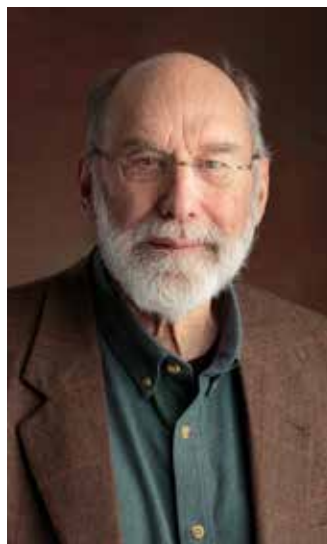
**Jide Nzelibe**  
PROFESSOR OF LAW

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**Laura Pedraza-Fariña**  
ASSOCIATE PROFESSOR  
OF LAW

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## Jack Heinz Publishes First Novel

Jack Heinz, Owen L. Coon Professor of Law Emeritus, published his first novel, *Rebellion, Love, Betrayal*, in May. The book, which takes place in the turbulent late '60s, “chronicles the explosive story of political dissidents and those opposed to them as they decide how much violence they are willing to use... or how much is politically wise.” The book features several photos, including the cover, taken by Bill Hood (JD '69),

who was Heinz’s student. “The book is a true Northwestern Law School product,” Heinz says.

Heinz taught at Northwestern Law for 42 years, and was the executive director of the American Bar Foundation from 1982 to 1986. He is the co-author of several books and articles including *Chicago Lawyers: The Social Structure of the Bar* and *Urban Lawyer: The New Social Structure of the Bar*. ■



**James E. Pfander**  
OWEN L. COON PROFESSOR  
OF LAW

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**Philip F. Postlewaite**

HARRY R. HORROW PROFESSOR IN  
INTERNATIONAL LAW

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**Stephen B. Presser**  
RAOUL BERGER PROFESSOR  
OF LAW EMERITUS

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**Martin H. Redish**  
LOUIS AND HARRIET ANCEL  
PROFESSOR OF LAW AND  
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**Annalise Riles**  
PROFESSOR OF LAW

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**Daniel B. Rodriguez**  
HAROLD WASHINGTON  
PROFESSOR

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**Sarath Sanga**  
ASSOCIATE PROFESSOR  
OF LAW

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**Max M. Schanzenbach**  
SIEGLE FAMILY PROFESSOR  
OF LAW

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**David Scheffer**  
MAYER BROWN/ROBERT A.  
HELMAN PROFESSOR OF LAW

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**David L. Schwartz**  
PROFESSOR OF LAW

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**David M. Shapiro**  
CLINICAL ASSOCIATE  
PROFESSOR OF LAW

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**Marshall S. Shapo**  
 FEDERIC P. VOSE  
 PROFESSOR OF LAW  
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**Jeffrey T. Sheffield**  
 PROFESSOR OF PRACTICE  
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**Nadav Shoked**  
 PROFESSOR OF LAW  
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**Carole Silver**  
 PROFESSOR OF GLOBAL LAW  
 AND PRACTICE

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**Juliet Sorensen**  
 CLINICAL PROFESSOR OF LAW

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**James B. Speta**  
 ELIZABETH FROEHLING  
 HORNER PROFESSOR OF LAW

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**Matthew L. Spitzer**  
 HOWARD AND ELIZABETH  
 CHAPMAN PROFESSOR

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**Daniel F. Spulber**  
 PROFESSOR OF LAW  
 (COURTESY)

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**Emerson H. Tiller**  
 J. LANDIS MARTIN  
 PROFESSOR OF LAW &  
 BUSINESS

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**Deborah Tuerkheimer**  
 CLASS OF 1940 RESEARCH  
 PROFESSOR OF LAW

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**Alexa Van Brunt**  
 CLINICAL ASSOCIATE  
 PROFESSOR OF LAW

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**Barry Wimpfheimer**  
 ASSOCIATE PROFESSOR OF  
 LAW (COURTESY)

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**Robert Wootton**  
 PROFESSOR OF PRACTICE  
 EMERITUS

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**Kimberly Yuracko**  
 DEAN AND JUDD AND  
 MARY MORRIS LEIGHTON  
 PROFESSOR OF LAW

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## ALUMNI NOTES

### Convocation Celebrates Northwestern Law Class of 2019

On Friday, May 17, 589 graduates were joined by faculty, family, and friends for the Northwestern Pritzker School of Law’s 2019 convocation ceremony at the Chicago Theatre.

Presiding over her first convocation ceremony, Dean Kimberly Yuracko welcomed the graduates to the Northwestern Law alumni community. “Like the 158 classes that preceded you, your class has left a meaningful mark on the Law School. And like those classes, you too will accomplish extraordinary things in your professional lives, adding to the legacy of this esteemed institution.”

Courtney D. Armstrong (BS ’93, JD-MBA ’96), executive vice president of worldwide business affairs for Warner Bros. Pictures, delivered the main convocation address. “It’s important to remember that as much as you’ve changed during your time here — more change is coming,” he told the audience. “Keep your minds and hearts open to life’s endless and unforeseeable possibilities.”

During his career at Warner Bros., Armstrong has been involved with several key film projects, including *Dunkirk*, *Fantastic Beasts: The Crimes of Grindelwald*, *Justice League*, *Lego Batman*, *Ocean’s 8*, *Ready Player One*, *The Dark Knight* trilogy and *Wonder Woman*. Before joining Warner Bros., Armstrong was an attorney at Walt Disney Pictures. He began his career as a litigation associate on the entertainment team at Paul Hastings LLP in Los Angeles. Armstrong is a member of the Law Board, and won the Northwestern Alumni Medal in 2018.

In addition to Armstrong, Argie Mina (JD ’19), Gonzalo Velez (LLM ’19), and Kat Klein (MSL ’19) addressed their fellow graduates, and Dean of Students Susie Spies Roth (BA ’01, JD ’06) concluded the ceremony.

On Thursday, May 16, an awards ceremony was held to honor faculty members and students. The 2019 teaching awards were presented to:

- Paul Chadha, *Outstanding Adjunct Professor*
- Emily Kadens, *Outstanding First-Year Course Professor*
- Mary Foster and Wendy Muchman, *Outstanding Professors of a Small Class*
- Robert Wootton, *Outstanding LLM Tax Professor*
- Nancy Gamburd, *Outstanding Professor of a Small MSL Class*



- Michael Barsa, *Outstanding Professor of a Large MSL Class*
- Destiny Peery, *Robert Childres Memorial Award for Teaching Excellence*

Student awards were presented to:

- Argie Mina, *Wigmore Key*
- Shelisa Thomas, *Courage Award*
- Lauren Pope, *Legal Profession Award*
- Sarah Aagard, *Service Award*
- Melissa Moreno, *Leadership Award*

The degrees for the Class of 2019 were formally conferred at Northwestern University’s Commencement on June 21 at Ryan Field in Evanston.

Video of the Northwestern Law 2019 convocation ceremony is available on YouTube. ■





Dean Kimberly Yuracko (center) with the Alumni Award winners.

## Sixth Annual Alumni Awards

On Friday, April 12, Dean Kimberly Yuracko presented awards to eight distinguished alumni at Northwestern Pritzker School of Law’s sixth annual Alumni Awards Luncheon. The ceremony took place at the Union League Club of Chicago.

Congratulations to the following recipients!

### Distinguished Alumni Award

recognizing an alumnus/a for extraordinary achievement in the legal or other chosen profession.

**Jeff Hammes (JD '85)**

### Dawn Clark Netsch Award for Public Service

recognizing an alumnus/a for exceptional

career achievements and dedication to government service or public interest.

**Katie Krueger (JD '80)**

### Daniel B. Rodriguez Alumni Club Excellence Award

recognizing an alumnus/a who demonstrates a commitment to philanthropic and volunteer support, and

to enhancing the vibrancy of the Law School alumni community.

**The Honorable Sunil Harjani (BA '97, JD '00)**

**Peter Stach (BA '06, JD '12)**

### Volunteer Service Award

recognizing an alumnus/a for exceptional volunteer service and ongoing commitment to the Law School.

**Kendrick Washington (JD '10)**

### Emerging Leader Award

recognizing an alumnus/a who graduated from the Law School within the last 10 years for their extraordinary professional achievements.

**Karl Riley (JD '10)**

### International Alumni Award

recognizing an alumnus/a for helping to expand the international footprint of Northwestern Law.

**Gabriel Moens (LLM '72)**

### Dean’s Legacy Award

recognizing an individual who has demonstrated a lifetime of exceptional career and personal achievements and has made outstanding contributions to the Law School through their philanthropy and/or volunteer leadership.

**Sara Hays (JD '89, MBA '00)**

## Law School Launches NLaw Next Forums

This summer, Northwestern Pritzker School of Law launched the inaugural NLaw Next Alumni Forums. The forums, an initiative of the Career Strategy Center in collaboration with the Office of Alumni Relations and Development, are a vehicle for peer groups of alumni to discuss and find support for specific career milestones. The first two forums were themed around “Planning for Retirement” and “Career Transitions.” In the confidential sessions, which each met four times over two months, topics ranged from professional questions, like how to build a book of business, to more personal ones, including concerns over time management in retirement. Led by Michelle Jackson,

director of alumni advising, and Jasmin Jenkins, assistant director in the Office of Alumni Relations, the forums showcase the Law School’s commitment to lifelong alumni career support. “In our NLaw Next forums, alumni share future aspirations and current challenges in a format that maximizes the opportunity to learn from one another,” Jackson says. “The forums allow for robust discussions in a non-judgmental, non-competitive environment, and foster ongoing meaningful relationships among alumni.” Individuals interested in participating in these forums should reach out to Michelle Jackson at michelle.jackson@law.northwestern.edu. ■

## Community Gathers in Paris for First-Ever Global Engagement Weekend

In June, more than 100 alumni, students, faculty, and friends gathered in Paris for Northwestern Pritzker School of Law’s first-ever Global Engagement Weekend. Attendees included alumni from the classes of 1969 through 2018, plus five members of the incoming LLM class of 2020, and represented countries including Austria, Egypt, Honduras, India, Slovenia, Ukraine and China.

“We are committed to the project of international education,” Dean Kimberly Yuracko said in her opening address. “Law is a global profession, and Northwestern Pritzker School of Law will continue to reflect and encourage that global reality.”

Throughout the weekend, Northwestern Law alumni, faculty and administration participated in presentations on emerging and complex international legal topics, and celebrated the Law School’s global impact. Programming included panels titled “Competition Law: Global Scope and Economic Importance of Competition Law,” moderated by Jim Speta, vice dean and Elizabeth Froehling Horner Professor of Law; “The Intersections Between Law and Technology Continue to Grow and Deepen,” moderated by David L. Schwartz, professor of law; and “Border Challenges: Responding to the Global Migration Crisis,” moderated by Uzoamaka Emeka Nzelibe, clinical associate professor of law. The Honorable Paul Lemmens (LLM ’78) presented the keynote address, “The European Convention on Human Rights and the Strasbourg Court of Human Rights: Precious Diamonds in a Changing Europe.” ■



## Class Notes

## 1950s

The Honorable Marvin E. Aspen (JD '58) was recognized by the Chicago Bar Association at the 2019 Vanguard Awards.

## 1970s

Thomas W. Bianchi (JD '70) has been an artist since 1980 when he tore up his law degree and pasted it into a painting. He was honored with a Vanguard Award by Visual AIDS in May, 2019, and his new book, *63 E 9th Street: NYC Polaroids 1975-1983*, was published by Damianias. Tom is married to Ben Smales and lives in Palm Springs, California.

Robert S. Baizer (JD '72) and his Highland Park-based firm Baizer Kolar Neiman P.C. have joined Romanucci & Blandin, LLC.

John F. Podliska (JD '72), of Hinsdale, Illinois, played the attorney in the fall 2018 production of Ira Levin's "Deathtrap" during the 90th season at The Theater of Western Springs,

Illinois, one of the oldest continuously operating community theaters in the United States. John retired in 2014 after serving more than 41 years as a state and federal prosecutor in Chicago.

Robert W. Sacoff (JD '73) was recognized with a career achievement award by the DC Bar for contributions to the field of intellectual property law field.

James E. Oliff (JD '74) was appointed to the board of directors of Revolution Enterprises, an operator of technologically advanced facilities designed to produce medical cannabis.

Sylvia Markowicz Neil (JD '76) joined the Brandeis University board of trustees.

The Honorable Dean Hansell (JD '77) was appointed to California Governor Gavin Newsom's Judicial Selection Advisory Committee. This last year, his book, *The Law of Reinsurance*, was published by Thomson Reuters (West Publishing) and his article about the transition from trial lawyer to trial judge appears in the Winter 2019 edition of the ABA Journal *Litigation*.

## 1980s

Antoinette C. Bush (JD '81) was appointed to the board of directors of Ares Management Corp., a global alternative asset manager.

Catherine A. Sazdanoff (JD '81) was appointed to the board of directors of InMed Pharmaceuticals, a biopharmaceutical company developing a proprietary biosynthesis technology for cannabinoid-based pharmaceuticals.

John J. Gasparovic (JD '82) was appointed executive vice president, chief legal officer, and secretary at Exide Technologies.

Carol Hempfling Pratt (JD '84) was promoted to executive vice president, general counsel, and corporate secretary of the Federal Home Loan Bank of Boston.

Jeffrey B. Wood (JD '84) retired in June from Discover Financial Services, where he served as vice president and assistant general counsel.

Jordan B. Allen (JD '87) joined Reich Brothers Structured Finance, LLC, as a principal.

Steven Goodman (JD '87) was promoted to capital partner at the law firm of Meltzer, Purtil & Stelle (MPS Law).

The Honorable Douglas E. Lee (JD '87) was appointed as an associate judge for the Illinois 15th Judicial Circuit.

James J. Oh (JD '87) joined Epstein Becker Green as a member of its employment, labor and workforce management practice.

The Honorable William J. Boyce (JD '88), former Texas Appellate Judge, joined the law firm of Alexander Dubose & Jefferson LLP as a partner in the firm's Houston office.

John S. Santa Lucia (JD '88) joined Stoel Rives LLP as partner.

## 1990s

Laura Levin Ulrich (JD '90) was elected to the board of directors of the Highland Park-Highwood Legal Aid Clinic.

Jacquelyne M. Belcastro (JD '91) was named on Crain's 2019 list of Notable Women in Manufacturing.

## Alumni Spotlight on: Kie-Young Shim (JD '60)

Kie-Young Shim (JD '60), was one of the first Korean lawyers admitted to the U.S. bar. After Law School, he served as a three-time president of the Korean Association of Chicago and was instrumental in building what is now the third-largest Korean community in the United States. In his nearly 60 years of practice, Shim has served as the founding president of the Korean American Bar Association of Chicago and the Overseas President of the International Association of Korean Lawyers. He served on the South Korean Advisory Council of the Peaceful Reunification of Korea as well as on the Advisory Council of the Cook County State's Attorney. He was also founding president of the Korean War Veteran's Association, Midwest Chapter. As part of that honor, he was a featured author of a 2010 *New York Times* piece in remembrance of 60 years since the start of the Korean War. Shim also secured the last presidential pardon for a

client from President George W. Bush before he left office. Here, the 88-year-old trailblazing lawyer reflects on his career and his time at Northwestern Law.

**What is your most vivid memory of your time at Northwestern Law?**

My classmates were really a bright bunch of good students. I was really impressed with how they were so smart and brilliant. They also studied hard and with ease. I had to read with a dictionary at my side, and read everything a second time to comprehend it. I always envied them.

**What is your proudest career accomplishment?**

These days many of my clients are telling me to "stick around, old man!" As my career grew, I worked hard for my clients day and night. They appreciated my efforts and dedication on their behalf. My attitude was always that I was growing up with them. What was good for them was good

for me also. My clients want me to hang on and still work for them, so I still actively practice law — big or small. But, these days, mostly small.

**What were some of the biggest struggles you faced at Law School and how did you overcome them?**

My English was improving, but I could never keep up with the other students. Instead I tried to learn from them. They were my mentors, not just my competition. Learning English has been a lifelong process.

**What do you want future generations of lawyers to know?**

Law is a noble profession. There are so many people in need of good, honest help. Look at your work from the standpoint of your client, and think about what is in their best interest. Your attitudes matter — practice with passion, with a sense of justice and righteousness. That is your duty and mandate. Selfishness has no place in the legal profession. ■

**Julie L. Menin (JD '92)** was appointed census director and executive assistant corporation counsel for strategic advocacy of New York City.

**Robert C. Ross (JD '92)** was appointed chief legal counsel for the office of Massachusetts Governor Charlie Baker.

**Marcus Cole (JD '93)** was appointed dean of Notre Dame Law School.

**The Honorable Edmond E. Min Chang (JD '94)** was recognized by the Chinese American Bar Association of Greater Chicago at the 2019 Vanguard Awards.

**Stacie R. Hartman (JD '96)** joined the law firm of Steptoe & Johnson LLP as co-chair of its financial services group in the Chicago office.

**Matthew R. Gemello (JD '97)** joined Orrick as a partner in its Silicon Valley office.

**Trey Mayfield (JD '97)** argued and prevailed before the U.S. Supreme Court in the matter of *Cochise Consultancy, Inc. v. United States ex rel. Hunt*.

**Christopher N. Skey (JD '97)** rejoined the law firm of Quarles & Brady as a partner in its Energy, Environmental, and Natural Resources Practice Group.

**Robert L. Fernandez (JD '99)** joined the law firm of Latham & Watkins as a partner in the corporate department and member of the real estate practice.

**Andrew M. Stroth (JD '99)** was named one of Crain's 2019 Notable Gen X Leaders in Law.

## 2000s

**Julia C. Acken (JD '02)** was elected to the board of directors for the Ronald McDonald House Charities of Central and Northern Arizona.

**Jolen V. Anderson (JD '03)** was appointed head of human resources at BNY Mellon, a global investments company.

**John F. Kness (JD '03)** was nominated to serve as a federal judge for the U.S. District Court for the Northern District of Illinois.

**The Honorable Joshua P. Kolar (JD '03)** was nominated to serve as a federal magistrate judge for the U.S. District Court for the Northern District of Indiana.

**Katherine R. Mathews (JD '03)** joined Stoel Rives LLP as a member of its Real Estate, Development & Construction group.

**Martin Sinclair (JD '05)** was elevated to chair of the Illinois Supreme Court Commission on Professionalism.

**Mathew Scott Koller (JD '06)** was promoted to partner at national law firm BakerHostetler, where he practices in the firm's Los Angeles office.

**Guy Temple (JD '06)** was named Veteran of the Year by the Wisconsin Veteran's Chamber of Commerce.

**Sonya Jindal (LLM '07)** was selected for inclusion on the Ohio "Rising Stars" 2019 list.

**Aamir Kazi (JD '07)** was selected for the Daily Report's "On the Rise" award, which recognizes lawyers under age 40 who have exhibited influence in their practice areas in Georgia and beyond.

**Elizabeth V. Lopez (JD '07)** was awarded the prestigious "HNBA Top Lawyers Under 40" award by the Hispanic National Bar Association.

**Emily Garrison (JD '08)** was promoted to partner at Reed Smith LLP in the firm's Chicago office.

**Erin Blum Kelleher (JD '08)** was named a partner at the firm of Hinman & Carmichael LLP, where she specializes in transactions involving alcohol and cannabis licensees.

**Laurie A. Perez (JD '08)** became a shareholder in Howard & Howard, where she focuses her practice on labor and employment, financial services, and general commercial litigation matters.

**Eugene Polyak (JD '08)** was elected partner at Smith, Currie & Hancock LLP.

**Emily Hoyt (LLM '09)** was elected partner at Levenfeld Pearlstein.

**Ashlee Knuckey (JD '09)** was elected to Locke Lord's board of directors.

**Lauren West (JD '09)** was promoted to senior counsel at Bracewell LLP, a law and government relations firm.

## 2010s

**Andrew J. Fitzgerald (JD '10)** was appointed to the board of trustees

of CALM (Child Abuse Listening Mediation).

**Donald Goff (JD '10)** was awarded the prestigious "HNBA Top Lawyers Under 40" award by the Hispanic National Bar Association.

**Alan Madison (JD '10)** joined Miller & Martin as a member of their corporate department, where he focuses his practice on debt financing and mergers and acquisitions.

**Ryan Phelan (JD '10)** was elected partner at Marshall, Gerstein & Borun LLP.

**Edwin Buffmire (JD '11)** was elected partner at Jackson Walker in the firm's Dallas office.

**Eric Hamp (JD '11)** was elected principal shareholder at Banner & Witcoff, Ltd.

**Daniel Hirt (JD '11)** married Katherine Fox Boas on May 4 in New York. He is vice president for operations and strategy at Axio; she is executive vice president and a director of Carl Marks & Co. as well as founder of Barefoot M.B.A.

**Richard Hu (JD '11)** was selected for inclusion on the Illinois "Rising Stars" 2019 list.

**Asena Haznedar (JD '12)** married Michael William Katoski on July 13 in Brooklyn.

**Andrew Oppenheimer (LLM '12)** was named partner at Hodgson Russ, LLP.

**Kimberly Louise Berkowski (JD '13)** was elected partner at Marshall, Gerstein & Borun LLP.

**Laura Lefkow-Hynes (JD '13)** and Edward Hynes welcomed son Edward Michael "Teddy" Hynes on February 20, 2019 in Chicago.

**Suzanne M. Alton de Eraso (JD '14)** joined Benesch as an associate in the firm's litigation practice group.

**Celeste Griffin-Churchill (JD '15)** joined Patron Technology, a live event technology company, as vice president, corporate development.

**Guadalupe Laguna (JD '15)** joined Greenberg Traurig's litigation practice as an associate.

**Shelby J. Sklar (JD '15)** was selected by Dentons to participate in the LCLD Pathfinder Program.

**Ryan Lovegrove (JD '16)** joined

Chartwell Law as an associate in their Deerfield Beach, Florida office.

**George Svilenov Stowe (JD '16)** joined Benesch's corporate and securities practice group as an associate attorney.

**Caroline McMahon Rivera (JD '17)** married Brendan Rivera on June 1 in New York. She is an associate specializing in litigation at Latham & Watkins.

*This list reflects information received by the Office of Alumni Relations and Development as of August 6, 2019.*

## In Memoriam

*Northwestern Pritzker School of Law extends its heartfelt condolences to the loved ones of recently deceased alumni, faculty, and friends.*

### 1940s

Joseph C. Owens (JD '44)

The Honorable John Paul Stevens (JD '47, Hon. '77)

Robert A. Werth (JD '48)

### 1950s

Sydney B. Wexler (JD '50)

Robert A. Southern (BA '52, JD '54)

Gerald A. Gitley (JD '57, MBA '86)

The Honorable George W. Lindberg (BA '54, JD '57)

John N. Schmidt (JD '57)

Robert W. Hotte (BA '53, JD '58)

Jack T. Nygren (BA '53, JD '58)

Paul M. Ehlman (JD '58)

Arthur M. Mintz (BA '57, JD '59)

### 1960s

Robert W. Patterson (JD '60)

Marvin S. Grant (JD '60)

Harry G. Holz (LLM '60)

Craig W. Christensen (JD '64)

Stuart L. Scott (JD '64)

William T. J. Brooks (BBA '59, JD '65)

### 1970s

Barry E. Cohen (JD '70)

T. Michael Bolger (JD '71)

John P. Douglass (JD '71)

J. Craig Busey (BA '69, JD '73)

Patricia A. Brandin (BSJ '70, JD '74)

Elizabeth N. Moore (JD '75)

Bruce D. Paynter (BA '73, JD '76)

### 2010s

Alison Lemmens (LLM-Tax '11)



## OFFICE SPACE

Susie Spies Roth, Clinical Assistant Professor of Law,  
Associate Dean and Dean of Students

How Northwestern Law professors personalize the rooms of their own

1 “This candy jar is an antique — a family friend made it for me when I graduated from high school. It came with me to college when I went to Northwestern, and now it sits on my desk all these years later. Full disclosure: It’s empty.”

2 “When I worked for a law firm, my one mini-rebellion was that I wore my Chuck Taylors on my walk to work and I’d meet with partners and not take them off. This pillow reminds me of those days.”

3 “I clerked for Judge Ripple on the United States Court of Appeals for the Seventh Circuit in ‘06–‘07. One of the things he does for all of his clerks is to get this piece of art signed by all of the other sitting judges on the court, and then he gifts it to us when we finish our clerkship. It’s really special.”

4 “I was lucky enough to do a leadership program at Kellogg, and at the end of a session called ‘Crayon Box Leadership’ the instructor gave each student this box as a reminder to always consider ways to encourage cross-cultural collaboration and inclusion within our teams.”

5 “My mom gave me this RBG. She reminds me of my mother and brings me power and strength.”



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PRITZKER SCHOOL OF LAW

*Alumni Weekend*  
*and*  
**REUNION 2019**

**SAVE THE DATE: OCTOBER 25–26, 2019**

**REGISTRATION IS OPEN!**

Celebratory Events • CLE Panel Discussions  
MSL Activities • Welcome Reception  
Town Hall Hosted by Dean Kimberly Yuracko

Special Reunion celebrations will be held  
for this year's reunion classes:

1969, 1974, 1979, 1984, 1989,  
1994, 1999, 2004, 2009, 2014

[law.alumni.northwestern.edu/reunion](http://law.alumni.northwestern.edu/reunion)

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PRITZKER SCHOOL OF LAW

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Northwestern Pritzker School of Law  
375 East Chicago Avenue  
Chicago, Illinois 60611 USA

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*From left: Class of 2019 award winners: Sarah Aagard (Service Award), Lauren Pope (Legal Profession Award), Argie Mina (Wigmore Key), Shelisa Thomas (Courage Award), and Melissa Moreno (Leadership Award)*

