

Can Countries Find Cooperation Amid the Ruins of Conflict?

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interim dean's message



From the Interim Dean

I hope that you don't have occasions as I regularly do to ask yourself, "Who would want this job?" This question usually occurs to me because we are, in fact, searching for someone to fill the Duke Law deanship on a permanent basis. And the answer I always come up with is, "someone like Pamela Gann." As the Law School searches for a successor to Dean Gann, we hope to find someone with the same even temperament, good humor, vision and dogged determination that Pam brought to the dean's office each day and to the entire Law School family for 11 highly successful years. Fortunately, the list of candidates the search committee is compiling includes prospects who probably could fill Pam's shoes. Several of these candidates are visiting the school this fall.

These candidates naturally will be asking themselves whether they in fact "want this job." Fortunately, there are a lot of reasons why they should. Pam Gann has left the school with many strengths on which it can continue to capitalize. The faculty is first-rate and seems to be getting even better as a result of some new appointments, most notably of Michael Byers, who joined us from Oxford this August as a distinguished entry-level professor of public international law; and of Jerome Reichman, who has agreed to join us in July 2000 as perhaps the leading U.S. academic expert on international intellectual property law. The Law School's other assets are well known: its moderate size and the resulting collegiality and closeness of its student/faculty community; its locale and affiliation with one of the world's great research universities; and its international reputation as a place that values and fosters the rule of law and that graduates professionals with the legal and personal skills needed to succeed in both the private and public sectors. Pam Gann also built an excellent management team that continues in her

absence to serve students, faculty and alumni well and also, I might add, to make the dean's job a relatively pleasant one.

Of course, Duke Law School remains under-endowed compared to most other national law schools, despite Pam's demonstrated effectiveness as a fund raiser. To be sure, in the current comprehensive campaign, the Law School has already raised more than \$30 million toward its \$50 million goal. But, for some years more, Duke will remain handicapped by the comparative youth of its alumni, the huge majority of whom have graduated since 1963. Before then, graduating classes were less than a third the size of today's classes. This circumstance puts a greater burden on our younger alumni, many of whom have responded well to the challenge.

The Annual Fund remains a particular concern, however, especially when the campaign is drawing the bulk of everyone's attention. Unfortunately, any shortfall below budgeted revenues from the Annual Fund, such as the one that occurred in 1998-99, has a direct impact on current operations and on efforts to push forward with the ambitious agenda that Pam and her faculty/alumni groups of strategic planners have set for the school.

The Law School's current situation thus presents both opportunities and challenges for its next leader. We hope that we will soon be able to tell you who wants—and whom we want for—this job.

Clark C. Havighurst
Interim Dean



Letters to the Editor

If you want to respond to an article in *Duke Law*,
you can e-mail the editor at kossoff@law.duke.edu or write:

Mirinda Kossoff

Duke Law Magazine

Duke University School of Law

Box 90389

Durham, NC 27708-0389

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Ethnic Spite

Can Rival Groups Find Cooperation Amid the Ruins of Conflict? Professor Don Horowitz Offers Insights

by Barry Yeoman

Serbs, Croats and Muslims in the former Yugoslavia. Jews and Palestinians in Israel. Hutus and Tutsis in Rwanda. Catholics and Protestants in Northern Ireland. The history of the world is one of bitter ethnic conflicts, some based on rivalries that date back centuries. The ethnic cleansing of Kosovo is making headlines today, but it's the product of a dispute that began when Turkish forces invaded the Field of Blackbirds in 1389 and beheaded Serbian Prince Lazar. In the 600 years since, Serbs have been trying to win back the region, and the latest victims of their efforts have been Albanians.

It seems so entrenched, this worldwide cycle of hatred, violence and political disenfranchisement, and it seems to be growing worse. According to one estimate, more than 10 million people have died in ethnic violence since World War II. While the complete death figures in the Balkans are still unknown, we do know that at least 100,000 Albanians were killed by Serb forces in Kosovo alone. Meanwhile, ethnic riots have broken out in Sri Lanka and Indonesia, and Quebecois and Native American resentments have fueled separatist movements in Canada.

What can we do? Is this an inevitable state of human affairs? Or

are there steps governments can take to lessen some of the tensions between rival groups?

"I don't think you can easily solve these problems," says Duke Law Professor Donald Horowitz. "I don't like the term 'conflict resolution.' I like 'conflict reduction.' If you come at it with a lot of self-assurance that you know how to do it, well, you're not going to be too successful."

Horowitz, a Duke Law faculty member since 1981, has become one of the world's foremost experts in hostilities between ethnic groups. The author of two books on the subject, with a third coming out next year, Horowitz has been called upon to help reduce antagonisms in Russia, South Africa, Northern Ireland, Nigeria and other societies divided by race, religion and national origin. He helped devise a new election system for Fiji, a South Pacific island nation where tensions between Indians and Fijians have long run high. And he has been helping to draft a new post-war electoral law for Bosnia.

In all these cases, Horowitz has urged the governments to adopt electoral systems that would encourage cooperation among political parties with different ethnic constituencies. If a system forces candidates to woo voters of all groups, Horowitz explains, it becomes harder for extremists to win. Minority groups become part of the

government and feel their interests are not neglected as a result. There becomes less likelihood that tensions will develop to the point of violence.

"If you could form these coalitions early and maintain them, it would be a much happier world," says Horowitz. "A lot of the ethnic conflict in the world comes from the sense minorities have that they're just out and can't get back in."

Horowitz wasn't planning to devote his life to studying ethnic conflict. "I thought I was doing Soviet politics in graduate school," he says. "By sheer accident I stumbled into this." An interdisciplinary scholar, Horowitz was earning his political science Ph.D. at Harvard—he had already gotten a law degree there—and looking for a dissertation topic. Someone told him about British Guiana, where an American-educated dentist named Cheddi Jagan had been elected Prime Minister in 1961 with a promise to break away from Great Britain and implement a socialist economy. After his election, the CIA mounted a campaign to destabilize the pro-Soviet Jagan government. A new electoral system was adopted, which led to Jagan's defeat.

Because of his interest in the Soviet Union and communism, Horowitz read every book he could find about the Caribbean country, now called Guyana.

What he found was a fascinating racial subtext. Jagan was the grandson of indentured laborers who came from India to work British Guiana's sugar plantations. Though Indians formed a majority in the country, they were deeply impoverished, and Jagan won office on the frustration and hopes of his fellow Indians. When the de-stabilization campaign began, riots broke out, claiming almost 100 lives. Jagan's successor was Forbes Burnham, a black lawyer who kept Jagan's Indian-dominated People's Progressive Party out of power for 26 years by abolishing free elections.

Horowitz decided to examine three places—British Guiana, Jamaica and Trinidad—that had populations of Indian and African descent. In all three, he discovered, party politics had become polarized between the two ethnic groups. In those countries, he found, the electoral systems were set up such that the winner group took all. "If the A's are 60 percent and the B's

have 40 percent, then the B's have nothing," he explains. "They're finished permanently. You've consigned them to permanent opposition."

Thus began Horowitz's career of studying divided societies. Horowitz wrote his first book on the subject, the 700-page *Ethnic Groups in Conflict*, while he worked at the Smithsonian Institution and finished it after he came to Duke. Four years later, in 1989, he was invited to South Africa, which was still ruled by an apartheid government, and asked by a liberal organization for his suggestions about reforming the electoral system.

Horowitz's ideas, while not adopted by South Africa, were nonetheless groundbreaking. He reiterated them in his 1991 book *A Democratic South Africa?*

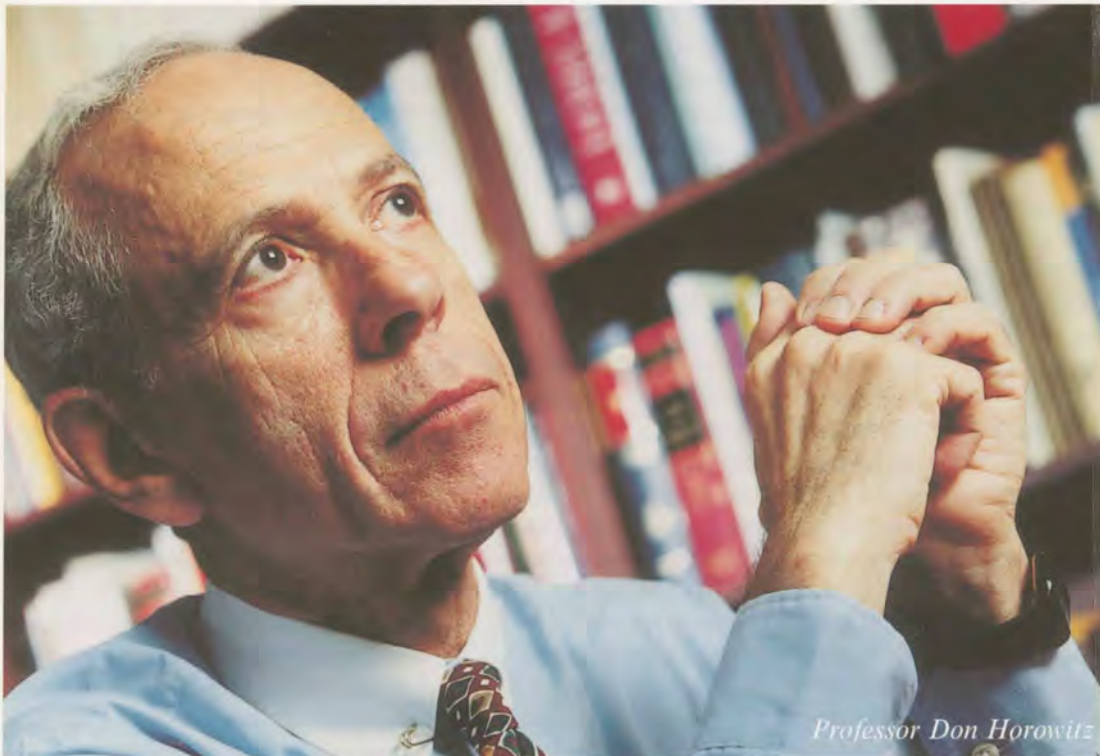
"The electoral system is by far the most powerful lever of constitutional engineering for accommodation and harmony in severely divided societies," he wrote. "Unfortunately, one would hardly sense the potential of electoral

innovation for conflict or accommodation from reading the standard literature on electoral systems." While scholars focus on issues like political party strength and the relationship between legislators and their constituents, "ethnic and racial relations are a decidedly secondary theme."

In his book, Horowitz criticized the method used in the United States for electing our leaders, a method sometimes called "first-past-the-post." In that system, each citizen gets one vote per office, and the candidate with the most votes wins. In a three-person race, for example, a politician can win with the support of less than 34 percent of the electorate, leaving officials unaccountable to the majority of their constituents. Candidates have no incentive to form coalitions across racial lines, because the representative of the largest ethnic group is likely to win every time. "The surest way to kill the idea of democracy in a plural society," Horowitz noted, quoting Sir Arthur

Lewis' book *Politics in West Africa*, "is to adopt the Anglo-American electoral system of first-past-the-post."

Instead, Horowitz recommended a system called "alternative vote" (AV), which requires citizens to rank their choice of candidates in order of preference. If there are five candidates for a single office, a voter can list her or his favorite, followed by second-favorite, third-favorite and so on. If no candidate gets a majority of the first-choice votes, then the lowest-ranked candidate is dropped from consideration and that candidate's second and third preferences are redistributed among the remaining contenders.



Professor Don Horowitz

To address ethnic conflict, Professor Donald Horowitz proposes a voting system that would encourage cooperation among political parties with different ethnic constituencies—a system unlike the "first-past-the-post" voting method used in the United States.

This process continues until one candidate emerges with a majority.

In countries where political parties are ethnically based, the effects of this system would be profound. It would no longer be to a politician's advantage to run as an ethnic extremist. Nationalistic demagoguery might play well to his core constituency, but he'll never get the second-preference votes of people outside his ethnic group. The more successful candidates will be the ones who appeal across lines of race and nationality. Those candidates might even form inter-ethnic coalitions.

"You and I might conspire to exchange our second preferences," Horowitz says. "I can't introduce you to my supporters as a person to whom second-preference votes will go unless you're moderate on ethnic issues."

South Africa had other ideas.

Horowitz's plan didn't "get an effective hearing," he says, because it only had the support of one minority political party. But the proposal continued to garner attention. In 1995 and 1996, Horowitz met with Fiji's constitutional review commission, which was trying to build back democracy after more than a decade of rule by military strongman Sitiveni Rabuka. "I told them the electoral system they should recommend is one that should give every incentive to parties to act moderately," says Horowitz, who suggested that an AV system could mend the rift between Indians, who make up 44 percent of the country's population, and indigenous Fijians.

The commission adopted his basic idea, though the AV scheme was watered down during the political process. Still, in May, voters elected Mahendra Chaudhry, the Indian leader of the Fijian Labour Party, as their prime minister. A racial moderate, Chaudhry reached across ethnic lines to talk about issues common to all Fijian citizens. In a multi-ethnic coalition with several Fijian parties, he was able to win the support of many indigenous voters. "I'm interested in bread-and-butter issues," one of those voters, civil servant Josefa Namisi, told *Time*

magazine after the election. "Labour was talking about jobs and hospitals and interest rates. I'd rather concentrate on those things than indigenous issues."

This year, Horowitz has faced one of the biggest challenges of his career: helping devise an electoral system for Bosnia, which has been torn apart by ethnic strife for the past decade. Horowitz is one of a three-member committee who crafted a conciliatory electoral system, which, he says, is likely to be adopted for the presidential election. "The country will have a plural executive, rotating among a Serb, a Croat and a Bosniac," Horowitz says.

In his recent writing,

Horowitz has addressed the issue of national separatism, as has happened in the Balkans since the breakup of the former Yugoslavia. In 1991-92, Slovenia, Croatia and Bosnia-Herzegovina left the six-member federation, each with a war. Macedonia broke away peacefully. That has left Serbia and Montenegro as the remaining two federation members. Kosovo is a province of Serbia.

Often, Horowitz writes, secession occurs because of hostile ethnic groups living in the same country. But he's skeptical that the process actually works. "There used to be a tendency to think of secession as a form of 'divorce,' a neat and clean separation of two antagonists who cannot get along," he recently wrote in *Nomos*, the year-book of the American Society for Political and Legal Philosophy. "But if a crude household analogy could be applied to large collectives, then, as in domestic divorces, there is nothing neat about it, and there are usually children (smaller groups that are victims of the split). Sometimes secession or partition is the least bad alternative, but it is rarely to be preferred."

In pre-secession Yugoslavia, there was a certain "benign complexity" that other large countries (like India) have also experienced: With so many dispersed groups, no one had the power to dominate the others. President Marshal Tito worked hard to keep the harmony, granting jobs and budgetary

concessions to his country's minorities. But once any country starts dissolving, so does its complexity. The result is often a series of smaller countries where a single ethnic group dominates. "If Group A now holds power over the secessionist state, it can regulate the rights available to Group B, expel Group B if it is an immigrant group, oppress it, or even take genocidal measures against it," Horowitz writes.

That's exactly what happened throughout the old Yugoslavia after the breakup. In the Serbian province of Vojvodina, armed forces terrorized and forced out Hungarian and Croatian residents. Elsewhere, "whole sections of Croatia and now Bosnia have been converted into a wasteland of rubble and charred rafters," writes Alan Fogelquist in his book *The Break-up of Yugoslavia*. And the ethnic cleansing in Kosovo has been rampant, while the migration of Kosovar refugees into Macedonia has upset the delicate ethnic balance there.

Horowitz doesn't agree with the emerging international law that favors secession as a solution to inter-ethnic conflict. Instead of secession, he contends that "most people will have to find political techniques to enable them to live together within existing states, unless they are prepared to do so much ethnic cleansing that the world will soon run out of soap."

Above all, Horowitz's message is that there are no magic solutions; we must find ways to get along rather than partitioning the world into tiny pieces. "There's no escaping trying to make arrangements for people to live together," he says. "That's preferable to separatism. It's not comfortable to live together, but all the alternatives are much worse." ¶

If you have questions or comments about this article, please contact the editor at kossoff@law.duke.edu. You can also find further information on Professor Horowitz and a list of his publications at www.law.duke.edu/fac/horowitz.



THE GANN YEARS

A RETROSPECTIVE

Dean Gann Was Both a Change Agent and a Strategic Leader

by *Mirinda Kossoff*

In 1987, the last time Duke Law School launched a dean search, Paul Carrington, who had been dean since 1978, said, "We'll do a national, even international, search, and if we're lucky, we'll end up with Pamela Gann." Carrington's prediction proved prophetic, and the Law School prospered under Dean Gann's leadership for 11 years. On June 30 this year, she ended her tenure at Duke Law School to enter the ranks of private college presidents, taking the helm at Claremont McKenna College (CMC) in Claremont, Calif., as the fourth president

in the history of the 52-year-old institution.

In a letter to faculty about her appointment at CMC, Gann said she felt she was leaving Duke at a good time in the Law School's history and vacating a job that would be appealing to many qualified candidates. Clark Havighurst, interim dean, concurs, giving Gann the credit for leaving the Law School in a state of robust health for its next leader.

Those who worked closely with Gann during her deanship have a lot to say about her contributions to the Law School. Judy Horowitz, associate dean for international studies, accompanied Gann on trips to three continents and

believes her unflagging support was key in building the Law School's international program. During her decade plus on the job, Gann traveled to 24 countries in Europe, Asia, Latin America and Africa, where she helped forge exchange programs and cooperative agreements with more than a dozen universities and developed networks that provided a pool of talented foreign student applicants. The Law School's summer institutes in Geneva and Hong Kong also developed under her watch.

Horowitz likes to underscore Gann's formidable on-the-road skills by recounting a trip the two made to Shanghai. It was in the early days of



To honor Gann's contributions to the Law School during her 11 years as dean, a group of alumni, along with Associate Dean Linda Steckley, raised the funds to endow a Law School chair in Gann's name and presented it to her during 1999 Law Alumni Weekend festivities in April.

the Law School's Hong Kong program, and Gann and Horowitz, along with Professor Jonathan Ocko, who is fluent in Mandarin, decided to promote the program in China. One of their first stops was Fudan University in Shanghai to attend a lecture by the widely known Professor Shizhong Dong, an expert in international business transactions. While driving to the class, Professor Dong remarked, "Professor Gann, we're all eagerly awaiting your one-hour lecture on international business transactions."

Without missing a beat, Gann said, "When we get to class, please give me five minutes to think and get organized, since we've only just arrived in China."

"Then she put notes on the board and turned around and gave a brilliant lecture," Horowitz recalls. "No one in the class spoke English, so Pam had to stop every few minutes and wait for the translator, which makes lecturing even harder. It was the most amazing display of resourcefulness and intelligence that I had ever seen."

Dick Danner, senior associate dean

for library and computing, also has worked alongside Gann over the years. He says that "change and development have been dominant themes of the Gann years."

Much of that change has been spurred by developments in information technology, and Gann recognized the importance of applying information technology to legal education: She pushed the Law School to use technology in teaching and research and in connecting all members of the academic community, including alumni and even prospective employers of Duke's law graduates. Under Gann's leadership, Duke was the first law school to have an electronic alumni directory and the first to publish its law journals electronically.

"Pam has been out front in basically every significant development in legal education in the last decade," says Professor Katharine Bartlett, who, in her role as senior associate dean in 1994-95, worked extensively with Gann.

"Regarding technology, she's been aggressive in making sure Duke is well positioned with respect to how we teach our students and what we teach. She's been out in front of the pack."

Professor Katherine Bartlett on Gann

“Regarding technology, she’s been aggressive in making sure Duke is well positioned with respect to how we teach our students and what we teach. She’s been out in front of the pack.”

“Dean Gann knew that change in legal education, as elsewhere, is largely unpredictable,” Danner adds. “Most importantly, she knew that for the Law School to be successful in a rapidly changing environment, it would be necessary to take risks, and she was willing to do that.”

Bartlett says Gann has been the motivator for the Law School’s interdisciplinary efforts, such as its research centers on global capital markets and on health policy, law and management, and its annual environmental law colloquia, which link the Law School to Duke’s graduate schools of business, public policy and environment. “Pam emphasized that in faculty hiring, we should be looking for people who can create synergies with our current faculty and centers of excellence that exist elsewhere in the University.”

Gann also was committed to individual faculty scholarship and to helping young tenure-track faculty develop as top scholars and teachers. “I could not have hoped for a more supportive dean during my junior faculty years than Pam Gann,” says Professor Jonathan Wiener, whom Gann hired in 1993. “It wasn’t just resources, which she gave generously; more than that, Pam helped me aim high. Her expectations, and her confidence, spurred me to do my best work. And whenever I felt my momentum flagging, somehow Pam would know to appear at my door, brimming with cheer, zest and specific plans to help me mobilize my next project.”

As for students, Gann stressed “educating the whole person” including communications skills, teamwork, leadership, ethics and developing a commitment to give something back to society. As a board member of the Center for Creative Leadership, she worked with the center on a prototype leadership training course for law

“Most importantly, she knew that for the Law School to be successful in a rapidly changing environment, it would be necessary to take risks, and she was willing to do that.”

Associate Dean Dick Danner on Gann

students. To encourage civic mindedness and volunteerism among students, Gann established the School’s Pro Bono Project. Through the project, nearly 200 law students volunteer their services each year with government agencies, non-profits and individual pro bono cases handled by local attorneys. The Law School’s twice yearly Dedicated to Durham volunteer day also developed under Gann’s watch as did the student loan forgiveness fund.

Recognizing intensified competition among top law schools for the nation’s best students, Gann emphasized raising endowment funds for scholarships. Through this effort, the Mordecai Scholarship Program was born and now supports 13 students, distributed among all three classes.

Increased diversity has been another accomplishment of the Gann years. “Under Pamela Gann’s leadership, the Law School made great strides in recruiting women and minority students,” says Professor Sara Beale, who served as senior associate dean in 1997-98. “Last year, 50 percent of the entering class were women, and we have had the best minority enrollment ever in the last two entering classes.”

In a survey conducted by Linda Hirshman, a professor at Chicago-Kent College of Law, Duke was ranked first among the nation’s elite law schools for cultivating an atmosphere in which women can excel.

When her admirers talk about Gann’s qualities as dean, they refer to her energy, enthusiasm and dedication. “We probably won’t see the full benefits of Pam’s efforts for another decade,” says Bartlett. “She has put in place a

habit of forward-lookingness with projects and initiatives that will continue to develop and grow. I suspect when we look at ourselves in another decade, we’ll see her handprints all over the place.”

Twelve new faculty were hired during Gann’s tenure, and Gann led the Law School in two major fund-raising campaigns. The first capital campaign brought in over \$17 million and funded a modern, state-of-the-art addition to the old Law School building, increasing its size by 70 percent, and paid for chaired professorships and endowed student scholarships. By the time she left Duke Law in June, over half the goal for the current campaign had been raised.

Duke Law alumnus and University trustee Lanty Smith ’67, who worked with Gann on the Law School’s campaign planning committee, says Gann understood that an institution must have a shared vision and mission and describes her as a leader and “a change agent who respects the context in which she leads but will not allow inertia or tradition to protect mediocrity.

“She sets high standards, first and foremost for herself, and then for everyone around her,” he says. Smith depicts Gann as “that rare academic who appreciates the value of, and even enjoys, strategic planning and budgeting.”

Smith and a group of alumni who had worked closely with Gann in strategic planning and fundraising were so impressed by her legacy, in fact, that they launched a campaign, spearheaded by Associate Dean Linda Steckley, to raise money for an endowed chair in Gann’s name. Gann was presented with the named chair during alumni weekend festivities this spring. ♡

Center for Sports Law and Policy Conference Tackles Tough Issues

by Jim Ferstle

Speedskater Johann Olav Koss, winner of three gold medals at the 1994 Winter Olympics, was approached by a 12-year-old girl after giving a speech about his Olympic experience. Instead of asking to see his medals or questioning him about that experience, the girl asked Koss, "What drugs did you use?"

Koss's story is just one example of what seems to be an emerging crisis in professional sports: On what is supposedly a level playing field, athletes who perform exceptionally well are increasingly suspected of using performance-enhancing drugs. While it is clear that some athletes are cheating with drugs, it also is clear that more athletes are being accused than is warranted by the evidence. For example, in 1996, sports officials accused runner Mary Decker Slaney of drug use at that year's Olympic Trials. Slaney was later exonerated in a defense effort led by Duke faculty members Jim Coleman and wife Doriane Lambelet Coleman. (See "Duke Defense Team Helps Clear Top Runner of Drug Charges," *Duke Law*, Fall '98.)

Duke Law Lecturer Doriane Coleman organized a conference on Doping in Sport to address a growing problem for athletes, for society and for the sports governing organizations. Participants included prominent physicians, academics, athletes, journalists, lawyers, sports administrators, heads of drug testing laboratories and government representatives. The conference, which convened first in January and then again in May, served as the inaugural event for the Law School's new Center for Sports Law and Policy.

DESTROYING SPORT?



John Hoberman, left, a professor at the University of Texas at Austin, talked about new revelations that the German Democratic Republic, in its quest for Olympic medals, conducted a systematic doping program for its athletes prior to 1989. With Hoberman are Philip Milburn, COO of USA Cycling, and Doriane Lambelet Coleman, Duke Law lecturer and conference organizer.

The conference goals, said Doriane Coleman, were threefold: "to bring together experts in the field of drugs in sport; to address, in a sophisticated manner, the key drug-related issues that plague the governing organizations of sport; and to make recommendations for the creation of a proper anti-doping program, a model that organizations could use in their quest to deal with doping in sports."

Although the conference met or exceeded these objectives in several areas, the group concluded that its work is not done. "There is a consensus that those governing sport and those influencing government, including the conferees and especially sponsors of sports organizations and events, should focus on the ethical and physical harm that doping by elite athletes does to children, and hence, to the society at large," Doriane Coleman said. "I heard from those same conferees that it was essential that the group not cease to exist, that it should continue in some form to follow up on the conference recommendations."

The group's long-range objective is formidable; the problem of doping in sport is a crisis that has been building literally for centuries. One conference speaker, Dr. Gary Wadler, co-author of the book *Drugs in Sport*, noted that use of performance-enhancing substances can be traced back to the Greeks and the original Olympics. "As science expands the number of drugs and methods for improving humans' lives," Wadler said, "the ability of sports-governing bodies to control this proliferation of potential performance-enhancing substances becomes more difficult. While the ancient Greeks merely had mild stimulants, today's athletes can tap into a large pharmacopoeia of products and techniques to enhance their physical gifts."

John Hoberman, a professor at the University of Texas at Austin, has written extensively on doping. At the conference, he recounted the details that have recently emerged from the once-secret files of the German Democratic Republic. Before the fall of the Berlin Wall, the GDR government

was conducting a systematic doping program for its athletes, Hoberman said. One document, State Plan 14.25, details how GDR athletes were treated with a variety of substances in a quest for Olympic medals.

Hoberman blames the international sports federations, in particular the International Olympic Committee (IOC), for allowing programs such as the one in the GDR to exist, and because the IOC did nothing seriously to combat the growing problem of athletes' drug use. For example, Hoberman said, while the IOC waged a strong rhetorical campaign against the use of drugs, the organization did not allocate the necessary research money to create a strong drug-testing program. As a result, countries and individual athletes could use drugs without fear of detection.

Another conference participant, Craig Masback, CEO of USA Track & Field (USATF), described what he perceives as a double standard in sports with respect to drugs. Professional sports, such as Major League Baseball, he said, only test for a limited number of substances. So while track athletes can be banned for using androstenedione or "andro," which Olympic organizations consider to be a steroid, home-run king Mark McGwire or any other baseball player was, at the time, permitted to use it freely, because in his sport, it was considered merely a nutritional supplement.

The IOC and other sports organizations ban "andro" as a steroid, because it is a precursor just one enzymatic reaction away to the male sex hormone testosterone. Despite this scientific fact, favorable publicity surrounding McGwire's performance and his use of the substance dramatically increased andro's sales volume, especially among adolescents. It fostered the notion that athletes need help to succeed at high-level sport and that the help can come in the form of a pill. The marketing of this "drug culture" is "a real public

health disaster waiting to happen," Wadler said.

Conference participant Alberto Salazar, former world recordholder in the marathon, said that while he continued to love the sport, he's glad his two sons are not runners. Salazar said he believes that to succeed at the top levels of distance running, athletes now are likely to have to use banned substances. Similarly, Phil Milburn, COO of USA Cycling, told the conferees that one American cyclist said: "I want to stay clean, but don't expect me to win." The cyclist clearly did not want to use drugs, Milburn explained, but he believed that by not using them, he was forfeiting his chances of winning.

"What has developed," said Dr. Andrew Pipe, another conference participant who is a cardiologist and

director of the Canadian Centre for Ethics in Sport, "is an ethics crisis." Pipe said a recent Canadian survey revealed that parents were withholding their kids from sports because of fears of rampant performance-enhancing drug use. Pipe also noted the growing number of studies showing an increased use of such drugs by children in sports. The most recent study, Pipe said, found a significant increase even in the number of girls who admitted using performance-enhancing drugs. These statistics reveal an alarming trend: The sport mantra is changing from "don't cheat" to "don't get caught," Pipe said.

Contributing to this ethical dilemma are the burgeoning number of cases in which athletes are challenging the results of drug tests, claiming that the testing process is flawed. Wadler, USATF attorney Jill Pilgrim and others

at the conference noted that serious questions exist about the validity of a test used by the IOC laboratories to prosecute athletes who are accused of using testosterone. This was the test at issue in the 1996 Slaney case. Since these cases are complex and involve often-disputed scientific methodology, the most common outcome is further damage to the credibility of the drug-testing system. Those on one side believe the testing system is fatally flawed, while those on the other see it as guilty athletes "beating the system" by hiring good lawyers.

Michael Dockterman '78, a Duke Law alumnus and Chicago attorney with Wildman, Harrold, Allen & Dixon, attended the conference as counsel to athletes charged with doping violations at the highest levels of Olympic sport. He said that he could easily understand this cynicism. "One of the reasons we were able to challenge rules is because the rules weren't very good," Dockterman said. He also noted that the science to support the rules is often legitimately disputed. While IOC President Juan Antonio Samaranch (who did not attend the conference) claimed during the Nagano Winter Olympics in 1998 that the IOC had spent \$50 million dollars since 1968 on drug testing, it, in fact, has spent only \$1 million directly on research to support that testing. Even those within the IOC now acknowledge that more money needs to be spent on research. "If you want to avoid litigation," Jim Coleman said, "you have to establish the science."

Right now, lawyers and laboratory scientists at the IOC-accredited drug testing laboratories are increasingly finding themselves battling over the credibility of tests being used to sanction athletes. As several of the conferees pointed out, if all the money spent on litigation went toward more research, many of the legal problems would go away. "The criteria for the application of a test must be based on scientific data," Pipe said. "Where we know there is a problem,



Craig Masback, right, CEO of USA Track & Field, believes there's a double standard when it comes to drugs in sports: Major League Baseball views "andro" as a nutritional supplement, and players have used it freely, while use of the same substance can get track athletes banned from competition. Former Olympic track and field gold medalist Edwin Moses, left, is a long-time athlete leader of the anti-doping effort.

there ought to be a process to fix it. We don't see ourselves as the drug police. We are there first and foremost to protect the athletes."

The most unfortunate element of the current doping crisis is that an innocent athlete has little hope of protection from unfounded charges of drug use, Wadler said. For years GDR athletes beat the IOC's drug-testing system while claiming to be drug free; the same was true for the cyclists caught in the drug scandal at the 1998 Tour de France. Combine these revelations with the recent Olympic bidding scandal, and it is not difficult to understand why people question the credibility of any sports drug-testing system administered by a sporting federation or governing body.

That is exactly why the Duke conferees and others concerned about the drug-testing system have called for the immediate establishment of a transparent, independent and external drug-testing agency to begin the process of cleaning up Olympic sports. The IOC announced at the conclusion of its February 1999 doping conference in Lausanne, Switzerland, that it would spend \$25 million to fund such a body; but at the end of June, Samaranch admitted that the process of setting up such an organization was proving to be more difficult than anticipated. Others, including Duke conference participants, questioned whether any such body established by the IOC could be truly independent. And conflicting reports circulated as to whether tests to determine athletes' misuse of the two current drugs of choice, human growth hormone (hGh) and erythropoietin (EPO), both substances which already exist in the human body naturally and for which no good test currently is available, would be ready in time for the Sydney Olympics in 2000.

In the meantime, Major League Baseball, despite mounting pressure to ban the use of andro, says that it will not act until results from a study of the

use of the substance are received.

Interestingly, preliminary results appear equivocal, as they have not shown that the substance will generally convert to testosterone in the human body when taken exogenously.

United States "Drug Czar" General Barry McCaffrey has declared that his office is looking at the possible reclassification of substances such as andro so that they can be regulated as prescription drugs. In this regard, he has responded to a call by conference participant and two-time Olympic Gold Medalist Edwin Moses to consider action that would protect children from the unregulated sale of all so-called "athletic supplements."

USATF took the extraordinary step of vacating a decision by one of its doping hearing board panels that found an athlete guilty of a doping violation. That same organization appears to be supporting Mary Decker Slaney's claims concerning the invalidity of the current testosterone test in her looming battle on that issue with the IAAF and the United States Olympic Committee. USATF has explained that it is taking this action because the organization has doubts about the validity of the test, especially when it is used to sanction female athletes.

Conference participants are following the mandate to implement the final



In a keynote address, former Olympic swimmer and gold medalist Donna DeVarona advocated for an independent and comprehensive drug-testing program to clean up Olympic sport.

Duke conference report, which many consider the blueprint for a state-of-the-art drug testing program. But ultimately, according to Jim Coleman, the real challenge is to keep the issue alive. "As long as people can say, 'It doesn't affect us,' they can ignore it," he said. "We've got to find some way to make people care about this stuff." ♣

If you have questions or comments about the article, please contact the editor at kossoff@law.duke.edu, or conference organizer Doriane Coleman at dcoleman@law.duke.edu.

The final Conference Report is on the web at www.law.duke.edu/sportscenter.

alumni snapshots

Alumni Snapshots

COLM CONNOLLY '91 WINS CONVICTION AND FAME IN



As assistant U.S. Attorney, Colm Connolly '91 found himself in the media high-beams when he prosecuted wealthy N.J. attorney Thomas Capano for first-degree murder.

by Debbie Selinsky

In his wildest Law School daydreams, Colm Connolly '91 never imagined he would wind up trying and winning a murder case where there was no body, no weapon and no eye witness. But when a jury convicted wealthy attorney Thomas Capano of first-degree murder in January, Connolly, then a 34-year-old assistant U.S. attorney, lived out his youthful fantasies of beating the odds in the courtroom.

When the lengthy, high-profile trial finally ended, Connolly, who hadn't spoken to the media about the case, broke his silence and was hailed as a hero and featured on every major TV and radio network and newspapers around the globe.

"After the jury convicted Capano, I spoke for the first time and said that I hoped this would restore people's faith in the system and show them that no matter who you are, how wealthy you are or how many insiders you know, ultimately, justice can prevail," Connolly said in an interview from his new office at the Wilmington, Del., law firm of Morris, Nichols, Arsht & Tunnell.

In interviews with reporters after the verdict, the murder victim's brother, Robert Fahey, described Connolly as "a gift from God;" the victim's sister, Kathleen Fahey-Hosey, described Connolly and the two primary investigators on the case as possessing the "moral makeup of Boy Scouts and the tenacity of bulldogs."

Capano, who now sits on death row,

was prosecuted for killing 30-year-old Anne Marie Fahey, scheduling secretary for Delaware Gov. Tom Carper, and then disposing of the body by stuffing it into a large cooler and dropping it in the ocean off Stone Harbor, N.J.

The story of the Fahey murder has been told in *Vanity Fair* and was the focus of an A&E Television Network special in July. To date, four books are being written about the high-profile case, and there's even talk about a movie.

Connolly, who good-naturedly refused to be lured into speculation about who would play him in a movie, described the investigations in the career-making case as a "roller coaster ride."

"There were great highs when behind-the-scenes maneuvers succeeded

HIGH-PROFILE MURDER CASE

and then great lows when we thought we were hitting dead ends and not getting anywhere,” he said. “Actually trying the case in court was the ultimate experience. Winning a conviction on a murder case without a body against a man who spent more than \$1 million on his legal defense was the experience of a lifetime.”

Connolly explained that the case against Capano, a millionaire developer and attorney who was ejected from the courtroom after calling the tenacious prosecutor a “heartless, gutless, soulless disgrace of a human being,” was based on circumstantial evidence—a spot of blood, smaller than the size of a pencil eraser, found in the great room of Capano’s home—and substantial corroboration of the accounts given by Capano’s brothers.

“We initiated a complex undercover operation targeting one of Capano’s brothers, whom we believed helped dispose of evidence,” Connolly recalled. “In October 1997, that operation resulted in the execution of a search warrant at Capano’s home, and we ultimately entered into an agreement with Gerard Capano to cooperate and testify truthfully at his brother’s trial.”

By following a trail of cellular phone calls, Connolly and investigators were able to corroborate Gerard Capano’s account of disposing of Fahey’s body by boat. They also used ATM photographs, Visa receipts from a gas station in Stone Harbor, gas logs from the marina and a high-tech drift analysis computer technology that verified Gerard

Capano’s account of where the cooler was dumped in the ocean and where fishermen found it four days later.

Finally and more powerfully, a bullet-riddled cooler was recovered in the Atlantic Ocean. (The bullet holes had been made to get the cooler to sink.) By tracing the bar code on the cooler and finding lead resin inside, investigators were able to tie the cooler to Capano.

Connolly said he wasn’t intimidated by Capano’s wealth, power and connections, because he believed the man was guilty and could be convicted. From Connolly’s earliest days in the U.S. attorney’s office, he had prosecuted all sorts of crimes—tax evasion, money laundering, telemarketing fraud, organized crime, extortion, armed bank robberies, drug use and sales. “I worked in a small office, and the people I worked with were always concerned with doing the right thing,” he said. “We never had any Brady violations, no prosecutorial misconduct, and we worked well with defense counsel. That’s the kind of environment in which I learned.”

A native of Delaware who grew up in the Philippines where his father worked for DuPont, Connolly said he can’t remember when he didn’t want to be a lawyer. That was true until his senior year at Notre Dame, when he decided to take his undergraduate degree in “great books.” After graduating in 1986, he attended the London School of Economics, where he planned to earn his master’s degree and eventually apply

to the Ph.D. program. While in London, he tended bar for 37 hours a week and realized his destiny was probably not in a Ph.D. program, but in law.

“Duke had strong connections with Notre Dame, and university faculty I spoke to there were very enthusiastic about Duke Law School,” he said. “I wanted to go to a small school, too, so I came to North Carolina.”

When Connolly started law school, he had neither a career focus nor a family plan. But when he graduated in 1991, he had both: He would be a trial lawyer, and he would marry fellow law student Anne Eldridge Connolly ’91 a year after they graduated.

“I loved law school,” he said. “I had a great group of friends and the faculty were outstanding. There are too many great ones to name, but professors Paul Haagen and Sara Sun Beale were very helpful both in school and later in my career.”

Connolly soon realized that the best way to get into court and at the same time work on “sophisticated matters” was to be an assistant U.S. attorney. So, in the middle of a clerkship, he applied for an opening as an assistant U.S. attorney and got the job.

In May, he left the U.S. attorney’s office to do complex litigation at Morris, Nichols. His new job may be different in some ways, but one thing’s for sure: Connolly can still be found where he believes he belongs—in the courtroom. ♣

by Olisa Corcoran

When Houston Comets guard Sonja Henning '95 sinks a basket in front of 14,000 screaming fans, the play-by-play announcer for the two-time WNBA champions pronounces, "score three points for 'the counselor!'"

But "the counselor" never dreamed she'd be playing professionally in the United States. After graduating from Stanford University in 1991—where she was the star point guard for the school's 1990 national championship team and her all-time assist record (757) remains untopped—the Wisconsin native spent a season playing for Uppsala in the Swedish professional league before returning to the United States to attend Duke Law School. In 1992, she thought her basketball days were over.

But Henning was pleasantly mistaken. In 1996, two professional women's basketball leagues were launched in the United States—the now-defunct American Basketball League (ABL) and the WNBA. Henning, then ensconced in a labor law practice at Littler, Mendelson, Fastiff, Tichy & Mathiason in Los Angeles,



SONJA HENNING '95

Hail to "The Counselor" on the Basketball Court

Houston Comets point guard Sonja Henning '95 said her law firm's partners encouraged her to try out for the women's pro basketball league.

says it was the firm's partners who encouraged her to try out.

"They thought it would be a great opportunity for me," she said in a telephone interview 20 minutes after Houston beat the Los Angeles Sparks (83-61) and Henning played 18 minutes and sank a three-pointer. "The more I thought about it, the more I realized that they were right. There was a small window of opportunity for me to play."

Equipped with a leave of absence from her firm, Henning won a spot on the ABL's San Jose Lasers; she was later

traded to the Portland Power. When the ABL folded in 1998, Henning fought for a spot with defending WNBA league champions, the Houston Comets.

As the recent media blitz surrounding the U.S. women's World Cup soccer victory attests, women's team sports are riding an unprecedented crest of popularity, and a new generation of young girls are growing up with female team sports role models. Marquis players, like soccer's Mia Hamm and basketball's Lisa Leslie, Rebecca Lobo and Henning's Comets teammate Sheryl

Swoopes, have greater visibility and more lucrative product endorsements than female team sport athletes have traditionally enjoyed.

While Henning is pleased with the women's sports teams' successes and touts sports' confidence-building benefits to girls, she cautions against too much emphasis on professional sports. "I hope the focus remains on playing sports for college scholarships," said Henning, who contends basketball was her ticket to college. "It's important to remember that only a small number of players make it into the pros."

Henning is ecstatic to be among the select few on the WNBA's 12 teams, let alone playing for the league-dominating Comets, but she also feels the pressure.

U.N. Insider

Michael Scharf T '85, L '88 Puts International Experience to Work in Academe

by Debbie Selinsky

Since he became involved in model United Nations programs in high school, Michael Scharf's '88 goal has been to work at the UN—the “real” one. It took him exactly six years after he graduated from college to achieve that goal: In 1991, he was named the State Department's attorney adviser for United Nations affairs, edging out the competition, he later learned, because of his extensive knowledge of the workings of the UN.

“I ended up doing exactly what I intended,” said the Sacred Heights, Ohio, native in a telephone interview from his office at the New England School of Law in Boston. The plan to get to the UN had been underway for years, he said. “I always loved foreign policy and international law. My favorite professor, Joe Kruzal, who went on to become deputy assistant secretary of defense, was killed in Bosnia in 1995 on the day of peace negotiations. He was the first American to be killed; he drove off a narrow road because (Slobodan) Milosevic wouldn't allow negotiators to fly into the airport.”

It was at Duke that Scharf got his political feet wet as vice president and attorney general for student government. He also met Professor Bruce Kuniholm, who had worked at the U.S. Department of State and advised him to go to law school and to try to get into the State Department, where bright, young legal advisers are given lots of responsibility and opportunities.

Scharf accepted a scholarship to Duke Law School in 1985—happy to stay in Durham because his girlfriend (now wife), Trina Smith Scharf '86, would graduate from Trinity College a year behind him.

In Law School, Scharf led the resuscitation of the International Law Society, which had been defunct since its last president—Kenneth Starr '73—graduated from Duke Law School. In addition to starting the *Duke Journal of Comparative & International Law*, the society sent a team, composed of Scharf, then a first-year student, and two third-year students, to the Jessup International Law Moot Court Competition; today, Scharf coaches New England's team, which has made it to the moot court finals for the past three years.

After clerking for 11th Circuit Court Judge Gerald B. Tjoflat '57, Scharf's career plans began to fall into place when he left a Washington, D.C., law firm to accept the post of state department attorney adviser for law enforcement and intelligence in 1989. In that position, he held special responsibilities as counsel for the Counterterrorism Bureau, so when Pan Am flight 103 blew up over Lockerbie, Scotland, killing 300 Americans, he became embroiled in subsequent legal investigations involving Libyan terrorists. At the UN, he split his time between the General Assembly in New York and the Human Rights Commission in Geneva.

Early on, he told his boss that he wanted to work on Iraq, then the international hot spot, with lots of security council resolutions being written and passed. “It was like drafting law for the whole world, so I wanted to do it,” Scharf recalled. His supervisor said, “No, Mike, we've got to start you someplace else so you can get some experience.” So Scharf was placed in charge of “a sort of conflict brewing in Yugoslavia.”

In that role, he drafted 26 security council resolutions that were adopted,

“The expectations for the team are high because they've done so well in the past,” she said. “But with the influx of former ABL players this year, it's a different league.”

For all the joys her sport brings her, Henning said the downside is the intensive travel: The Comets are on the road for weeks at a time. “Sometimes I'll be standing in an elevator in a hotel and I have to say to myself, ‘What's my room number today?’ But you get used to it.”

A consummate team player, Henning enjoys the group focus of the WNBA. “Every success is geared around the team doing well,” she said. And this collegiality reminds her of her law practice at Littler, Mendelson. “Law school trains you how to think in a new way, but when you get out in the real world, it helps to have supportive partners to instruct young lawyers.”

Henning said her student days were enjoyable and challenging; she particularly liked contracts class with Professor John Weistart (see profile on page 20). Henning showed her professors a thing or two about basketball when she tore up the Duke courts as a member of the Law School's faculty/student intramural basketball league. What's more, she met fiancé Weston Miller '96 at the Law School. And Duke Law classmates have also turned out for her games, including Anita Terry '95 who watched Henning play against the Minnesota Lynx.

When her basketball career comes to a close, 30-year-old Henning said she plans to return to her law practice. During the off-season, she has kept her legal skills sharp by working at Littler, Mendelson's Los Angeles and San Jose offices. But, she said, “clients don't want part-time attorneys,” and, for now, basketball is her focus.

“I love this opportunity, and I recognize it's not going to last forever,” she said. “Even on my worst days, it's still a great job.” ♣

For more information about Sonja Henning and the WNBA, visit their Web site: www.wnba.com.



Michael Scharf's book, Balkan Justice: The Story Behind the First International War Crimes Trial Since Nuremberg, was nominated for a Pulitzer Prize. While at the U.N., Scharf T'85, L'88 drafted 26 security council resolutions involving the former Yugoslavia.

including those on the no fly zone, safe area, sanctions, suspension of Serbia from the UN, and the investigation of war crimes. Legislation was passed to create the Yugoslavia war tribunal, and Scharf immediately became the U.S. government's tribunal expert.

In his last couple of years with the State Department, Scharf spent time teaching, which he'd always enjoyed. In 1993, he was invited to help run the international relations department at the New England School of Law. "It was an exciting opportunity for a young professor starting out," he said. "I could see that the School was going to put lots of resources into the department, so I joined the faculty."

One of Scharf's early causes was integrating international law courses into the domestic law curriculum. "Studies have shown that only about 30 percent of law school students take international law courses," he said. "Studies are also showing that, in the regular day-to-day practice of law—whether you're in criminal, family or corporate law—we're starting to see international law issues coming into play. Because most attorneys don't know the rules of treaty or customary international law, they're going to make mistakes and commit malpractice."

For example, in family law, 50 percent of adoptions are inter-country, and each country has different rules for adoption. Those rules aren't being taught in family law classes, he said.

The New England School of Law

has pioneered an innovative program giving small summer stipends to faculty to develop international components for domestic law classes. "Twenty of 36 faculty have signed up, so we're excited," Scharf said. "Pretty soon, a little law school in Boston—a school that's not Harvard—is going to be the most international law school in the country."

With some time off in the summers, Scharf has been publishing "like a fiend." His first book, with Virginia Morris, *An Insider's Guide to the International Criminal Tribunal for the Former Yugoslavia*, was published by Transnational Publishers in 1995. He also co-authored, with Cheri Bassiouni, the first American casebook on international criminal law, which was published in 1996 by Carolina Academic Press.

When Carolina Academic Press publisher Keith Sipe asked Scharf what he'd write if he could write the book of his dreams, Scharf presented him with an idea. "I told him it would be a book (not for lawyers) about the Yugoslavian war crimes tribunal," Scharf recalled. "It would be different from my other two-volume book on that topic, much shorter. And in it, I would tell stories about foreign policy."

Sipes gave him carte blanche, and *Balkan Justice: The Story Behind the First International War Crimes Trial Since Nuremberg* was published in 1997. Nominated for the Pulitzer Prize, the book has been adopted for use at 25 universities and is now in its second

printing.

His latest book, *The International Criminal Tribunal for Rwanda* (Transnational, 1998), won the American Society of International Law's Book of the Year Award in May.

Next up is a book on the Pan Am 103 criminal trial which, Scharf said, provides another good illustration of how international criminal justice can play an important role in foreign policy.

When Scharf's not writing, he likes to perform pro bono work. A couple of years ago, he started the Public International Law & Policy Council, which is now involved in pro bono work for several groups in Kosovo.

In addition, Scharf was asked by Sen. Dianne Feinstein to testify before the Senate Foreign Relations Committee about its decision to oppose the creation of a permanent international tribunal court in Rome. (Scharf contends the committee didn't like the idea of an independent court, preferring a "security council-controlled court so the United States can protect itself from ever being indicted.")

"In voting against the independent tribunal, the United States joined what we usually consider the six worst human rights violators in the world—countries such as Iraq, Libya, Cuba," he told the media at the time. "It's really a dark moment in U.S. history."

Scharf also appeared in the international news blitz when Milosevic was indicted. "The main points I made were, one, that it was about time—he should have been indicted for Bosnia—and, two, that, unfortunately, he was not indicted for genocide," he said. The failure to indict Milosevic for genocide gives support to those who seek to distinguish the Yugoslavian leader from mass murderer Adolph Hitler, Scharf believes.

"There are people using this failure to say Milosevic is just a thug, not a major war criminal," he said. "The truth is that Milosevic is the modern-day Hitler—he didn't kill six million people like Hitler did, but he has displaced over five million. And we're now finding out that the number of people murdered is far greater than the few hundred cited in the indictment." ❧

CAN YOU TREAT A FINANCIALLY TROUBLED COUNTRY LIKE A BANKRUPT COMPANY?

Professor Steven Schwarcz Thinks So and Explains Why



Professor Steven L. Schwarcz, faculty director of Duke's Global Capital Markets Center, contends that you can apply bankruptcy reorganization principles to countries in financial distress. In an interdisciplinary lecture at Duke, Schwarcz explained his theory on sovereign debt restructuring, with commentary by Stephen Wallenstein, executive director of the Center. Schwarcz is working on an article about the subject for the *Cornell Law Review*.

In this *Duke Law* article, Schwarcz explains his theory by answering questions posed by Wallenstein.

Q: What do you mean by sovereign debt restructuring?

A: Countries, just like companies, can and sometimes do default on their debt. Say a country needs to borrow money to pay for imported goods or fund a new project. It then is obligated to repay the debt according to a fixed maturity schedule. If it can't pay the debt, the terms of its loan may have to be restructured.

Q: Why are you suggesting a "bankruptcy reorganization" approach to sovereign debt restructuring?

A: If a company defaults on debt, it is subject to a system of corporate "bankruptcy" or "insolvency" law. But there's no equivalent legal system governing a defaulting country.

Q: What is this approach, and why is it important?

A: The genius of bankruptcy reorganization law is that it provides incentives for debtors and their creditors to reach voluntary agreement on the terms of the restructuring. As a result, most corporate restructurings are consensual, thereby minimizing costs and maximizing value for the parties.

Although sovereign debt restructuring also is consensual, achieving consensus is more difficult; one or more creditors may hold out, hoping that the need to reach an agreement will induce other parties to buy out its claims or pay it a premium. This collective action problem has worsened in recent years as countries have been shifting their source of borrowing from banks to bond investors in the lower cost capital markets.

A good example of the collective action problem can be seen in the recent movie, "Waking Ned Devine." Devine, an heir-less resident of a rural Irish town, promptly dies from shock after winning a £6.7 million national lottery. The remaining residents of the town select one of their own to impersonate Devine and collect the lottery jackpot. Then the plan is to distribute the winnings equally, yielding each resident approximately £130,000. To accomplish this, each of the townspeople has to agree to identify the imposter to government lottery inspectors as Ned Devine. Unfortunately, one unpleasant resident

FACULTY PERSPECTIVES

- 17 Can You Treat A Financially Troubled Country Like A Bankrupt Company?



By adapting the principles of bankruptcy reorganization law, Professor Steven Schwarcz, right, is proposing a new approach to countries that default on their debt. Schwarcz is faculty director of the Global Capital Markets Center and works closely with Stephen Wallenstein, left, executive director of the center.

attempts to hold out for a much larger share, threatening to reveal the fraud if her demand is not met. In a sovereign debt restructuring context, any lender whose consent is needed for an overall settlement similarly could hold out for a disproportionate share at the threat of preventing the settlement.

Attempts by multilateral governmental agencies such as the International Monetary Fund (IMF) to aid the process of sovereign debt restructuring have only made matters worse. The IMF has been acting as the lender of last resort to defaulting countries. That, unfortunately, has created a "moral hazard" problem: Countries anticipating an IMF bail-out may not have the incentive to take a prudent economic course, and lenders that anticipate being protected from the consequences of default will have a greater tendency to take unwarranted financial risk.

In addition, because the IMF raises money from its member-countries to make these loans, there has been significant controversy whether taxpayers of those countries are effectively subsidizing the banks and other institutional creditors that are bailed out by the IMF loans.

I contend that an international convention on sovereign debt restructuring based on bankruptcy reorganization law principles could effectively address each of these concerns.

Q: Are you the first to examine this important problem?

A: No, but there are remarkably few scholarly works on sovereign debt restructuring, and most are by economists who are neither experts on bankruptcy reorganization law nor familiar with how the law operates. For this reason, most scholars, who otherwise believe in the merits of a bankruptcy reorganization approach, have concluded that it is not feasible. I disagree.

Q: In a nutshell, what is your argument?

A: To provide a conceptual basis for sovereign debt restructuring, I examined the conceptual basis of Chapter 11 and then analyzed how it should be modified to address sovereign debt restructuring and its problems. I use that modified conceptual basis to propose model rules for an international convention on sovereign debt restructuring and examine how that convention could be implemented. Contrary to assumptions

made in the economic literature, I show that sovereign debt restructuring based on principles of Chapter 11 reorganization would not require supervision by a bankruptcy court.

Q: Can you give me some examples of how your approach can be useful?

A: A corporate debtor in bankruptcy can obtain reorganization, or "DIP," financing. In order to attract DIP financing from the credit and capital markets, lenders are given priority over other unsecured claims. Granting priority to lenders that are financing a reorganization also could make sense in a sovereign debt restructuring.

Another example is that the Bankruptcy Code provides for a form of super-majority voting that supercedes contractual or statutory voting restrictions. Loans are often made either by groups, or "syndicates," of banks, requiring unanimous consent in order to change such essential lending terms as the amount of principal, rate of interest or maturity. But super-majority voting allows an affirmative vote by creditors holding a significant majority of the claims to bind all creditors, even those who voted negatively or

failed to vote. This helps to accommodate a settlement where unanimous consent cannot be reached.

Super-majority voting is extremely important for sovereign lending. As I mentioned, countries increasingly obtain their financing through public issuance of bonds in the lower cost capital markets. However, bondholders tend to have smaller individual investments and are less likely than banks to want to reach an accommodation in order to maintain a commercial relationship with the country. Moreover, because bonds are actively traded, the identity of bondholders constantly changes. All this makes it much more difficult to obtain unanimous bondholder consent.

Q: Does your proposal include an ongoing lending role for multilateral agencies like the IMF?

A: Yes, but a more limited one. Certainly, IMF funding and private funding should be allowed to co-exist so long as the IMF funding doesn't foster moral hazard. For example, the IMF should continue to act as a lender of last resort where the debtor-country is economically and fiscally sound, but a default nonetheless would result from irrational external factors, such as a financial panic. IMF funding under those circumstances will not increase moral hazard, and the debtor-country should be able to repay the IMF once the panic subsides. The IMF, in effect, would be providing a form of temporary "liquidity."

IMF help also would be invaluable in scrutinizing and monitoring private market funding in order to prevent excesses. The IMF could perform this role most effectively by acting as an intermediary funding source, borrowing on a "non-recourse" basis from the capital markets and on-lending the money to countries. This would avoid many of the moral hazard and taxation problems presently associated with direct IMF funding. Although an intermediary approach may not be

quite as efficient as facilitating direct access to capital market funding, the continuing involvement of the IMF may make it more practical.

Q: But won't this shifting from government funding to private funding create the risk that a country sometimes will be unable to obtain private market funding at any cost, forcing the country into default?

A: Yes. But on balance, allowing default in those circumstances may well be the least evil alternative.

Q: How would countries and their creditors become bound by the convention?

A: If all relevant countries adopted the convention, the debtor-country would be directly bound and its creditors presumably would be bound by their own countries having adopted the convention. Even if creditors from non-signatory countries make loans to a signatory country, the convention still might apply. Under international law principles, the convention may well apply to any contract between the country and foreign private parties where there is no contractually chosen law. However, countries that wish to banish any doubt that the convention will apply always have the option of incorporating it by reference in their loan agreements.

Q: How should the convention be administered?

A: Economic scholars generally have assumed that a new international institution must be created in order to administer the sovereign debt restructuring. But creating international institutions is always politically tenuous, especially if they are costly to maintain or impinge on a country's sovereignty. I don't believe that a new international institution is necessary. U.S. bankruptcy negotiations are largely self-executing: Creditors, in concert with the corporate debtor, collectively determine the economic terms upon which the enterprise will be restructured. The

convention would impose on sovereign debt negotiation the same incentives for cooperation that bankruptcy law imposes on corporate debt negotiation. And, as I've mentioned, the IMF would remain involved to a limited extent to scrutinize and monitor funding.

Q: How should questions arising under the convention be adjudicated?

A: There is little precedent for answering this question. Outside of expropriation cases, few disputes are between countries and foreign private parties. Established international courts, such as the International Court of Justice, only have competence to hear cases between countries. Possible solutions might include attempting to amend the jurisdiction of an existing international judicial body to hear these disputes on an ad hoc basis. These disputes, however, probably will rarely occur, so an adjudicatory body would be required only in limited circumstances.

There is a low-cost procedure under international law for adjudicating certain disputes between countries and nationals of other countries that might serve as precedent. The International Centre for Settlement of Investment Disputes (ICSID), an autonomous body created under the auspices of the World Bank, provides facilities for arbitrating investment disputes between countries and foreign nationals. This arbitration procedure is well established and is one of the main mechanisms for settling investment disputes under NAFTA. If an adjudicatory body is needed to adjudicate sovereign debt restructuring disputes, the ICSID model appears compelling. ♣

For more information on the Global Capital Markets Center and Professor Schwarcz's work, see the center's Web site: www.law.duke.edu/globalmark/ or Professor Schwarcz's faculty page: www.law.duke.edu/fac/schwarcz.



The Man Who Wrote the Book on Sports LAW

THE DOCKET

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Don't Call us Slackers 26

by Debbie Selinsky

If Professor John Weistart '68 had a magic baseball bat, he would wave it over the American sports scene and bring back the kind of civic orientation and community participation that once characterized team sports.

And when that was done, he'd probably establish a non-collegiate, pre-professional basketball league, strengthen ties between players and fans disillusioned by the big business/money aspects of sports and unlock the secrets of the greater role of sports in our culture.

Weistart, a 30-year faculty member and co-director of the Law School's new Center for Sports Law and Policy, has been a pioneer—and sometimes a prophet—in the field of sports law for more than a quarter century.

Co-author, with Cym Lowell, of *The Law of Sports* (Bobbs Merrill, 1979), the definitive book on the subject, Weistart and his work were recently praised by two authors who cite the 20-year-old treatise in their new book, *Sports Law: Cases & Materials*.

"It's impossible to quantify the dramatic impact that it (the Weistart/Lowell book) has had upon sports jurisprudence, pedagogy and scholarship," write authors Mike Cozzillio and Mark Levinstein. "It is unlikely that any practitioner, professor or commentator in this field has formulated his or her critical thinking without some reference to *The Law of Sports*."

Weistart sees the establishment of the Center for Sports Law and Policy as

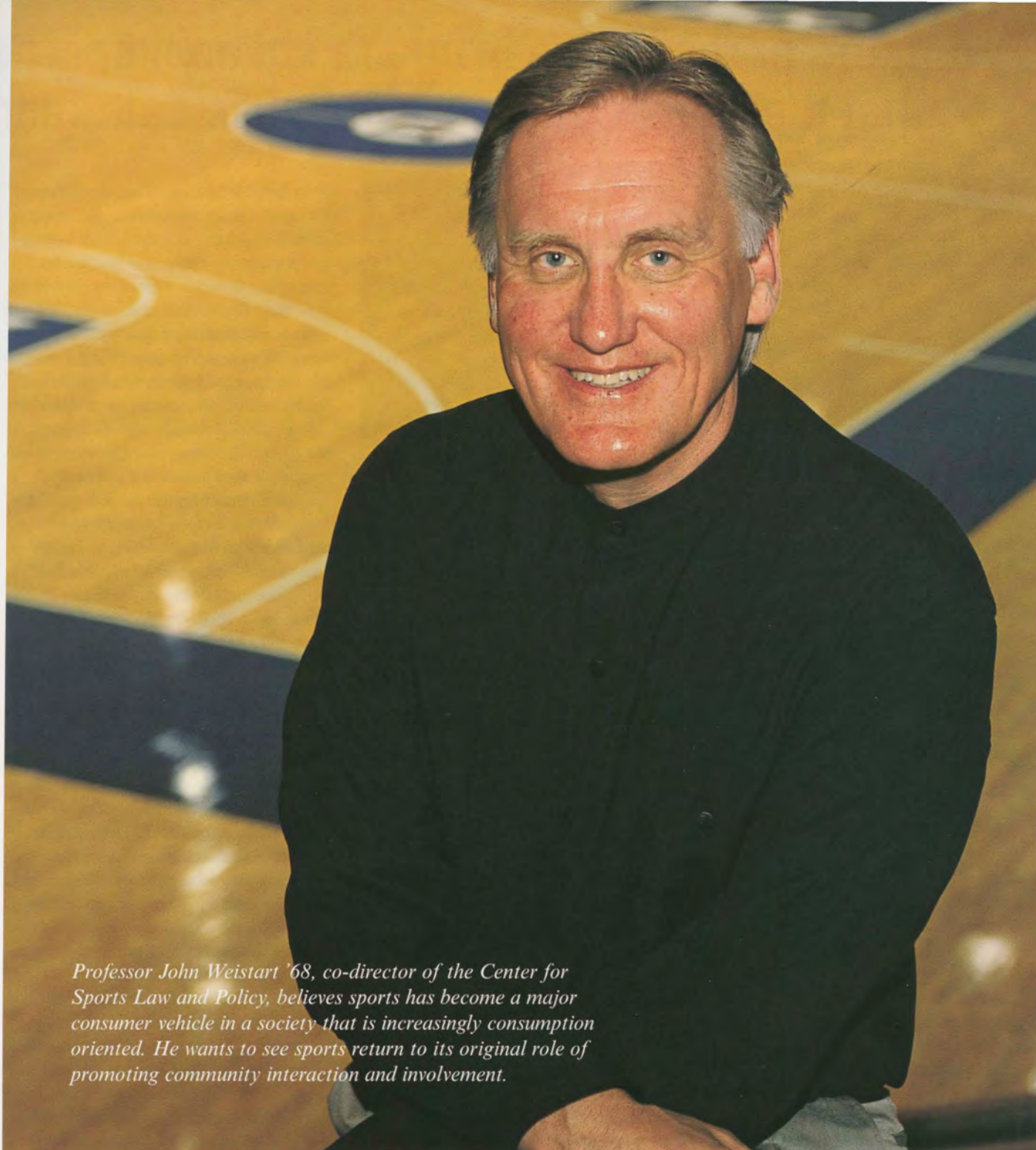
the next step in critical thinking and cutting-edge research.

"Traditional sports law research looks at questions such as, what are agents doing and how are they regulated? Or are unions representing players well?" he said. "We'll not do that; we see the exciting cutting-edge issues as being things like the cultural role of sports and how, as a matter of public policy, that cultural role can be affected.

"The 'doping' question is another fascinating one, because it requires international agreement, which is hard to obtain as evidenced by the fact that East Germans were prepared to manipulate athletes chemically—even without their consent—to produce winning teams. When you have that kind of force behind the improper use of pharmaceuticals, this major problem is not easily solved." (See the article on page 8 on doping in sport, a conference sponsored by the Center for Sports Law and Policy.)

Weistart, with center colleagues—co-director Paul Haagen and international and Olympic sports authorities Doriane Lambelet Coleman and James Coleman—will also tackle questions such as who should define appropriate athlete behavior.

"A lot of people with the authority to define these behaviors don't have incentive to insist on role-model behavior because that can take star players off the court," Weistart said. "I'd like the center to look at questions about athletes' behavior—whether we have the right to demand that they behave as role models. The alternative is pretty cynical, conveying athletes as simply entertainers



Professor John Weistart '68, co-director of the Center for Sports Law and Policy, believes sports has become a major consumer vehicle in a society that is increasingly consumption oriented. He wants to see sports return to its original role of promoting community interaction and involvement.

of whom we expect no more. In my view, this represents great loss of opportunity to develop higher aspirations in our society. And our society can always use higher aspirations.”

Other center work will include periodic conferences and publications featuring articles by law faculty, students and others. Weistart, who once served as editor in chief of the *Duke Law Journal*, said the journal has

become a regular publisher of law review articles on sports-related topics, reflecting the School’s strong faculty expertise in the area and growing student interest.

Center faculty are also talking about producing their own broadcast material, such as television shows using a combination of documentary and discussion formats to pursue lively sports issues. “This would enable us to take this

product and extend center work to larger audiences, beyond a strict legal focus,” added Weistart, who has also served as editor of *Law and Contemporary Problems* and as American editor of the *Journal of Business Law*.

Surprisingly, Weistart’s intense involvement with his work was not born of a traditional love of sports, he said.

“I played some basketball and found that rewarding, and I was fascinated

“Women’s participation in sports is very important, that there is no segment of public culture that

early in life by sports statistics,” he recalled. “But what interested me more were the public spectacle aspects of sports, which provides one of the few occasions when, on a repeated basis, we as a society get together and yell and scream and shake our fists at another group in a way that’s acceptable.

“It’s a wonderful outlet, and it was clear to me growing up that it provided an occasion for the community to get together and also an important relief from both the demands and mundaneness of the rest of life.”

Over time, Weistart’s interests in law, business and culture converged to focus squarely on team sports, which he described as “basically privately financed enterprises that command tremendous public attention and run deep in our culture.”

As he attended college at Illinois Wesleyan University in Bloomington, Ill., and law school at Duke, the young scholar began to develop interests in what he considered three of the most important aspects of sports law—contract, antitrust and labor law (his father was a union organizer).

Weistart, who served for a year as a judicial clerk on the Supreme Court in Illinois before joining the Duke law faculty in 1969, watched with interest the unionization of players that began in the late ’60s.

“At that time, the flavor of the discussions and demands of unions were very much inspired by the civil rights movement,” he recalled. “In fact, one of the slogans of the NFL players was ‘Freedom Now.’ Through these efforts by players, the public became aware of the restrictions under which players operated and of how relatively little ‘freedom’—economic freedom—they had.”

“Now that players have gained that economic freedom and are free agents,” Weistart said, “a significant segment of the viewership are deciding that we don’t like this brand of freedom, that it’s not such a good thing. Now, we

have players moving from team to team, so there’s no loyalty, no continuity. Following the theme of the book manuscript on which I’m currently working, we have moved from the civic origins of sports into a rather crass form of sports as, largely, a vehicle for advertising.”

In *Sports, Law and Culture*, Weistart will try to show how legal developments in the early ’70s took sports down a road where the civic and positive cultural aspects of sports were ignored. “We now accept sports as purely a money-making enterprise and don’t readily see the larger cultural connections,” he said. “That’s not a positive situation.”

In keeping with the broader perspective of scholarship that Weistart wants for the new sports law center, these developments also fit with “post-modern culture’s emphasis on consumption—the notion that, increasingly, we are in a period where people derive identity from consumption,” he said. “Sports is becoming a major vehicle for the expression of that consumption in the form of memorabilia and tickets.”

Weistart, a member of the American Law Institute and a visiting professor at several universities including the University of California-Los Angeles and Harvard, spends time puzzling over how to make the shift back to community participation and civic focus in team sports.

He points to examples of successful ventures in which that orientation still exists; his studies of the Irish sports of Gaelic football and hurling demonstrate how having each county field a team that represents its people evokes deep-seated loyalty to the team. And closer to home, he added, Durham baseball fans have demonstrated loyalty—through record-breaking attendance year after year—to the overall enterprise of the Durham Bulls, rather than to individual players.

Interestingly, U.S. fans say that, generally, it’s okay to import players at the professional and collegiate levels—players with or without any local identi-

ty or interest in education, according to Weistart. One result of that philosophy is the problem of college basketball players leaving before graduation to join professional teams.

“We’d like to have the center look specifically at college sports, which seems to be in some trouble right now,” Weistart said. “The fact that good basketball players are not staying in college has a destabilizing effect on the team, of course, and also denigrates education and indicates there’s no reason to be serious about it.”

There are serious questions to be asked about why colleges are so heavily invested in sports enterprises, he added, since financially, only about 40 out of 300 Division I schools make money (Duke University being one) on these ventures.

“What are the others in it for? What are they trying to achieve? I’ve heard lots of explanations,” he said. “There are clearly costs—including reputational costs—associated with these questions.”

For 15 years—long before recent efforts to create “farm leagues” for non-collegiate, pre-professional basketball players—Weistart championed the concept. “There are currently three different proposals from three different groups for the establishment of pre-professional basketball leagues that give players an alternative to college,” he said. “That strikes me as desirable, because it takes pressure off the academic side of the university venture.”

Weistart said he feels pretty strongly about this issue. “The longer I stay in the field, the more impatient I become with people who think we should try to figure out how colleges can both claim a monopoly on pre-professional sports and maintain academic standards,” he said. “It’s just not possible.”

The key to success for a pre-professional basketball league will be TV money, according to Weistart, who gives the venture a healthy 60 to 70 percent probability of success.

The significant fragmentation of the TV market in recent years could benefit

because it sends the message is male sacrosanct.” -Professor John Weistart

these efforts, he contended. “Two decades ago, to be successful, a TV product would have to have a sufficient attraction to place with one of three networks. Now, with cable, much smaller markets can sustain an activity; they don’t have to show that the whole nation would be interested in a pre-professional, non-collegiate league, only that a sufficient audience could be attracted through ESPN or some other cable outlet.”

Other topics Weistart isn’t shy about weighing in on—often on network radio and TV—include the cultural significance of women’s sports and Title IX, which called for equity for women in collegiate sports.

“It is inevitable that women’s sports through Title IX will become an important cultural force in the future,” he said. “I have consistently criticized colleges for their unwillingness to re-think the amount of money they spend on football (more than basketball because football offers 85 scholarships and basketball has only 12).”

Weistart said he believes athletics are important for women for several reasons. “Women’s participation in sports is very important, because it sends the message that there is no segment of public culture that is male sacrosanct,” he said. “And on an individual level, I’ve seen how women’s participation in sports leads to self-realization that is important in other parts of their professional lives.”

Sometimes, that realization leads women to dual careers. For example, Duke Law grad Sonya Henning ’95 (see profile on page 14) decided to leave—temporarily—a lucrative law career when she was invited to join the Women’s National Basketball Association. “But she can always go back to practicing law when she finishes with basketball,” Weistart said.

He also watched with pleasure the excitement of young girls and women after the U.S. women’s soccer team captured the World Cup. “The law can



Sonya Henning '95

affect the sports environment by sending out the message that there is no favoritism of traditional male sports, but it will never be able to mandate that sort of enthusiasm,” he said. “We must continue to look for—and break down—barriers impeding the impact of women’s sports.”

Weistart admitted that he is discouraged by stories about schools dropping sports—or arts and other extra-curricular activities—for budgetary reasons. “That’s a bad idea, and it’s one that’s reversible,” he said.

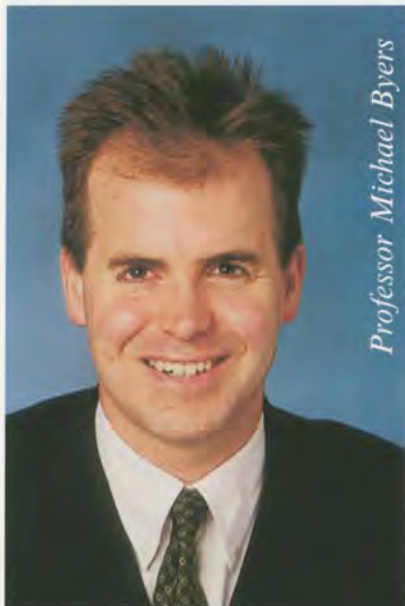
But the broader question, which seems to weigh heavily on Weistart’s mind, is one that faces our entire

society, he said.

“We have to decide whether we’re prepared to try to reinstate the civic orientation of sports so that it becomes a vehicle for promoting community interaction and involvement at the most basic level,” Weistart said. “I believe that we, as a society, are being drawn too much to the notion of sports as a consumption activity and are abandoning the tremendous benefits that flow from using sports as a community-based activity.”

Law School's Newest Faculty Member

Helped Pull the



Professor Michael Byers

by Debbie Selinsky

Since October 1998, Canadian-born Michael Byers has made international headlines for his role in successful legal efforts in Great Britain to prevent former Chilean dictator Augusto Pinochet from receiving immunity on charges of torturing citizens during his rule.

Journalists sought out Byers again when the crisis in Kosovo erupted. A staunch human rights advocate, the 32-year-old research fellow at Jesus College, Oxford University, took an unexpected and controversial stance. He contended that NATO's intervention in war-torn Yugoslavia, while being undertaken for important moral reasons, was illegal because it was being done without authorization from the United Nations Security Council.

In the same year in which he has

"Internationally, this is clearly going to be important in establishing that former heads of state have no immunity for these crimes."

Professor Michael Byers

three books being published, Byers joins the Duke law faculty as an associate professor. He said that he's especially excited about working on interdisciplinary projects with senior Duke faculty members Robert Keohane and Donald Horowitz. During the 1999-2000 academic year, Byers will teach introduction to international law, international dispute settlement and international trade.

"I've been teaching for the past three years (at Oxford University), and I've enjoyed it immensely and learned a lot. I've been very fortunate because I've only had exceptional students. In one graduate seminar, seven of the eight students were Rhodes Scholars, so I just sat back and directed traffic. I expect to do lots of that at Duke as well," he said.

Byers' career path has led him away from his native Saskatchewan, Canada, where he and his sister grew up with a Canadian father and a German mother—an experience that formed Byers' early curiosity about the world outside Canada and gave him a multilingual upbringing.

Byers studied political science and English literature and ran track at the University of Saskatchewan and attended law school at McGill University in Montreal, where he studied both English-Canadian common law and French-Canadian civil law. "A bilingual law school education in two distinct legal systems was quite useful," he said. "It made me realize

that often, there are two equally appropriate answers to the same question. That's important when talking about law and negotiations between different countries."

From McGill, he headed to Queens' College, Cambridge University, England, to pursue a doctoral degree. Since he completed his doctorate in 1996, Byers has enjoyed what he describes as the "greatest gifts a scholar can receive"—freedom and time—at Oxford.

"My position as a research scholar allowed me three years to read, study, write and think on topics of my choice with no teaching or administrative obligations—unless I chose to take them on, as in my teaching," he said. "It has basically taken me from doctoral student to the next step—as an associate professor, an academic with a series of interests and a bit of publishing."

Byers' "bit of publishing" is what many writers only dream of—the release of three books in one year. He modestly explained that he could only accomplish such a feat because he had the unencumbered years at Oxford in which to work.

Custom, Power and the Power of Rules: International Relations and Customary International Law, which he describes as "a rewritten version" of his doctoral dissertation, was released in March. The book is an attempt to think about the most fundamental aspect of international law and customary international law and the effects of

PULLING THE PLUG on Pinochet

non-legal factors, such as military and economic power, on its development and change," Byers said.

Later this year, Oxford University Press will publish *The Role of Law in International Politics*, Byers' edited collection of essays by some of the world's leading authorities in the field.

And this fall, de Gruyter, a German publishing house, will release Byers' English translation and revised version of international lawyer and diplomat Wilhelm G. Grewe's pioneering book, *Epochen der Völkerrechtsgeschichte (The Epochs of International Law)*.

Byers first met Grewe, who cooperated closely with him on the revised book, while a visiting fellow at the Max Planck Institute in Heidelberg. Besides his involvement with the prestigious Planck Institute and Grewe, Byers said he had other reasons for spending his summers in Germany. "I wanted to improve my German and spend time with my grandmother, who lives there and is very important to me."

Byers said he always planned to become practically involved in international law cases. But he didn't expect his first involvement to be as high-profile as the Pinochet case.

Because Byers had written about the question of state immunity and serious human rights violations, he had become known to human rights organizations in London, including Amnesty International. When Pinochet was arrested last Oct. 16, several of the organizations invited Byers to advise them on the legal issues involved.

When Byers' predictions about those issues proved to be correct, he found himself at the heart of the case. "I firmly

believed that the case would focus on the issue of immunity, respective of torture—that is, the question of whether or not a former head of state has immunity under international and British law for the crime of torture. And I knew the case would be closely fought," he said. "Of course, there were arguments against immunity that could be made, but they weren't easy arguments. The main issue was one that pits the traditional concept of sovereignty against more recent developments in international human rights."

In the first round, Pinochet's lawyers went to the High Court in London and won their client's release on grounds of immunity. The human rights coalition had not intervened because it assumed the British government would make the arguments against immunity. The government did not, so Byers advised the human rights groups to seek permission in the House of Lords to intervene as an interested third party. That permission—rare in Britain—was granted.

Based on the conservatism of the judges and the importance of the case, Byers told the coalition that they needed a much older, better known attorney. He suggested his colleague at Oxford, Professor Ian Brownlie, 67-years-old and one of the world's most famous international law attorneys, to head up the legal team. Brownlie, Byers and the team had to fight the case twice (it was re-heard because one of the judges was disqualified) but they wound up winning both times—the most recent victory on March 24.

"The outcome was extremely gratifying for me; it was my first real litigation. I learned an enormous

amount quickly," Byers said. "The decision will not only be binding on courts in the U.K. but also highly persuasive to courts around the world. Internationally, this is clearly going to be important in establishing that former heads of state have no immunity for these crimes and in further eroding—in important ways—traditional concepts of sovereignty."

Byers, equally vocal on the subject of Kosovo, is a harsh critic of the NATO intervention in the region. "International law in this situation points strongly towards intervention being illegal, even though it was conducted for understandable moral reasons," he explained. "The UN Charter clearly prohibits the use of force without the authorization of the UN Security Council, and that authorization was not given. ... Many lawyers agree that NATO's intervention was illegal even though those conducting the intervention used the language of the law to justify their actions. But because the intervention was for sympathetic reasons, this was difficult to explain to people."

There are long-term consequences of the intervention, he added. "We'll see in time that the intervention makes for a more dangerous world, because it undermines the UN and opens the door for interventions by other countries on more dubious grounds than this. Part of what international law does is to prevent wars between countries. The UN Charter was explicitly designed to be the principal mechanism for preventing wars. Choosing to disregard it in this instance weakens that mechanism." ♣

Don't Call Us Slackers

Generation

X

ers

Create New Vision of Ethical Leadership

by *Olisa Corcoran*

A recent Gap TV commercial—featuring row upon row of identically dressed, vacant-faced young people who sport khakis and sing dispassionately about their market choices—is among the most extreme depictions of what's wrong with so-called Generation X. But if you buy this “soul-

less consumer” image and dismiss the nation's 18- to 32-year-olds as cynical, apathetic, and apolitical no-counts—then prepare to open your mind.

Gregg Behr '00, a law and public policy student at Duke, and 50 of his fellow Gen-Xers have drafted a document attempting nothing less than defining a vision of ethical leadership for their generation. The 32-page report, titled “The

Content of Our Character: Voices of Generation X,” examines four broad topics—American politics, markets, civil society and communities. And the 16 subcategories tackle everything from the place of ethics in the global economy to the role of non-profits in the inner city.

The authors, a group of highly-credentialed and diverse young adults who, although they may disagree about the particulars of political policy, all agree that American governance “rests upon a vision of moral leadership that celebrates individual freedom and civic responsibility.” What's more, in the document they pledge to adhere to the guiding principles laid out in the report and call upon their generational peers—as well as the rest of the American public—to manifest honesty to democratic promises, exhibit compassion toward human frailties and observe mores to act ethically.

Scant cynicism is found among its authors, all members of a generation whose perceived morals and behavior have earned them the moniker “slackers” and who have experienced their young adulthood in a media-charged era of political scandal.

Behr, who orchestrated the project, was inspired by the Port Huron statement, drafted in 1962 and thought by many to be authored by Tom Hayden. In 1995, Behr and his fellow Truman Scholars debated the merits of the Students for a Democratic Society's founding manifesto in a Washington, D.C., dorm room.

“I was intrigued by the idea of young people coming together to express such a sentiment,” Behr says. The concept stuck with him for a couple of years until finally, he asked himself, “What would it mean in 1998 or 1999 to bring together a group of young people to express such sentiments?”

Behr consequently took it upon himself to find funding and a base for such a project. And with the backing of an anonymous donor, Behr connected with the Kenan Ethics Program at Duke University and in August 1998 invited 50 other Gen-Xers to a two-day conference in Durham to hash out their views on the role of ethics and political service for their generation.



Gregg Behr '00, right, was the man behind the ethics project. Other 20-somethings, left to right, Emily Felt, fellow Duke Law student John Simpkins '99, and Kate Higgins, helped draft "The Content of Our Character: Voices of Generation X."

"Given the fact that there were people who considered themselves dyed-in-the-wool Republicans and people who were left of the Democratic party, there were bound to be ideological differences and differences of approach," says John Simpkins '99, a project participant who had taught a Duke undergraduate course in civil society at the Kenan Ethics Program with Behr. "But those were put aside to look at the broader issues and things everyone wants that often get lost in political dialogue."

With the cacophony of opinions in the group, the document was sometimes a challenge to write, but Simpkins says they were vigilant that their dialogue remained just that—a dialogue—unlike much of what he sees in the current political climate. "One of the things that bothers me in looking at the state of politics today is that we don't seem to have any fundamental agreement on what we want to achieve from the process," says Simpkins. "We can't even agree on the definitions of terms."

In contrast, "one of the great things about this document is not that we necessarily agree on the specifics, but we at least have a broad framework that people want to advance, that people would like to see worked out in their everyday lives," he says.

Over the next several months, as issues of morality and character raged

during the impeachment debate in Washington, the group members conferred from their homes on both coasts, bouncing ideas back and forth via e-mails and faxes, and drafting the content of the report.

The publication premiered in April with a Washington press conference, after which 4,000 copies were distributed to the president, every member of Congress, members of the media, corporate CEOs and community leaders nationwide. One of the recipients, CNN correspondent Cokie Roberts, mentioned the report in the address she delivered at Duke's commencement last May.

"The support and interest has been amazing," Behr says. The group has published the document, which they call their "covenant," on the Web (www.contentofourcharacter.org) and in several cities has hosted town meetings featuring discussions of ethical leadership and civil responsibility. Both the document and town meetings have been covered in the national press, including articles in *The Boston Globe* and *The Washington Times*.

Behr says the project will continue to host meetings around the country, co-sponsored by youth organizations like the Boston Youth Leadership Forum, in an effort to build on the conversation their work has provoked. Also on the agenda is a curriculum that teachers

from primary school through college can use to discuss political and civic issues with students.

Critics of the report charge that its authors are members of a highly educated, privileged elite. Neither Behr nor Simpkins refutes this point, but for Behr the distinction lies in the fact that "many of us are elite in the sense of our accomplishments, but not necessarily by birth. We recognize the debt we owe society because of the many opportunities we've had."

Simpkins cautions that the voices in the report are primarily suburban. "This document is intended to be a beginning," Simpkins adds. "If it's going to continue to grow, it's going to have to be more inclusive and embrace the perspectives of people from the inner city and rural areas. The things they have to deal with on a day-to-day basis are quite different."

The document's core message is that ethical leadership is the key to our collective future. And, as Behr observes, "Generation X is just beginning to define itself." Early indications suggest to him that his peers operate from a more community-based paradigm of leadership than earlier generations.

"When you compare us to the generation of the 60s, we're much more restrained in terms of our political activism," Simpkins says. "There isn't as much of an emphasis on complete disruption to the point of shutting down an institution; there is much more interest in being conciliatory and changing slowly through negotiation."

To the authors, this all suggests that the pre-packaged image of their generation as slackers, so popular with advertisers and pundits, is premature. In fact, they stress, Generation X has an opportunity to struggle against cynicism and narrow self-interest and strive for a revitalization of high ideals in American civic life.

"Is this revolutionary?" asks Behr. "No. It's a beginning." ♪

For more information about this project and to download a copy of "The Content of Our Character," visit www.contentofourcharacter.org.

If you have comments or questions about this story, contact the editor at kossoff@law.duke.edu.



book reviews

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The Constitution and the Attorneys General

by H. Jefferson Powell
Carolina Academic Press, 1999
716 pages; \$59.95

reviewed by Stuart Minor Benjamin*

When it comes to sources of law, constitutional law courses (and constitutional commentators) usually focus on the Constitution itself and on judicial opinions—primarily those of the United States Supreme Court—that interpret the Constitution. Rarely does the study of constitutional law devote much time or energy to the constitutional interpretations put forward by the executive branch. But it was not always so. As Professor Jeff Powell points out in his valuable book, *The Constitution and the Attorneys General*, this omission would seem strange to a 19th or early 20th century lawyer; in that era, opinions of the attorneys general were widely cited and heavily relied upon by both courts and commentators.

Part of the problem for modern readers is that the opinions are not readily accessible, and their context is often not well understood. *The Constitution and the Attorneys General* seeks to remedy both problems. The core of the book is a compendium of executive branch opinions—of the attorney general and the Office of Legal Counsel, where Powell served between 1993 and 1996—dealing with constitutional issues. The book moves chronologically, beginning with two

opinions from George Washington's presidency and ending with several from the current administration. Powell presents the full text of the selected opinions, and he provides cross-references to other opinions, thereby greatly enhancing its value as a resource.

Beyond that, Powell adds to each opinion a commentary that discusses the significance of the opinion and its relationship to longstanding debates on constitutional issues. The result is a first: Never before have the constitutional views of the executive branch been put forward so comprehensively.

Why, though, should a late 20th century reader care about these opinions? Aren't courts the relevant source of law, with executive branch opinions constituting little more than commentary? The answer, as Powell points out and the collected opinions demonstrate, is that the opinions have much more significance than most people realize. These opinions by Justice Department officials not only reflect but also shape the behavior of the executive branch: Once published, the opinion becomes a precedent within the executive branch.

In our court-centered jurisprudential world, this might not seem terribly important; we might assume that the courts will decide in the end. But the matter is not so simple. Some Justice Department opinions concern matters that federal courts are prone to deem nonjusticiable political questions. In other situations, there might be no party who would have standing to challenge

the action (or inaction) involved, especially in light of the Supreme Court's decision two years ago rejecting congressional standing in the line item veto case. For instance, the transfer of U.S. destroyers to Britain in return for naval and air bases may not produce a justiciable case, so the opinion of the attorney general on the president's authority to undertake such a trade via executive agreement (page 307 of the Powell book) may be the last word. Similarly, refusals to act—such as the refusal of the attorney general to give his opinion to the Senate (page 283)—often will not produce a judicial decision on the merits. Though these examples may seem relatively trivial, nonjusticiability can arise in some very important contexts, such as when Congress attempts to limit the president's authority as commander in chief (see page 579).

But, the cynic might ask, aren't these opinions just political documents? This raises one of the central issues underlying the opinions in the book, and the book itself: How do executive branch officers balance political imperatives with the desire for disinterested legal advice? After all, these officials are political appointees in the executive branch, and presidential elections do—and *should*—mean something. If a president is elected on a platform that includes, for example, a change in economic policy (perhaps pushing for increases in spending or, conversely, decreases in taxation) it would seem not only strange but also insubordinate—literally—for a Treasury Department official to refuse to implement that policy because, in his or her view, it was unwise. As long as the president acts within the limits of the law, the decision is the president's to make. The very structure of the

previous sentence, however, highlights the difficulties raised by questions as to the limits of the law: Implementation of policy may be constrained by an external source that is *not* up for election every

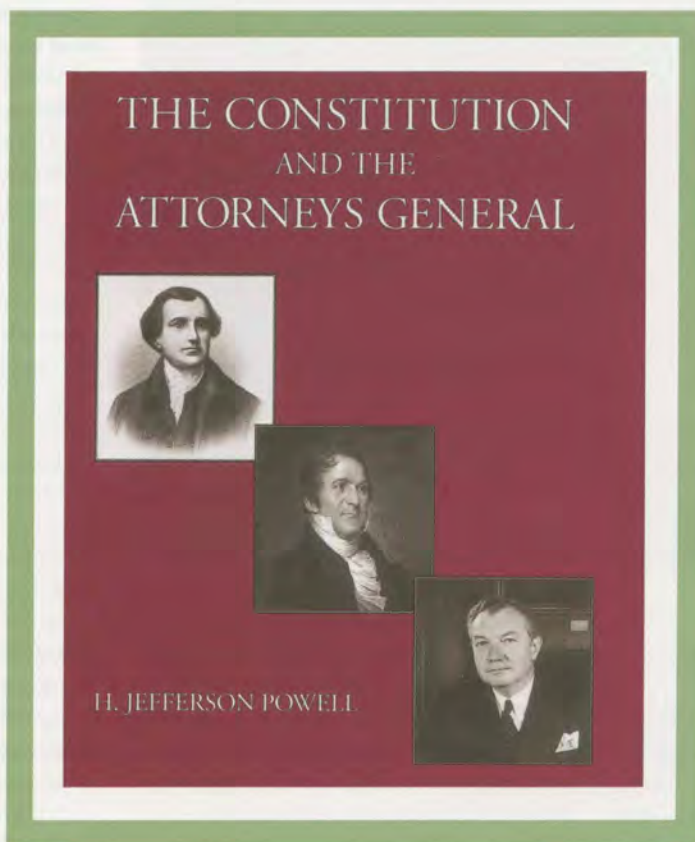
adds tremendously to the data available for all those scholars who wish to consider the issue.

The book works on another level, however; the provision of the opinions not only adds to the materials existing, but it also provides its own answer to the questions surrounding the role of these opinions. Perhaps Powell's answer to the questions in the previous paragraph is the book itself, both as a compendium of attorney general opinions and as a demonstration of reasonable opinion-writing. Many of the opinions collected here not only demonstrate legal acumen but also a willingness to reach results that did not simply follow the views of the relevant administration. That independence was on display in the first opinion in the book (Edmund Randolph's nuanced discussion of the constitutionality of the bill to charter a national bank, page 3) and some of the most recent (such as William French Smith's wariness about bills

that would withdraw Supreme Court jurisdiction over school prayer, page 428).

Powell states in his introduction his belief that "the opinions of the attorneys general compare favorably to the decisions of the Supreme Court as a body of principled constitutional analysis." To those who are not persuaded by Powell's assertion, he puts forward a simple proposition—one that, fortunately, his book now allows: "Read and consider the opinions themselves." ¶

* *Stuart Benjamin is an associate professor at the University of San Diego School of Law. From 1992-95, he was an attorney in the Office of Legal Counsel.*



four years—the Constitution and statutes of the United States. As every law student knows, a given question of law can have several different reasonable answers. Is it appropriate for an executive branch lawyer to advance a position with which he or she does not agree but considers to be a permissible interpretation of the law, if that is the position of the administration in which he or she serves? Is it required? And how does one determine the reasonableness of a given legal position?

Many commentators have written on these issues at some length; indeed, the obligations of executive branch lawyers was the subject of a recent symposium in *Law and Contemporary Problems*. *The Constitution and the Attorneys General*

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International Reunion Weekend '99

Alumni from across the globe are invited to return to Duke to reunite with faculty and former classmates during the Law School's International Alumni Weekend Nov. 12-13.

The weekend includes opportunities for alums to reconnect with their peers in a variety of activities, including a wide-screen Blue Devils basketball telecast at the Washington Duke Inn and several scheduled academic presentations on timely issues.

For the latest information on scheduled weekend events and travel accommodations, visit the Alumni Weekend Web site at

www.law.duke.edu/alumni/international-alumni.htm or call 1-888-LAW-ALUM. ♦

LENS Conference Examines U.S. Role in Global Court

The Law School's Center for Law, Ethics & National Security held its annual spring conference titled "The United States and the International Criminal Court: Which Way From Here?" on April 8-9, 1999, at The Washington Duke Inn. Nearly 150 students and faculty attended from both the Law School and Duke University.

The conference mixed representatives from the administration, academia and the United Nations—including keynote speaker Philippe Kirsch, who last year chaired the UN-convened conference in Rome that voted to establish the International Criminal Court.

Papers from the conference will be published in a special symposium issue of *Law and Contemporary Problems*, with Professor Madeline Morris, a LENS executive board member, serving as special editor. ♦

Colloquium Asks: Can Property Rights Be Part of the Environmental Solution?

Nobel Prize-winning economist Douglass North was the keynote speaker at the Fourth Annual Cummings Colloquium on Environmental Law titled "Global Markets for Global Commons: Will Property Rights Affect the Planet?" The conference, which examined whether new global property systems could effectively respond to the challenge of environmental protection, ran April 30 through May 1 at Duke and the Washington Duke Inn.

The colloquium was jointly sponsored by Duke Law School, the Nicholas School of Environment and the Office of the Provost.

Duke Law Professor Jonathan Wiener, the conference's organizer, was a featured speaker. Other speakers included Carol Rose of Yale University, Terry Anderson of the Political Economy Research Center, Scott Barrett of the London Business School and Duke political science Professor Robert Keohane. ♦

Global Capital Markets Center to Host Workshop in Beijing

The Duke Center for Global Capital Markets, established jointly last fall by the Law School and the Fuqua School of Business, will sponsor a number of upcoming events this semester, including a training program in Beijing next spring.

The workshop, held in conjunction with Tsinghua University in Beijing, is designed to train securities regulators with the Chinese Securities Regulatory Commission and will include such topics as "Your Country's Securities Laws Seen Through the Eyes of Foreign Investors," "Regulatory Strategies to Address Fraudulent Practices" and "The Regulation of Insider Trading." A similar workshop will be held in Bangkok, Thailand, for Thai Securities & Exchange Commission representatives.

Other Center events this fall include a conference titled "Re-examining Regulation of Capital Markets for Debt Securities" on Oct. 18-19 in Washington, D.C., and at Duke, the Center's annual conference on Nov. 19-20, which will focus on hedge funds. That same weekend, the center also will hold its first Center Advisory Board meeting. ♦

Cindy Adcock '91 to Spearhead AALS Pro Bono Project

Beginning July 1 of this year, Cindy Adcock, the Law School's pro bono coordinator, went on loan to the Association of American Law Schools (AALS) in Washington, D.C. Adcock will spearhead a project, funded by the Open Society Institute, to improve pro bono opportunities at the nation's law schools. The AALS Commission on Public Service and Pro Bono Activities issued a report, "Learning to Serve," which concluded that public service and pro bono activities among the AALS's 162 member schools were not as good as they could be. The commission recommended that law schools make pro

bono opportunities available to all students at least once during their law school careers and either require students to participate or find ways to attract most students to volunteer. The commission also emphasized the importance of faculty serving as role models for students by participating in pro bono work themselves.

Adcock will assist law schools in either launching pro bono projects or improving existing ones. She also will serve as director of pro bono projects for the AALS section dedicated to pro bono and public service.

During Adcock's absence, which could last as long as two years, Brenda Berlin, a former pro bono program director and staff attorney at the Legal Aid Society of the District of Columbia, will take over as coordinator of the Law School's pro bono project. ♦

Conference Affirms Current Regulation of U.S. Securities Laws

More than 60 securities lawyers, regulators and academics gathered April 8-9 to discuss the future content of U.S. securities laws during a roundtable discussion, "Rethinking the U.S. Securities Laws," in Washington, D.C.

Edward F. Greene of Cleary, Gottlieb, Steen & Hamilton, and Professor James D. Cox of the Law School jointly chaired sessions at the two-day conference, which sought a consensus on the direction that reform of U.S. securities laws might take.

The general feeling of conference participants, said Greene and Cox in a written summary, was that the securities laws' present regulatory framework works "reasonably well." "There is no need for the Congress to supplant the present laws with a new and untried framework," the summary concluded.

Stephen Wallenstein, executive director of the Law School's Center for Global Capital Markets, also was among the conference participants. ♦

Number of Mordecai Scholars Grows

For the first time since its creation in 1997, the Samuel Fox Mordecai Scholar's Program has placed students in each of the Law School's three classes. The sought-after scholarship provides students who have demonstrated a record of extraordinary academic achievement and leadership with three-year scholarships, at half or full tuition. Six Mordecai Scholars have been named in the class of 2002, bringing the total number of Mordecais to 13.

The new Mordecai Scholars include **Duke Mordecai/University Scholar Lisa Campoli '02**, who holds a Ph.D. in political science from Ohio State University. Campoli co-authored a book titled *Classics in Congressional Politics*.

Smith Mordecai Rachel Adams Crowley '02 earned a Ph.D. in cancer biology from Stanford University and co-developed a novel molecular biology technique for the analysis of cloned genes. **Gosnell Mordecai Matthew Davidson '02** has a B.A. in religion from New College of South Florida, the honors liberal arts college of the Florida University system. After earning his undergraduate degree, he worked as a community organizer in Cleveland's impoverished East Side and has, for the past seven years, had a successful career in information technology. **Kelly Mordecai Maureen Kelley '02**, a recent *summa cum laude* graduate of Creighton University, is a recipient of the Vincent Wilkinson Internship at the Smithsonian American History Museum, where she worked in the Program for African American History. A recent graduate of Furman University, **Smith Mordecai Mark Watkins Kinghorn '02** was president of his senior class and interned at Kay and Povinelli, P.C. And **Duke Endowment Mordecai Albert Kovacs '02** is a top-ranked philosophy graduate from Wabash College who served as promotions director for his college radio station and was an active member

of Lambda Chi Alpha Fraternity.

The first two Duke Law students in the scholarship program, the **Lanty and Margaret Smith-Mordecai Scholars—Sarah Schott '00 and Melissa Marler '00**—will graduate in May. ♦



Christine Herrman '99

Christine Herrman '99 Wins National Pro Bono Award

During her Law School career, Christine K. Herrman '99 volunteered 600 hours working for community service projects—the majority with the Rape Crisis Center of Durham, where she served as an on-call advocate for victims of rape and sexual assault. For her dedication to community service, Herrman has been honored with the 1999 Pro Bono Publico Award for Law Students given by Pro Bono Students America.

Herrman's interest in advocating for victims of sex crimes and domestic violence developed during the four years she worked at a battered women's shelter in her home town of Ketchikan, Alaska, before coming to Duke. Witnessing the devastating effects of these crimes on women and families inspired Herrman to go to law school in order to prosecute the perpetrators.

Herrman, who is now deputy district attorney in Skamania, Wash., strongly recommends community service to all law students for two important reasons:

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It allows students to see the law as it affects real people, and it connects them to the world outside the Law School. "My law school experience wouldn't have been the same if I hadn't done pro bono work," Herrman said. "The two were completely entwined." ♦

Monty Sarhan '99 Receives Charles A. Dukes Award

Mohammed "Monty" O. Sarhan '99 was honored recently with the Charles A. Dukes Award for his work as chair of the Class of 1999 Gift Committee. The award, presented annually by the university, recognizes outstanding volunteer service to Duke. Sarhan is one of the youngest alumni to receive the award.

Under Sarhan's leadership, the committee raised more than \$12,000 in pledges and matching gifts from classmates and raised the level of participation to an unprecedented 34 percent. In addition, Sarhan became the first Barrister from his class, a distinction that requires a personal pledge of \$500.

"Increasing the percentage of participation for the younger classes is essential to preserving the donor base for the future," said Anita Brown, associate director of development and director of alumni relations at the Law School. "Monty has served the School well by increasing the involvement of the Class of 1999, and he deserves this recognition for his leadership efforts and his personal financial commitment." ♦

Administrative Staff Changes

STUDENT AFFAIRS

Susan Sockwell, associate dean of students, has departed Duke Law School after seven and a half years to join her new husband, former lecturing fellow Gregory Bendlin, in Florida, where he has accepted a position as senior counsel with an Orlando-based corporation.

At a standing-room-only farewell gathering in her honor, Sockwell was praised by professors Bob Mosteller

and Bill Reppy for her unflappable good will in dealing with the sometimes creative and challenging requests from students. And Dean Gann was grateful for Sockwell's sangfroid during a fire at the 1997 Summer Institute in Brussels.

"I have really loved my affiliation with Duke and have learned a tremendous amount under the leadership of Dean Gann," Sockwell said. "I have mixed emotions about my departure, because I am very excited about my new marriage and the opportunities that lie ahead, but I will miss the professional challenges and great friends at Duke."

Elizabeth Gustafson T'83 L'86, has replaced Sockwell as associate dean of students. Gustafson's affiliation with Duke started when she was an undergraduate in 1979 and continued as a law student. She returned to Duke in 1992, after practicing intellectual property law in Washington, D.C. Gustafson has worn several hats since rejoining the Duke Law community, including stints as assistant dean for admissions and director of foundations and corporate relations. **Richard Ford** will work with Gustafson as assistant dean for student affairs. Ford is a graduate of Duke and the University of Georgia Law School and has practiced with two firms in Georgia doing litigation work as well as serving as an adjunct faculty member at the University of Georgia Law School.



ADMISSIONS

Admissions counselor **James Bowers**, a Duke graduate, has replaced Catherine Peshkin, who left to pursue a business degree. **Laura Wright**, who has a degree from the University of North Carolina at Chapel Hill, has been hired to replace **Megan Kimmel** who moved to a position in external relations.



REGISTRAR'S OFFICE

Kim Dean has joined the Law School as registrar, following the departure of **Sally Barnett**, who took a position with a graphics design firm. Dean, who has a business degree from UNC-Chapel Hill, has been at Duke for almost 12 years, most recently as the director of general administration and finance for the Divinity School. **Eric Graham** has accepted a part-time position as assistant registrar while he is finishing his Ph.D. dissertation in education at N.C. State University.

OFFICE OF CAREER SERVICES

Carla Crewey has accepted a position with the Iron Dukes; **Joan Morris** will serve as recruiting coordinator to handle on-campus interviewing. **Jill Miller** is the new assistant director of the Office of Career Services. Miller replaces **Kelly Voight**, who is now the

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assistant director of career services at Yale Law School. A Midwest native, Miller was formerly the director of career counseling at the University of Illinois College of Law, where she earned her J.D. cum laude in 1995. Prior to joining the College of Law, she worked at the Chicago office of Littler, Mendelson, P.C., where she practiced employment litigation.

EXTERNAL RELATIONS

Bradley Bodager has accepted an appointment as the executive director of the newly created Program for Dispute Resolution at the Law School. In a dual role, Bodager will continue to manage campaign and leadership gifts for the external relations office.

Anna Boroughs, a graduate of Bard College, has replaced **Alex Gorman**, who left the Law School to attend graduate school, as research and development associate.

Anita Brown has been promoted to associate director of development and director of alumni relations, filling the vacancy left by the departure of **Beth Wilkinson '88**. Brown is a Phi Beta Kappa graduate of the University of North Carolina at Chapel Hill and has been with the Law School since 1987. She was formerly director of the Law School's Annual Fund.



Jill Miller

Olisa Corcoran, communications coordinator since 1997, has left the Law School to pursue creative writing and photography projects. Corcoran is replaced by **Kari Croop**, who comes to the Law School with a degree in journalism from Northwestern University's Medill School of Journalism.

Deborah Desjardins, assistant director of development, has left the Law School to move to Oklahoma with her new husband, who accepted a faculty position at Oklahoma State University. Desjardins, who has been involved in three reunions and is familiar to many alumni, has accepted the position of director of development for the College of Arts and Sciences at OSU.

Shawn Forbes, formerly at the Wolf Trap Foundation, has joined the staff as alumni relations specialist. She has a degree in business administration from the College of Charleston.

Gwen Griffin has moved to another Law School administrative position with the Global Capital Markets Center and the Program in Public Law.

Megan Kimmel has moved from a Law School position as senior admissions officer to serve as office manager in external relations. She holds a degree in government and politics from the University of Maryland at College Park.

Kurt Meletzke has been promoted to coordinator of alumni relations, replacing **Ellen Hathaway**, who moved with her family to San Francisco.

Carlette Southern-Robert joined the staff as special assistant to Associate Dean Linda Steckley. She holds a degree in urban planning from Rutgers University.

Ann Sundberg, formerly the director of development for the School of Design at N.C. State University, has joined the external relations staff as associate director of development and director of the Annual Fund. She is a graduate of Washington University in St. Louis and holds an M.B.A. from SUNY Binghamton.



Ann Sundberg

LIBRARY

Michael Hannon is a new reference librarian and will be teaching research as part of the legal analysis, research and writing course.

David Swearingen has been hired as a senior acquisition assistant. ♦



Kim Dean

faculty notes

Faculty Notes

Cindy Adcock gave a talk, "Four Relationships Which May Save Your Client's Life," at a conference on "Approaching the Millennium With Your Post-Conviction Case" in February at the Governor's Club in Chapel Hill, N.C. She also talked with the media and met with N.C. Gov. Jim Hunt in her role as clemency counsel to Zane Brown Hill, who was executed by North Carolina last year.

Professor Katharine Bartlett has been awarded the A. Kenneth Pye Professor of Law chair, named for former Duke Law School Dean and Duke University Chancellor Ken Pye. In September, she was a panelist on individual rights at the conference titled "The Constitution Under Clinton: A Critical Assessment," sponsored by the Law School's Program in Public Law. Professor Bartlett also was the keynote speaker at the Pennsylvania Superior Court Conference on ALI Principles in St. Louis, Mo., and she gave the keynote address on "Child Custody in the 21st Century: How the American Law Institute Proposes to Achieve Predictability and Still Protect the Individual Child's Best Interests" at Willamette College of Law's 1999 Family Law Conference. She continues as Reporter, with Ira Ellman and Grace Blumberg, for the American Law Institute, Principles of Family Dissolution (Child Custody). Among her publications are a chapter on "Improving the Law Relating to Postdivorce Arrangements for Children" in *The Postdivorce Family* edited by Paul Amato and Ross Thompson; an essay, "Perspectives in Feminist Jurisprudence," in *Feminist Jurisprudence, Women and the Law: Critical Essays, Research Agenda, and Bibliography*, edited by Betty Taylor, Sharon Rush and Robert J. Munro; an article, "Saving the Family from the Reformers," in the *University of California, Davis Law Review*; and a

chapter, "Anglo-American Law," in *A Companion to Feminist Philosophy*, edited by Alison M. Jaggar and Iris Marion Young. She was recently appointed the N.C. representative on the board of directors for the Durham County Department of Social Services.

Professor Sara Sun Beale gave two talks in April on "The Increasing Punitiveness of American Criminal Justice," at the University of North Carolina School of Law and "The Rise of Punitiveness in American Criminal Law," at the University of Illinois Law School. She moderated a plenary panel, "Judicial Discretion Under the Guidelines," at the Eighth Annual National Seminar on the Federal Sentencing Guidelines in Clearwater Beach, Fla., co-sponsored by the Federal Bar Association and the U.S. Sentencing Commission. She is chair of the AALS Planning Committee for the Criminal Justice Conference and a member of the ABA Task Force on Federalization of Criminal Law. Professor Beale also published a 1998 supplement to *Grand Jury Law and Practice* (with William Bryson, James Felman '87 and Michael Elston '94) and a supplement to *Federal Criminal Law and Its Enforcement* (with Norman Abrams).

Professor Herbert Bernstein addressed the 15th International Congress of Comparative Law in Bristol, U.K., on "Civil Liability for Pure Economic Loss Under American Tort Law," and "The Gentleman's Agreement in Legal Theory and in Modern Practice: United States." He also spoke at the Duke Retreat on Globalization and Democratic Governance in Wilmington, N.C., on "The Vienna Convention on Contracts on International Sales of Goods: A Failure in the US?" In April, he spoke at the Copenhagen University Law School, Copenhagen, Denmark, on

"The New York Arbitration Convention in European and American Courts," and "The Brussels Convention of 1968 and the American Full Faith and Credit Clause." He is a member of the board of editors of the *American Journal of Comparative Law*.

Professor Paul Carrington just published a new book, *Stewards of Democracy*, by Westview Press. He delivered the Roy Ray Lecture at Southern Methodist University in Dallas, Texas, on "Big Money in Texas Judicial Elections: The Sickness and Its Remedies." In April, he spoke at the Roger Williams Law School in Bristol, R.I., on "The Redemption of the South." He authored a number of articles including: "The Future of Civil Justice In North Carolina," in the *N.C. State Bar Journal*; "Ernst Freund," in *American National Biography*; "Regulating Dispute Resolution Provisions in Adhesion Contracts," in the *Harvard Journal on Legislation*; "Law and Economics in the Creation of Federal Administrative Law: Thomas Cooley, Village Elder to the Republic," in the *Iowa Law Review*; "Virtual Civil Litigation: A Visit to John Bunyan's Celestial City," in the *Columbia Law Review*; "The Constitutional Law Scholarship of Thomas McIntyre Cooley," in the *American Journal of Legislative History*; "Moths to the Light: The Dubious Virtues of American Civil Procedure," in *Festschrift fur Bernhard Grossfeld* and in the *University of Kansas Law Review*; "The Influences of Continental Law on American Legal Education and Legal Institutions," in *Toward Comparative Law in the 21st Century*, by Chuo University Press in Tokyo; "Fitness Training," in *Green Bag*; "Judicial Independence and Democratic Accountability," in *Law & Contemporary Problems*; "Virtuelles Zivverfarhen in den USA: Ein Besuch in John Bunyans Himmlischer Statt," in

ZZZ International; and "Restoring Vitality to State and Local Politics: Correcting the Excessive Independence of the Supreme Court," in the *Alabama Law Review*. Professor Carrington is a consultant on judicial elections to the Texas Supreme Court and the N.C. State Judiciary Committee and is on the Board of Overseers' Law School Visiting Committee, Harvard University. He is currently chairing the Law School search committee for the new dean.

Professor Amy Chua gave a number of talks during the past academic year including the following: "Financial Crisis and the Implementation of Human Rights," a panel presentation at The Hague Joint Conference on Contemporary Issues in International Law: A Century After The First Hague Peace Conference, The Hague, Netherlands; "Challenges in Achieving Development and Democracy," given at The First International Studies Conference: New Perspectives on an Old Debate, Middlebury College, Vermont; "Human Rights and Legal Scholarship: New Directions," a panel presentation at the Symposium on Law School-Based Human Rights Centers and Clinics: Sharing Our History and Planning Our Future, sponsored by Orville H. Schell, Jr. Center for International Human Rights, Yale Law School; "Markets, Democracy, and Ethnic Conflict," given at the Annual Meeting of the American Society of International Law, Washington, D.C.; and "Markets, Democracy, and Ethnic Conflict in East and Southeast Asia—A Comparative Perspective," given at the Asian Law and Policy Studies Workshop, Georgetown University Law Center. Professor Chua served as a consultant to the World Bank in 1998-99 and is a member of the Executive Council and Executive Committee of the American Society of International Law. She also taught in the Duke Hong Kong Institute in Transnational Law in July.

Professor George Christie taught in the Duke/Geneva Institute in Transnational Law in Geneva, Switzerland this summer. He published "The Defense of Necessity Considered From the Legal and Moral Points of View" in the *Duke Law Journal* and an entry on "Obedience/Disobedience to Constituted Authority" in *Philosophy of Law: An Encyclopedia*. He is on the editorial board of *Law and Philosophy*.

Professor Charles Clotfelter has edited, with Thomas Ehrlich, a book titled *Philanthropy and the Nonprofit Sector in a Changing America*, published by Indiana University Press. His article, "The Familiar But Curious Economics of Higher Education: Introduction to a Symposium," was published in the *Journal of Economic Perspectives*. Earlier in the year, he provided testimony at the National Gambling Impact Study Commission in Norfolk, Va. With Duke professors Philip Cook, Julie Edell and Marian Moore, he wrote a report for the National Gambling Study Commission titled "State Lotteries at the Turn of the Century."

Doriane Lambelet Coleman directed the inaugural event of the new Duke Center for Sports Law and Policy—the Duke Conference on Doping—in May. She also gave a number of talks including "American Tort Law" at the International Law Institute Summer Orientation for Foreign Lawyers; "Multiculturalism and the Law" for incoming JD students; "The Duke Center for Sports Law and Policy" for Duke Law students; "The Duke Center for Sports Law and Policy, and its Inaugural Event, The Duke Conference on Doping" for a Duke Law alumni event in Chicago; "The Olympic Bribery Scandal and Its Implications for Public Policy" for the Public Law and Public Events Speaker Series at Duke Law School; and "Litigating High Profile Cases: The Mary Decker Slaney Case" for Law School alumni

during the April Alumni Weekend. Ms. Coleman also gave numerous media interviews in connection with The Duke Conference on Doping and the Mary Decker Slaney case. In August, she was a participant on the Presidential Showcase Panel, "Cultural Differences in the Courtroom," at the ABA Annual Meeting in Atlanta and gave a talk to Atlanta area alumni on "Challenging the Olympic Drug-Testing Program as a Civil RICO Violation."

Professor James Coleman served as special editor of an issue of *Law and Contemporary Problems* on "The ABA's Proposed Moratorium on the Death Penalty." He published a book review in *The American Lawyer* on *The Good Black*, by Paul M. Barrett. In July, he participated in a White House conference to mark the 35th anniversary of President John F. Kennedy's "Call to Action." As part of his One America Initiative, President Clinton issued the anniversary invitation to 150 prominent leaders of the American bar in an effort to improve civil rights and diversity in the legal profession. Professor Coleman also participated in a Department of Justice conference in June to discuss ways to improve diversity within the



Professor James Coleman

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bar. As part of his death penalty work, Professor Coleman attended a conference, co-sponsored by the Open Society Institute, the Columbia Foundation and the J. Roderick MacArthur Foundation, to discuss ways to change public opinion about the death penalty. He also testified before the Durham City Council in support of a resolution [which was ultimately passed] calling for a moratorium on executions in North Carolina. He is a faculty advisor, along with Theresa Newman '88, to the Innocence Project, established jointly with the University of North Carolina Law School, to investigate viable claims of innocence by capital and noncapital prison inmates. He serves as the Recommending Official for the Department of Treasury, Bureau of Alcohol, Tobacco & Firearms under an agreement that settled a class action lawsuit alleging race discrimination brought by African-American agents against the Bureau. He was elected chair of the ABA Section of Individual Rights and Responsibilities and was a faculty member for the National Institute of Trial Advocacy at Duke Law School. Together with Doriane Lambelet Coleman, he made presentations to alumni at Duke and in Chicago about the Mary Decker Slaney case and the new Duke Center for Sports Law and Policy. The two also gave a talk to Atlanta-area alumni on "Challenging the Olympic Drug-Testing Program as a Civil RICO Violation."

Professor James Cox published supplements to the following two books: *Securities Regulations Cases and Materials* (with Hillman and Langevoort); and *Corporations* (with Hazen and O'Neal), both published by Aspen. His recent publications include "Choice of Law Rules for International Securities Regulations" in the *University of Cincinnati Law Review* and "Globalization's Challenges to the United States Securities Laws" in the *Canterbury Law Review*. Professor Cox gave a number of talks throughout the

year: "Privatization, Capital Markets Laws and Economic Development" in Sarajevo, Bosnia, sponsored by the East West Management Institute; "Comparative Corporate Governance" at the University of Los Andes, Santiago, Chile, and University of Austral, Buenos Aires, Argentina; "Regulatory Duopoly in U.S. Securities Markets" at a West Palm Beach, Fla., conference sponsored by Columbia University and the Institute for Law and Economic Policy; "Re-examining the Fundamental Assumptions of the U.S. Securities Laws" in Washington, D.C.; and "The Social Meaning of Shareholder Litigation," 8th Annual Pomerantz Lecture, Brooklyn Law School. In March, Professor Cox served as the Distinguished Scholar at the Widener University School of Law Interschool Moot Court Competition and in April, he was co-convenor and moderator at the "Rethinking the Future Content of the U.S. Securities Laws" conference in Washington, D.C.

He serves as a consultant to the Kingdom of Saudi Arabia Capital Market Law Project and is a member of the NASD Legal Advisory Board.

Professor Walter Dellinger

delivered the annual banquet address at the 112th anniversary of the *Harvard Law Review* in Cambridge, Mass., and was the 1999 commencement speaker at the University of North Carolina Law School. He also spoke at the United States Supreme Court's memorial service for Justice Lewis Powell and delivered addresses to the Judicial Conferences of the United States Court of Appeals for the Fifth Circuit in Houston and the Second Circuit in New York; at the annual bar conference in Toledo, Ohio; and at the Appellate Judges Conference sponsored by the Federal Judicial Center and the National Center for State Courts. He addressed the annual General Counsel Conference of the United States Department of the Treasury and gave talks to lawyers at the Department of

Defense and the Department of Justice. He gave the address at the Frank Porter Graham Dinner for the North Carolina Civil Liberties Union, was the Law Day speaker for the Charlotte Bar Association and gave a talk on "Doing Theory/Doing Law" before the annual luncheon of Duke University's distinguished professors. He spoke on the First Amendment and the press at the annual meeting of the Communications Law Section of the ABA and on the Supreme Court at the annual meeting of the ABA in Toronto. He addressed the National Association of Attorneys General at their annual meeting in Nashville.

Professor Dellinger argued *Hunt v. Cromartie* before the United States Supreme Court, defending North Carolina's congressional districting plan. With his partner Warren Christopher, he also argued on behalf of the Ford Motor Company in federal court in New Jersey in forced labor cases arising out of World War II, and argued in the Fourth Circuit on behalf of Qwest Communications. He filed briefs in the United States Supreme Court on behalf of major film studios and book publishers and served as pro bono counsel for the Association of American Law Schools in litigation over admissions policies at the University of Michigan. On behalf of the United States, he served as an arbitrator of the dispute between the U.S. and the Zapruder family over the rights to Abraham Zapruder's film of the assassination of President Kennedy. He testified before the House Judiciary Committee on class action reform legislation. Professor Dellinger was selected for membership in the American Academy of Arts & Sciences. He also is a partner in the Washington office of O'Melveny & Myers and heads the firm's appellate practice.

Professor Deborah DeMott has been elected to the Executive Committee of the Section on Business Associations of the Association of

American Law Schools. In June she was a panelist at the AALS Conference for professors of contract law, speaking on the relevance of agency to people interested in teaching contract law, and on panels on restitution and suretyship. In October Professor DeMott spoke on the law of agency and its central importance at a University of Georgia conference for professors teaching business association courses. She continues her work as reporter for the Restatement (Third) of Agency for the American Law Institute and met in June with advisors to the project and other interested members of the ALI. Among her publications are articles in the *Connecticut Journal of International Law* on "The Mechanisms of Control;" in the *Washington & Lee Law Review* on "The Faces of Loyalty;" and in the *Australian Company & Securities Law Journal* on "Legislating Business Judgment: A Comment from the United States." She also published the 1999 Annual Supplement to her treatise, *Shareholder Derivative Actions*, as well as a revised chapter on "Preliminary Considerations in Shareholder Actions."

Professor Richard Danner, senior associate dean for library and computing, spoke on the subject of electronic journals and scholarly communication at the annual meeting of the Association of American Law Schools (AALS) in New Orleans; on new technologies and development at the ABA Section of Legal Education and Admissions to the Bar Conference; on Law School Development in Santa Fe; and on the future of librarianship as a profession at the annual meeting of the American Theological Librarians Association in Chicago. He also was the organizer and program developer for an American Association of Law Libraries conference on academic law libraries space planning and technology, held at Duke in March. He participated in meetings of the AALS

membership review committee and the AALS task force on electronic publications.

Diane Dimond was faculty advisor to the Duke team that participated in the Regional ABA Negotiation Competition at the Regent School of Law, Virginia Beach, Va. She attended the Biannual Conference of the Association of Legal Writing Directors in Boston in July.

Thomas Domonoske published "Establishing Claims in Auto-fraud Cases by Determining When the Dealer Signed Title to the Consumer" in *The Consumer Advocate* and drafted a new section on automobile fraud issues for the *Truth in Lending Act Manual* published by the National Consumer Law Center. His addresses included: "Consumer Law for Support Staff" at the Annual Statewide Legal Aid Conference in Roanoke, Va.; "Analyzing the Consumer's Paperwork" at the Second Annual Auto Fraud Mini-Conference, National Consumer Law Center in San Diego, Calif.; "How to Help the Inexperienced Legal Writer Improve" at the Ninth Annual Festival of Legal Learning in Chapel Hill, N.C.; "Analyzing Used Car Cases" at the University of Houston Law Center, Houston. He also served on a panel on auto fraud scams at the Consumer Finance and Business Fraud Conference sponsored by the National Association of Consumer Advocates in San Antonio and as a panelist on automobile fraud and financing issues at the Roanoke, Va., Statewide Legal Aid Conference.

Professor Robinson Everett argued a third time in the U.S. Supreme Court on the congressional redistricting of North Carolina in preparation for the next census. At a March meeting of the Military Appellate Advocacy Conference at The Catholic University in Washington, D.C., he was presented

the Judge Advocates Association's Distinguished Life Service Award for his "lifetime of dedicated service to the sacred principles of military and veterans law and justice." He continues to sit occasionally as senior judge for the Court of Appeals for the Armed Forces and is chair of a subcommittee to commemorate 50 years of the Uniform Code of Military Justice. Professor Everett also chairs the Continuing Legal Education Board for the N.C. State Bar and the Committee on Legal Assistance to Military Personnel. He is a member of the Committee on Professional Ethics for the Federal Bar Association and serves on the ABA Advisory Committee on National Security. He has an article forthcoming, "American Service Members and the ICC," for a volume on the International Criminal Court, which will be published by the American Academy of Arts and Sciences. He is currently at work on a project to transcribe the diaries of his father, R. O. Everett, one of the first five law students at Trinity College in 1905-06.

Professor Martin Golding published "Altruism, Evolutionary Psychology, and the Genealogy of Morals" in *Jahrbuch für Recht und Ethik* and "My Philosophy of Law" in *The Law in Philosophical Perspectives: My Philosophy of Law*, ed. L.S. Wintgens. He participated in a conference on "Liberty and the Universal Declaration of Human Rights" in Colorado Springs, Colo. At a meeting of the International Association for Philosophy of Law and Social Philosophy at Pace University in New York, Professor Golding moderated a panel on "Customary and Religious Law" and was a panel discussant on a book titled *The Law in Philosophical Perspectives*. He is a consulting editor for *Social Philosophy and Policy*; *Law and Philosophy*; *International Journal for the Semiotics of Law*; and *Res Publica: a Journal of Social and Legal*

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Philosophy. He also is an articles referee for *Ethics* and a member of the editorial board of *Law and Contemporary Problems*.

Professor Paul Haagen edited *Arbitration Now* for the ABA and wrote the foreword to the book. He also published "New Wineskins for New Wine: The Need to Encourage Fairness in Mandatory Arbitration" in the *Arizona Law Review*. In May he spoke at The Duke Conference on Doping on "The Court for Arbitration in Sport: Have the Wheels Already been Invented?" He also moderated a panel on "The Changing Nature of Intercollegiate Athletics" at Duke University during the university's alumni weekend. He is a member of the board of directors of the Private Adjudication Center and of the American Law Institute, and is co-director of the Center for Sports Law and Policy.

Professor Clark Havighurst, who was named interim dean in July 1999, completed the Teacher's Manual for C. Havighurst et. al., *Health Care Law and Policy: Readings, Notes, and Questions* (2d ed. 1998). His published articles included a foreword, "Managed Care Work in Progress or Stalled Experiment?" to a symposium in the *Houston Law Review*. He also authored a paper titled "Legal Issues in Collaboration" for conference proceedings published by the Institute of Medicine, *Collaboration Among Competing Managed Care Organizations for Quality Improvement*. Professor Havighurst gave a number of talks this year including: "The Backlash Against Managed Care and What to Do about It," The Mellon Lecture, at the University of Pittsburgh School of Law; "Vicarious Liability and the Quality of Care" and "Managed Care: A Role for Contracts" at the Vanderbilt Conference on Health Care Law for State Judges, Vanderbilt Institute for Public Policy Studies; "Analyzing Health Care Markets: A (Marshfield)

Clinic" at the 1998 Health Care Antitrust Forum, Northwestern University School of Law; and "Vicarious Liability and Managed Care" at the RAND Institute for Civil Justice, Santa Monica, CA. The latter talk was given while Professor Havighurst served as scholar-in-residence at RAND in the spring of 1999. He gave testimony at the N.J. Certificate of Need Study Commission in Trenton, N.J., and chaired the planning committee for a workshop to create a Medical-Legal Interface at the Institute of Medicine, National Academy of Sciences.

Professor Donald Horowitz published "Structure and Strategy in Ethnic Conflict: A Few Steps Toward Synthesis" in the *Annual World Bank Conference on Development Economics*. As a member of the National Democratic Institute for International Affairs fact-finding mission on democratization and elections in Indonesia, he wrote "The Draft Laws on Indonesian Political Parties, Elections and Legislative Bodies: An Analysis" for the Institute, which is based in Washington, D.C. Professor Horowitz was a panelist at the American Political Science Association Conference on the topic, "The Politics of Law in Plural Societies." At the same conference, he delivered a paper, "Constitutional Design for Divided Societies," at a panel on ethnic conflict management. In Jakarta, Indonesia, he spoke on "Center-Periphery Relations and Other Issues of Constitutional Reform" at a conference on democratization in Indonesia at the Indonesian Institute of Sciences. Other addresses included: "Constitutional Design for Divided Societies" at the Department of Sociology, University of the South Pacific in Suva, Fiji; "Law, the State, and the Growth of Civil Society: Asia in Transition," to faculty at the University of Hong Kong; "Law and Development: What Is It About?" at the Tsinghua University Law Faculty in

Beijing, China; "Democracy in Divided Societies" at the UNC-Chapel Hill National Science Foundation series on Democracy and Democratization; "Designing Political Institutions for Divided Societies," the keynote address to the Harriet Elliott Social Science Symposium at UNC-Greensboro; and a keynote address, "Nationalism, Ethnicity and Violence," at the annual conference of the Association for Studies of Ethnicity and Nationalism in London.

Professor Trina Jones published an article, "Sustaining a Great and Noble Profession: A Framework for Ethical Decision Making," in the *Emory Law Journal*. She also planned and directed the second annual "Charting Courses" program for African-American law students at Duke.

Professor David Lange, a member of the board of trustees of the Copyright Society of the United States, addressed the Society's midwinter meeting in Atlanta on "Thin Copyright in Photographic Works." In April, he presented a paper, "Cyberspace and its Discontents," at the Yale Conference on Private Regulation in Cyberspace at the Yale Law School. Professor Lange's address was published on the conference Web site and will be published later in a print version. He has completed the teacher's manual for his casebook, *Cases and Materials on Intellectual Property* (with coauthors Gary Myers '86 and Mary La France '86 published by West in 1997) and has published an article, "Bargaining Around the TRIPS Agreement: The Case for Ongoing Public-Private Initiatives to Facilitate Worldwide Intellectual Property Transactions," in the *Duke Journal of Comparative & International Law* (coauthored with Professor Jerome Reichman of Vanderbilt Law School). Professor Lange was also a panelist on individual rights at a September conference, sponsored by the Law School's Program in Public Law, on

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"The Constitution under Clinton: a Critical Assessment."

Jennifer Maher moderated a panel, "Overcoming the Barriers: Approaches to Academic Training for Foreign Lawyers Part I - Specialized Courses for Foreign Lawyers," for the ABA Section of Legal Education and Admission to the Bar/Committee on Graduate Legal Education, at the Conference on Graduate Legal Education for Foreign Lawyers at Duke Law School.

She is a member of the Continuing Legal Education Committee of the North Carolina Bar Association, the executive committee of the AALS Section on Graduate Programs for Foreign Lawyers and is secretary for the Braxton Craven Inn of Court. In July, she served as co-administrator for the Duke-Geneva Institute in Transnational Law in Geneva.

Carolyn McAllaster contributed a chapter titled "Legal Issues for HIV-Infected Children" in the *Handbook of Pediatric HIV Care*, published by Lippincott, Williams & Wilkins. McAllaster also presented a number of workshops on legal issues and HIV including: "Legal Issues Faced by HIV-Infected Clients" to the Piedmont HIV Health Care Consortium in Louisburg, N.C.; "Legal Rights of HIV-Infected Clients" to the Veteran's Administration Hospital in Durham, N.C.; "AIDS: Strengthening Community Connections" to a panel on "Women and AIDS," sponsored by the Regional HIV/AIDS Consortium in Charlotte, N.C.; "Integrating Primary Care, Mental Health, and Substance Abuse Service for People with HIV Disease" at a conference on "Legal Issues Affecting Persons Living with HIV: Advocating for your Client," sponsored by Mountain AHEC and the Schools of Medicine and Pharmacy of UNC-CH, in Asheville, N.C., and in Rocky Mount, N.C.; and "Navigating Change: Meeting the New Challenges of HIV/AIDS" at a conference on "Family

Issues in HIV/AIDS," sponsored by the Carolinas Health Care System and other agencies in Charlotte, N.C.

Professor Francis McGovern served as special reporter and consultant for the Working Group of the 7th Judicial Conference of the United States on Mass Torts. The Working Group conducted four meetings involving more than 100 experts in the field of mass torts and submitted a report to the Chief Justice of the United States. He also served as a member of the Complex Litigation Project of the Judicial Council of California that will produce a California Manual for Complex Litigation. His other consultation roles were on behalf of the United Nations for the United Nations Compensation Commission in Geneva; various federal judges in the Dow Corning Bankruptcy; *U.S. v. Michigan* and *Young v. Cuomo*; and various state judges in *Samsung v. DSC*; and the Snake River Basin Adjudication. He continues as chair of the trustees in the Fibreboard Asbestos Claimant Trust

and as trustee in the Celetex Asbestos Claimant Trust. Professor McGovern gave multiple talks at Stanford Law School, Georgetown Law School and New York Law School and continuing legal education speeches at the Litigation Section of the ABA in Dallas; the Alternative Dispute Resolution Section of the ABA in Boston and New York; Mealey's Underground Gas Tank program in Jacksonville, Fla.; the Network of Trial Law Firms in San Diego; and Mealey's Phen-Fen Conference in Philadelphia. His presentations to judges included the Sixth Circuit Annual Conference in Taverna City, Mich.; the Seventh Circuit Annual Conference in Milwaukee, the Conference of Chief Justices in Washington, D.C.; the Federal State Jurisdiction Committee of the Judicial Conference in Palm Springs, Calif.; the Advisory Committee of the Federal Rules of Civil Procedure of the Judicial Conference in Charleston, S.C.; the Court Administration and Case Management Committee of the Judicial Conference in Washington,

Carolyn McAllaster



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D.C.; and the Bankruptcy Committee of the Judicial Conference in Naples, Fla. He also gave talks at meetings of the Federalist Society in Washington, D.C., the CPR in Santa Fe, N.M., and the Water Rights Institute in Ashland, Ore.

Professor Madeline Morris wrote book chapters for two recent books: "Rape by Military Personnel," included in *The Oxford Companion to American Military History* (John Chambers, ed., Oxford University Press, 1998); and "In War and Peace: Incidence and Implications of Rape by Military Personnel," published in *Beyond Zero Tolerance: Discrimination in Military Culture* (Mary Fainsod Katzenstein and Judith Reppy, eds., Rowman & Littlefield Publishers, 1999). In addition, she wrote an article titled "Facilitating Accountability: The Potential Value of International Guidelines Against Impunity," published in the *ISLA Journal of International and Comparative Law*. In March, Professor Morris presented a paper titled "The Jurisdiction of the ICC" at Notre Dame Law School's conference "The Permanent International Criminal Court: Will it Make a Difference for Peace and Human Rights?" In April, she delivered a paper on the "ICC Jurisdiction Over Non-party Nationals" at the Center on Law, Ethics and National Security's 1999 conference at Duke Law School. Professor Morris continues to supervise two student pro bono programs at the Law School, one providing research for the International Criminal Tribunals for the former Yugoslavia and Rwanda and one providing research for litigation involving the rights of women in the U.S. military.

Professor Robert Mosteller published an article, "Victims' Rights and the Constitution: Moving from Guaranteeing Participatory Rights to Benefiting the Prosecution" in the *St. Mary's Law Journal*. He made a presentation on "Syndrome and 'Group Character' Evidence in Criminal Trials" at the 1999 Judging Science Program, sponsored by Duke Law School's Private Adjudication Center. He is chair-elect of the AALS Section on Evidence.

Professor Jefferson Powell published his book, *The Constitution and the Attorneys General*, reviewed on page 28. He also wrote several articles, including "The President's Authority Over Foreign Affairs: An Executive Branch Perspective," published in the *George Washington Law Review*, and "The Founders and the President's Authority Over Foreign Affairs," published in the *William & Mary Law Review*. Three articles will be published later this year: "An Unprincipled and Poorly Crafted Victims' Rights

Amendment" (with Robert Mosteller) in the *North Carolina Law Review*; "Who's Afraid of Thomas Cromwell" in the *Chicago-Kent Law Review*; and an essay titled "Marshall's Questions" (with Walter Dellinger) in *Green Bag*. Professor Powell was presented the 1999 Distinguished Teaching Award for a small section by Duke Law students. In addition, the Duke Law School Program in Public Law, which Professor Powell directs, sponsored a conference titled "The Constitution Under Clinton: A Critical Assessment," which drew top-level scholars, journalists and members of four presidential administrations to Duke. Professor Powell convened the conference.

Professor William Reppy taught in Hong Kong at the Asia-America Institute in Transnational Law, sponsored by Duke University School of Law and the University of Hong Kong Faculty of Law, in the summer of 1999. Professor Reppy did considerable work this year as an advocate for animals in the law. In his role as vice president of Justice for Animals, he organized litigation to enjoin the city of High Point, N.C., from shooting and killing unleashed dogs. Duke students worked on the complaint, now pending in federal court in the Middle District of N.C. Professor Reppy also worked on a N.C. Senate bill to establish a statewide low-cost spay-neuter plan to fight pet overpopulation. Along with the most notable experts on animal law from the U.S. and Great Britain, he spoke in New York at a September conference held by the Bar of the City of New York on animals in the law. In addition, he revised the 3rd edition of *Texas Marital Property*, published by Lupus Press, and the *Gilbert's Summary of Community Property Law*, 17th edition, published by Harcourt Brace Legal.



Professor Jeff Powell

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Professor Richard Schmalbeck

Professor Emeritus Horace

Robertson moderated a panel on "Legal Considerations in Computer Network Attack" at the U.S. Naval War College, Newport, R.I., and published an article, "The Status of Civil Aircraft in Armed Conflict," in the 1998 *Israel Yearbook on Human Rights*.

Professor Thomas Rowe published "1367 and All That: Recodifying Federal Supplemental Jurisdiction" in the *Indiana Law Journal* and a symposium foreword, "Rooker-Feldman: Worth Only the Powder to Blow It Up?" in the *Notre Dame Law Review*. Professor Rowe moderated the Federal Courts Section annual program of the AALS convention in New Orleans and has been named chair of the Section. He also taught in the Duke/Geneva Institute in Transnational Law and is designing a conference on access to justice to be held in Geneva in summer 2000.

Professor Richard Schmalbeck was presented the 1999 Award for Distinguished Teaching by the Duke Bar Association. In July 1999, he taught at the Duke-Geneva Institute in Transnational Law sponsored by the Law School and the University of Geneva Faculty of Law.

Professor Christopher Schroeder

published a 1999 supplement to his casebook, *Environmental Regulation: Law, Science and Policy*, with coauthors Bob Percival, Alan Miller and Jim Leape. He also published "Rational Choice versus Republican Moment Explanations for Environmental Laws" in the *Duke Environmental Law and Policy Forum* and two articles in *Law and Contemporary Problems*: "Putting Law and Politics in the Right Places—Replacing the Independent Counsel Law" and "Foreword to the Symposium Issue on the Independent Counsel Statute." He served as special editor for the *Law and Contemporary Problems* volume on the independent counsel statute. He also co-authored an article, "What about Dan Burton's Contempt for the Constitution?" with Neil Kinkopf in the August 18, 1998, issue of *American Lawyer*. Professor Schroeder moderated a panel discussion at the Cummings Colloquium on International Cooperation on Environmental Problems at Duke Law School and was a panelist at a September conference, sponsored by the Law School's Program in Public Law, on "The Constitution under Clinton: a Critical Assessment." He is a member of the Law School search committee for the new dean.

Professor Steven Schwarcz's article, "The Universal Language of Cross-Border Finance," which originally appeared in the *Duke Journal of Comparative & International Law*, was reprinted in *The Securitization Conduit* and also was distributed by the U.S. Department of State as an official document at the May 1999 annual meeting of the Secretary of State's Advisory Committee on Private International Law. Professor Schwarcz also presented two papers at that meeting, "Towards a Centralized Perfection System for Cross-Border Receivables Financing," forthcoming in the *University of Pennsylvania Journal of International Economic Law* (symposium issue on cross-border finance), and "A Bankruptcy Reorganization Approach to Sovereign Debt Restructuring," forthcoming in the *Cornell Law Review*. He also presented the latter article, on sovereign debt restructuring, at an interdisciplinary faculty and student workshop sponsored by Duke University's Global Capital Markets Center and will be presenting that article this fall in faculty workshops at Georgetown Law School, Wake Forest University Schools of Law and Business and Duke's Fuqua School of Business. The two papers presented at the State Department were also presented at the Symposium on Cross-Border Secured Transactions at the University of Pennsylvania Law School and at Duke University's international symposium on "Globalization, Capital Markets Crisis and Economic Reform." Professor Schwarcz also chaired and moderated sessions at these two meetings. Professor Schwarcz's articles, "The Inherent Irrationality of Judgment Proofing" and "Judgment Proofing: A Rejoinder," are forthcoming this fall in the *Stanford Law Review*. In addition, his article, "The Impact on Securitization of Revised UCC Article 9," is forthcoming as part of the *Chicago-Kent Law Review's* Symposium on Revised Uniform Commercial Code Article 9.

Professor Schwarcz addressed Duke

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Law School faculty and students on the global economic crisis, as part of the lunch talk series of the Program in Public Law and talked to alumni in New York and to the Law School's Board of Visitors about the School's Global Capital Markets Center. In Buenos Aires, he also addressed a group of over 70 attorneys, many of whom are alumni, on capital markets and securitization. Professor Schwarcz just returned from Santiago, Chile, where he lectured on capital markets, international finance, securitization and structured finance to Master of Law students at Catholic University of Chile and to scholars, judges and attorneys in a seminar on international finance, co-sponsored by Catholic University of Chile and Chile's Ministry of Finance. Professor Schwarcz also continues to be a consultant to the United Nations Commission on International Trade Law on its proposed convention on international receivables financing.

Scott Silliman gave a guest lecture in Professor Dick Stubbing's National Defense class in Duke's Sanford Institute for Public Policy. He organized and officiated at the LENS Center's spring conference—"The United States and the International Criminal Court: Which Way from Here?"—at the Washington Duke Inn. Papers from the conference will be published in Duke's journal, *Law and Contemporary Problems*. In May, Mr. Silliman lectured at the JFK School of Warfare at Fort Bragg, N.C., on the law of war and the accountability of commanders for war crimes. He gave a number of media interviews, both domestic and foreign, discussing the N.C. military jury acquittal of the Marine aviators responsible for the Italian cable car deaths and the resulting strain in relations between the United States and Italy and commenting on the Kosovo crisis. Currently he is planning for a conference in February 2000, co-sponsored by the Triangle Institute for Security Studies (TISS) and LENS, on "Transnational Threats:

Blending Law Enforcement and Military Strategies." He has been appointed to the advisory committee of the American Bar Association's Standing Committee on Law & National Security and has been working with the committee on their fall conference, "National Security Law in a Changing World: The Ninth Annual Review of the Field."

Carol Spruill gave the keynote address, "Subsidized Developmental Child Care: The Single Parent's Dilemma To Work or Not to Work," at the North Carolina Bar Association Symposium on Child Development and the Law of Child Care. She presided over the General Session of the North Carolina Bar Association Centennial Convention in June and gave the commencement address to Presidential Award Scholars of the Class of 1999 at Washington High School. She also spoke on "Preparing Duke Law Students for Community Leadership" to Duke Law alumni in Charlotte, Durham, Greensboro, Raleigh and Winston-Salem. Dean Spruill is vice president of the Board of Governors of the North Carolina Bar Association and vice president of the board of Carolina Legal Assistance.

Professor Laura Underkuffler contributed a book chapter on the nature of corruption in *Fracturas en la Gobernabilidad Democratica*, published in Santiago, Chile, and published an article, "Agentic and Conscientic Decisions in Law: Death and Other Cases," in the *Notre Dame Law Review*. She presented a paper, "Vouchers and Beyond: The Individual as Causative Agent in Establishment Clause Jurisprudence," at a conference on "Religious Liberty at the Dawn of a New Millennium" at the Indiana University School of Law in Bloomington, Ind., and at the Poynter Center for the Study of Ethics and American Institutions. She is a member of the board of directors of Duke's

Private Adjudication Center.

Professor William Van Alstyne completed a 1999 supplement to his casebook, *First Amendment Cases and Materials*, published by Foundation Press. He contributed sections on "Commercial Speech" and "The Second Amendment" in Supplement II of the *Encyclopedia of the American Constitution* and is currently working on revisions for the third edition of *First Amendment Cases and Materials*. Professor Van Alstyne also is completing two articles: "Affirmative Actions Without Racial Discrimination: A Comparison and Preliminary Review," adapted from a research paper solicited by the U.S. Commission on Civil Rights, and "The Supreme Court and the Civil Rights of African Americans in the First Three Decades of the Reconstruction Amendments (1866-1896)." The latter article is adapted from a lecture he presented in the Supreme Court, under the auspices of the Supreme Court Historical Society, and is to be published in the *Journal of the Supreme Court Historical Society*. Last fall he gave testimony on the Starr Report and impeachment proceedings before the House Judiciary Committee's Subcommittee on the Constitution. In June, he testified before the Senate Judiciary Committee on a pending bill to criminalize U.S. flag desecration and before the Senate Commerce Committee on proposed congressional approval of an interstate compact enabling contiguous dairy states to bar competition by lower-cost producers, notwithstanding constitutional restrictions on discriminatory commerce barriers. With others, he submitted an amicus brief on the issue of separation of powers in *Williams v. Taylor*, a Supreme Court case regarding an act of Congress restricting federal court habeas corpus review. With John Ely, Lawrence Tribe and others, he submitted another separation of powers amicus brief in *Campbell v. Clinton*, a case before the Washington, D.C., district court chal-

lenging the basis of the president's authority to conduct an air war in Yugoslavia without congressional sanction. He also drafted an advisory report to the ABA Standing Committee on Professional Standards regarding First Amendment issues raised by proposed restrictions on lawyer contributions to political candidates; and he addressed the Fourth Judicial Circuit Annual Conference, reviewing selected 1998-99 Supreme Court decisions.

Professor Neil Vidmar wrote an article titled "The Canadian Criminal Jury: Searching for its Middle Ground" for *Law and Contemporary Problems*. He testified in Australia before the New South Wales Supreme Court in the *Attorney General v. John Fairfax Publications*, and in California in *Regents of the University of California v. Gener Tech Inc.* before the U.S. District Court of the Northern District of California. He serves as a consultant to the National Science Foundation and the Social Sciences and Humanities Research Council of Canada. In addition, Professor Vidmar sits on the journal editorial boards for *Law and Human Behavior*; *Psychology*; *Public Policy and Law*; *Psychology, Crime and Law*, and *Legal and Criminological Psychology*.

Stephen Wallenstein gave a talk, "Capital Market Development: Engine for Growth or Recipe for Disaster?" at the Sanford Institute of Public Policy's Center for International Development Research at Duke. He was a discussant at Duke's Cummings Colloquium on Environmental Law on "Making Global Environmental Markets Work" and a guest lecturer at Duke's Fuqua School of Business GATE Program-Latin America. Mr. Wallenstein served as moderator for a panel on "Emerging Markets and Privatizations" at the "Financial Services in the Evolving Global Marketplace: Approaching the Next Millennium" conference at the Hofstra University Merrill Lynch

Center. He chaired the session on "Global Capital Markets Crises" at the "Globalization, Capital Markets Crises and Economic Reform" conference, co-sponsored by the Duke Global Capital Markets Center in conjunction with the Duke Department of Economics and was a commentator in a symposium led by Professor Steven L. Schwarcz on "A Bankruptcy Reorganization Approach to Sovereign Debt Restructuring" at Duke Law School.

Professor Jonathan B. Wiener spent the spring 1999 semester as a visiting professor at Harvard Law School. He contributed the chapter on "Global Trade in Greenhouse Gas Control: Market Merits and Critics' Concerns" in Wallace E. Oates, ed., *The RFF Reader in Environmental and Resource Management*. He also coauthored a monograph on "Regulatory Improvement Legislation: Judicial Review of Provisions Regarding Risk Assessment and Cost-Benefit Analysis," a report of an expert group organized by the Harvard Center for Risk Analysis; and published "Foreword: The Puzzle of Environmental Politics" with Frank B. Cross, in the *Duke Environmental Law and Policy Forum*. His addresses included: "Precaution, Countervailing Risk, and Optimal Analysis" at a conference on "The Precautionary Principle: Refine It or Replace It?" in Washington, D.C.; "How International Tradeable Allowance Systems Differ from National Tradeable Allowance Systems" at the Harvard Institute for International Development; "Benefit-Cost Analysis under Federal Law" at the Harvard School of Public Health; "Global Environmental Regulation: Instrument Choice in Legal Context" at the Environmental Law Seminar, Harvard Law School; "The Precautionary Principle in the Climate Change Negotiations" at the Mercatus Center Retreat for Congressional Staff in Annapolis, Md.; "Risk Analysis and Law," at the Harvard Center for Risk

Analysis course in Rosslyn, Va.; "Relation of Risk Legislation to Existing Statutes," at a conference on Risk Analysis and Judicial Review in Washington D.C.; and "Prices vs. Quantities: The Impact of the Legal System" at the National Bureau of Economic Research (NBER) / Yale Center on Global Change Workshop on "Design of Climate Change Policy Instruments and Institutions" in Snowmass, Colo. Professor Wiener also organized and moderated the Fourth Annual Cummings Colloquium on Environmental Law, "Global Markets for Global Commons: Will Property Rights Protect the Planet?" held on April 30 and May 1 at Duke.

VISITING FACULTY

John M. Conley '77

Professor Conley, from the faculty at the University of North Carolina at Chapel Hill, teaches law and social science and intellectual property law. He received his J.D. and Ph.D. in anthropology from Duke, where he served as editor in chief of the *Duke Law Journal* and was elected to The Order of the Coif. He also serves as an adjunct professor at Boston College Law School.

Michael J. Gerhardt

Professor Gerhardt comes to Duke from the William and Mary School of Law, where he specializes in constitutional law. He served as a special consultant to the National Commission on Judicial Discipline and Removal and as consultant to President Clinton during the 1992 presidential transition. Gerhardt also has taught at Wake Forest University School of Law and served as dean and on the faculty at Case Western Reserve.

Elizabeth Rapaport

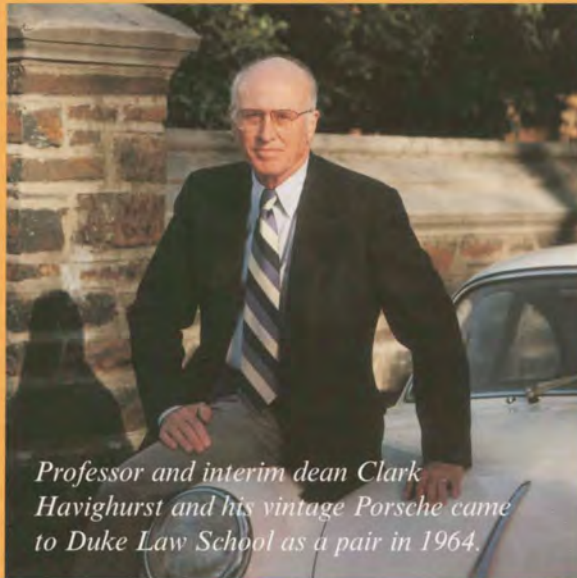
Professor Rapaport has a history at Duke, having served as associate professor in public policy from 1988 to 1994

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and associate professor of philosophy from 1993 to 1994. On leave from the University of New Mexico School of Law, she teaches criminal law, jurisprudence, legal ethics and advocacy.

Stewart J. Schwab

Professor Schwab, who teaches in the areas of law and economics, employment law, torts and corporations, visits Duke from Cornell Law School. He has published a casebook on *Employment Law* and an Oxford University Press reader on *Foundations of Labor and Employment Law*. Schwab has been a Fulbright senior scholar at Australian National University and has visited at the law schools at Michigan; Virginia; Victoria University, Wellington, New Zealand; and Wolfson College, Oxford.



Professor and interim dean Clark Havighurst and his vintage Porsche came to Duke Law School as a pair in 1964.

A MAN AND HIS CAR

by Mirinda Kossoff

If there's anything that deserves to be bronzed and displayed—at least in the Duke Law School parking lot—it's Clark Havighurst's 1964 Porsche 356C, more well known to alumni, Havighurst contends, than the professor and interim dean himself.

In 1994, former dean Pamela Gann suggested to some senior faculty that they might want to have retirement photos taken, and Havighurst decided that he wanted to be pictured with his one-owner Porsche. After all, he says, "I bought that car in Germany the summer I joined the Duke faculty, and many alumni will remember it better than they remember me."

Although the car has endured some long spells in the repair shop, Havighurst still drives it to Duke on nice days, and he contends that it might hold the world record for the most miles driven between Duke and Durham's Hope Valley. "It's still a lot of fun to drive," he says. "And even if it's showing a few signs of age, I love its looks."

The snazzy roadster was just the right accoutrement for the young bachelor who moved from New York City to Durham in 1964 to take up his faculty appointment at Duke Law School. Though Havighurst was single at the time, he did have a serious interest in Karen Waldron who would become his wife in 1965. And Karen wasn't so sure about sending him off to N.C. with a new Porsche. But Karen became a Havighurst, and the Porsche became the family car. Later, the Havighursts' two kids, Craig and Marjorie, learned to drive a stick shift in the Porsche.

He's been approached several times to sell the vintage sports car, but, he says, "I just can't get used to the idea of selling it. Maybe I'll donate it to the Law School to be auctioned off to a rich alum."

So, if you're in the market for a classic car that's also a part of the Duke Law tradition, we may have just the vehicle for you. ♦

awards

Awards

Law Alumni Association Honors David Klaber '69 and Judge Rhonda Reid Winston '79

During this spring's Law Alumni Weekend, the Charles Murphy and Charles S. Rhyne service awards were presented to Judge Rhonda Reid Winston '79 and David Klaber '69, respectively. Winston and Klaber were given the awards during the all-alumni banquet at the Washington Duke Inn.

The Murphy Award honors an alumnus or alumna whose career has been devoted to public service. Judge Winston is a "double Dukie," a 1975 cum laude graduate of Duke, where she received the prestigious Angier B. Duke Memorial Scholarship and a National Achievement Scholarship, and a graduate of the Law School. In 1994, President Clinton appointed Winston to the Superior Court of the District of Columbia bench. She is one of 12 judges assigned to the court's Felony II Criminal calendar and also has served rotations in the Family Division and Domestic Violence Unit.

In the 20 years since she graduated from Duke Law School, Judge Winston has devoted her career to public interest law, including nine years working as special litigation counsel and deputy director with the Public Defender Service. She also has served as assistant district attorney in the Office of Special Narcotics Prosecutor in New York City, as visiting assistant professor of law in the criminal justice clinic at Georgetown Law Center, as a trial attorney in the Baltimore district office of the Equal Opportunity Commission and as the deputy director of the District of Columbia Pretrial Services Agency.

Like the Murphy award, the Rhyne Award honors alumni who make significant contributions to their communities in education, professional affairs, public service or community activities. Klaber, a partner at Kilpatrick & Lockhart in Pittsburgh, Pa., is a lifetime member of the Duke Law School Board of Visitors and former president

of the Law Alumni Association and co-chair of his 30th reunion class. In 1987, Klaber helped organize the Pittsburgh local Duke Law Alumni Association and served as its first president. He also has served on the Law School Alumni Program and is the 1991 recipient of the Law School Charles A. Dukes Award.

In the community, Klaber has coached football, basketball and baseball and is an elder in the Westminster Presbyterian Church. Three of Klaber's five children have earned Duke degrees. ♦

Professor Emeritus Mel Shimm Recognized With Pye Award

Professor Emeritus Melvin G. Shimm is the first recipient of the A. Kenneth Pye Award, presented in April during Law Alumni Weekend. Newly created by the Law Alumni Association to honor the life and work of former Law School dean and Duke University chancellor A. Kenneth Pye, the award is designed to recognize contributions made to the field of legal education by Duke Law alumni or other members of the Duke Law School community.

Professor Shimm has been a member of the Duke law faculty since 1953 and retired from teaching in 1996. At his retirement, faculty praised him for his friendship, his excellent teaching and for the example he set of nurturing enduring friendships with the students who passed through his classes. During his years on the faculty, Professor Shimm taught bankruptcy law and edited *Law and Contemporary Problems*. He also helped create the *Duke Law Journal* and an interdisciplinary seminar on medical, legal and ethical issues. ♦



Pam Peters '78 presented Professor Emeritus Mel Shimm with the first A. Kenneth Pye Award.



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Above: David Klaber '69, right, with David L. Vaughan '71, president of the Law Alumni Association



Judge Rhonda Reid Winston '79 at the Saturday picnic

photo gallery

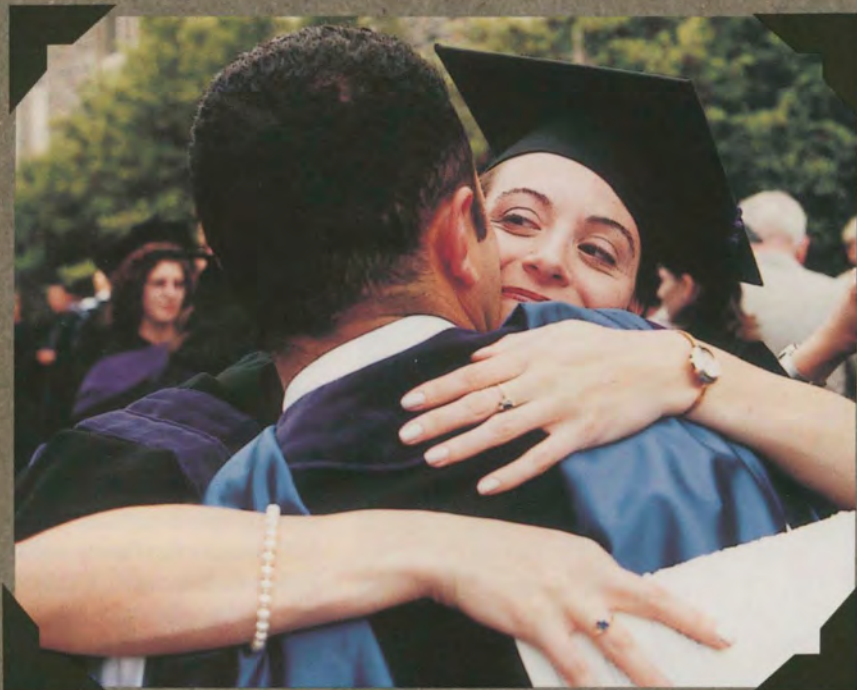


Reunion '99





Hooding Ceremony '99



class notes

Class Notes

1950

On March 25, **Fred C. Pace** was honored with a lifetime achievement award by the Schuylkill County Bar Association in recognition of his service as the first chief judge and chairman of the Board of Claims of the Commonwealth of Pennsylvania. As the chief administrative judge, Pace was the principle architect of the administrative systems, procedures and organization of the Board of Claims. The Bar Association's award praises Pace's judicial vision, administrative acumen and leadership as "reflections of the highest traditions of the legal profession through judicial service."

1952

Robert C. Oshiro was elected chair of The Queen's Health Systems' Board of Trustees in Honolulu, Hawaii. He is currently the chairman and CEO of The Queen Emma Foundation, a Queen's Health Systems subsidiary. He will retain that responsibility in addition to his new duties.

1953

Floyd E. Kellam Jr., an attorney in Virginia Beach, Va., was honored as a life member of the Virginia Bar Association on July 16.

1961

Erich E. Everbach, vice president and general counsel for Los Angeles Cellular Telephone Co., has been named 1998 Outstanding Corporate Counsel by the Los Angeles County Bar Association's Corporate Law Departments Section.

1965

Thomas A. Edmonds, the executive director of the Virginia State Bar since 1989, has been elected a Fellow of the American Bar Foundation. The Fellows is an honorary organization of practicing attorneys, judges and law teachers whose professional, public and private careers have demonstrated outstanding dedication to the welfare of their communities and to the highest principles of the legal profession.

1966

James B. Maxwell, a partner at Maxwell, Freeman & Bowman in Durham, was chosen president-elect of the North Carolina Bar Association. Maxwell will become the 106th president in June 2000.

Douglas P. Wheeler has joined Hogan and Hartson and will travel between the firm's Washington, D.C., and Los Angeles offices.

1967

W. Christopher Barrier took office in June as chair of the executive council of the Arkansas Bar Association and as a member of the executive committee of the Arkansas Symphony Orchestra Society. Barrier practices real estate and municipal finance law at the Mitchell Williams law firm in Little Rock, where he chairs the firm's business practice group.

James B. Craven III has been made a life member of the American Law Institute. Craven, who practices in Durham with his son, Joseph H. Craven, also serves as an assisting priest at St. Luke's Episcopal Church and is in his 17th year as a volunteer chaplain at the federal prisons in Butner, N.C. Otherwise, Craven says he can be found at the Durham Bulls Athletic Park.

1968

William Gerry Hancock Jr. was praised by *Charlotte Observer* columnist Jack Betts as "a hero of democracy in the statewide community." Hancock "may be the nearest thing we have in the late 20th century to a founding father," wrote Betts in the July 4 issue. Betts recognized Hancock for his service as a state senator and his leading role in creating the N.C. Center for Public Policy Research.

Richard L. Mikesell '65, an attorney in Van Nuys, Calif., recently won the national Best Spam Recipe Contest. Mikesell's recipe beat out 77 other contenders with "Spamico," a green (and pink) chile stew. For his cooking creation, Mikesell will receive a \$2,500 shopping spree at the Mall of America in Bloomington, Minn. He has taped Spam promotions for Jay Leno's "Tonight Show" and "The Late Show with David Letterman."



Richard L. Mikesell



Gordon S. Rather Jr.

Gordon S. Rather Jr. was recently inducted as a fellow in the International Academy of Trial Lawyers. He is one of only 500 American lawyers who are members of the academy. A partner in the Little Rock firm of Wright, Lindsey & Jennings, Rather has been a trial lawyer for 31 years.

1970

In a unanimous vote in the Delaware Senate, **Richard F. Stokes** was confirmed as a judge on the Superior Court of Delaware. Stokes has served as a judge in the Court of Common Pleas since 1996.

1971

Christine Durham, associate justice for the Supreme Court of Utah, was the Distinguished Jurist in Residence and Frank Rowe Kenison Lecturer at the Franklin Pierce Law Center in February. Durham's lecture focused on domestic violence and other topics of judicial education. In June, Durham was re-appointed to the board of trustees of the American Inns of Court Foundation. Durham has

been active in the American Inns of Court movement since 1979. She is a charter member of the first-ever American Inn of Court, American Inn of Court I in Salt Lake City, and, in addition to her service on the board of trustees, Durham has served on the national foundation's awards committee and judicial relations committee.

Thomas F. Zachman has been elected to the board of trustees of the Municipal and County Courts Judges Association of Ohio for a three-year term.

Walter W. Manley II
(Manley on the right)

1972

Walter W. Manley II, professor at Florida State University, was honored in April at a ceremony by the Justices of the Supreme Court of Florida and the trustees of the Florida Supreme Court Historical Society with a Proclamation in Praise and Appreciation for his service as editor and co-author of his fifth book, *The Supreme Court of Florida and Its Predecessor Courts, 1812-1917*. This is

the first proclamation in the history of either institution. The book was nominated for the Littleton-Griswold Prize in American Law and Society. Among a dozen very generous reviews is that of *The Florida Historical Quarterly*, which referred to the authors as "talented scholars" and the book as resting on "careful, prodigious research," and "informative, provocative, and interested reading ... a work which deserves a wide audience."

1974

Kenneth W. McAllister, senior executive vice president and general counsel of Wachovia Corporation in Winston-Salem, was recently elected a fellow of the American Bar Foundation. The Fellows is an honorary organization of practicing attorneys, judges and law teachers whose professional, public and private careers have demonstrated outstanding dedication to the welfare of their communities and to the highest principles of the legal profession. McAllister is a member of Duke Law School's Board of Visitors.

1978

John Hasnas is an associate professor of law at George Mason University School of Law.

In May 1999, **Rodney Smolla** contributed to *The Bill of Rights, The Courts & the Law*, published by the Virginia Foundation for the Humanities and Public Policy. Smolla is a law pro-

fessor at the University of Richmond Law School in Richmond, Va.

1979

Col. Alfred L. Faustino assumed duties of general counsel, Army and Air Force Exchange Service in Dallas in August.

Dale E. Hollar, an attorney in private practice in Raleigh, has been appointed to the board of directors of Legal Services of North Carolina and elected as a deacon of White Memorial Presbyterian Church.

Carl J. Schuman was sworn in as a judge in the Connecticut Supreme Court on Jan. 5, 1998. Judge Schuman sits in the Child Protection Session of the Superior Court.

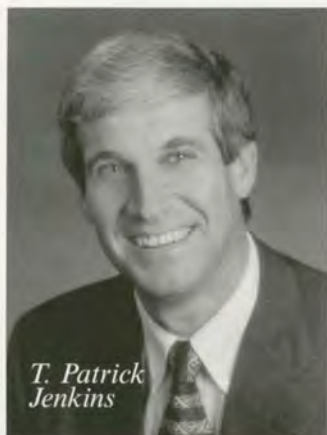
1980

Daniel S. Bowling III is group vice president for the central North American section of Coca-Cola Enterprises, where he is in charge of labor, employment, human resources and general administration. Formerly a partner at Smith, Currie and Hancock in Atlanta, Bowling now lives in Dallas with his wife and three children.

Randall A. Burrows and his wife, Susan Grivas, announce the birth of their second son, Keaton Grivas Burrows, on Dec. 30, 1998. Burrows is the managing partner of the San Francisco office of McKenna & Cuneo.

class notes class notes

Rhett K. Dacus, in addition to his solo legal practice focused on labor and ERISA, has put together a consulting group that has now expanded to 20 states and eight countries, providing basic business consultation and expertise to startups in return for an interest in the business. Dacus is currently heavily involved in Web-based e-commerce businesses.



T. Patrick Jenkins

T. Patrick Jenkins, formerly of Caudle & Spears, has become a partner at Nexsen Pruet Jacobs & Pollard. Jenkins practices in the firm's Charlotte office, concentrating primarily in estate planning and administration, general representation of closely held businesses, tax, employee benefit plans and environmental law.

1981

Glenn E. Cravez and his family biked from San Diego to Miami over 43 days in December 1998 and January 1999. Cravez and his wife, Pam, took turns biking and driving a van, and their boys

GLENN CRAVEZ '81 AND FAMILY BIKE ACROSS AMERICA

Last December and January, Glenn '81 and I bicycled from San Diego, Calif., to Miami, Fla., with our two children. Using a van for support, we took turns biking with 11-year-old Aaron and pulling 6-year-old Joshua on a bike attachment. Although we'd taken short family bike trips in Alaska, it wasn't until Glenn read about a fellow Anchorage, Alaska, biker who crossed the country by bike that he got inspired. He decided to take a sabbatical from his practice over the dark winter months. I had stopped practicing law after our first child was born and now freelance write. We flew down to sunny San Diego at the beginning of December with our bicycles and maps from The Adventure Cycling Association. Following mostly quiet country back roads, we biked 3,500 miles in 43 days. Our ride extended through eight states, giving our children a geography lesson they still talk about. While on the road we shared our experiences with friends and family through e-mail and raised over \$5,000 for Camp Fire Boys and Girls Alaska. Glenn now dreams of future bike trips.

Pam Cravez

Aaron and Josh biked when they felt like it and when their parents felt it was safe for them to do so. Cravez continues to chair the ADR section of the Alaska Bar Association, which he helped establish nine years ago. (See box)

James V. Maniace

has joined the Columbus, Ohio, office of Benesch, Friedlander, Coplan & Aronoff as a partner in the real estate practice group. Maniace focuses his practice on real estate, technology and general business counseling, including the representation of landlord and tenants, acquisitions and divestitures and development matters. Maniace serves as chair of the Columbus Board of Zoning Adjustment, is a member of the Vehicle for Hire License Board, is vice president of the board of trustees of Columbus Metropolitan Club and is past president of the Central

Ohio Land Title Underwriters Association. He is a frequent lecturer to commercial real estate and technology organizations and is a member of the adjunct faculty of Columbus State Community College.

Michael R. Young, a partner at Willkie Farr & Gallagher in New York City, testified before the Blue Ribbon Committee on Improving the Effectiveness of Corporate Audit Committees of the New York Stock Exchange and the National Association of Securities Dealers on Dec. 9, 1998.

1982

J. Bradford Anwyll has become a partner at Dewey Ballantine. Anwyll practices in the firm's Washington, D.C., office where he focuses on tax litigation.

1983

Serena Gray Simons has joined Miller & Chevalier as a partner. Simons advises corporate and tax-exempt clients on a wide range of employee benefits issues, involving qualified plans, cafeteria plans, health and other welfare benefits, stock options and other executive compensation.

1984

Gardner F. Davis was elected a Fellow in the American Bar Foundation, an honorary organization of practicing attorneys, judges and law teachers whose professional, public and private careers have demonstrated outstanding dedication to the welfare of their communities and to the highest principles of the legal profession. Davis is a partner at Foley & Lardner in Jacksonville, Fla.

class notes class notes

Patricia Beaujean

Lehtola and her husband, Jouni, announce the birth of their third child, Nicole Nelia Lehtola, on May 8, 1998. Lehtola is a managing partner at Lehtola & Associates in Dallas, Texas, where she concentrates on commercial and insurance law.

Loren B. Mark was promoted to assistant district counsel in the Los Angeles District Counsel Office of the IRS Chief Counsel. Mark is responsible for managing the criminal tax program in the Los Angeles office as well as for tax litigation matters.

Col. Patrick M. Rosenow is the Chief Trial Judge for the Central Circuit, the Air Force's largest judicial circuit, located at Randolph Air Force Base, Texas.

Peter G. Verniero has been appointed to the New Jersey Supreme Court. On May 10, 1999, the New Jersey Senate confirmed the nomination, by Gov. Christine Todd Whitman, making Verniero the youngest person ever to serve on that state's highest court. Prior to his appointment, Verniero served as New Jersey attorney general.

Mark K. Williams is the president of McCampbell & Young, P.C.

1985

Aaron J. Besen left his law partnership to become vice president and general counsel for Evergreen Healthcare Management, an organization that owns or manages 50 skilled nursing and assisted living facilities in Washington, Oregon, California, Idaho, Montana and Utah. Besen's second son, Elias Nathan Besen, was born March 15.

Arthur J. Howe's firm, Schopf & Weiss, has purchased a six-story atrium building in the Chicago Loop and will occupy the third and fourth floors.

Steven R. Lazar has become senior patent counsel for Genzyme Corporation in Cambridge, Mass.

Sonja Steptoe, a national correspondent for CNN Sports, received a 1999 Emmy Award for her RealSports piece investigating the doping of young Olympic athletes by East German sports officials.

1986

Catherine D. and Clifford A. Barshay announce the birth of their third daughter, Rebecca Cullen Barshay, on Sept. 3, 1998.

Thomas F. Blackwell has taken a new position as assistant professor of law at Appalachian School of Law in Grundy, Va., starting in August 1999.

Brett D. Fallon has been named one of five members of the charter class of business law fellows in the ABA's Business Law Section. The fellowship provides for reimbursement of expenses for attendance at all section and committee meetings and provides substantive involvement in the work of the Business Bankruptcy Committee. A partner at Smith, Katzenstein & Furlow in Wilmington, Del., Fallon specializes in bankruptcy and corporate litigation.

Toni M. Fine, a member of the law faculty at New York University, published a book titled *American Legal Systems: A Resource and Reference Guide*.

Christopher M. Kelly has been named head of the Cleveland, Ohio, office business practice group of Jones, Day, Reavis & Pogue.

Karen Manos is a partner at Howrey & Simon in Washington, D.C.

Chauncey Parker and his wife, Alexa, announce the birth of their daughter, Grace Lambert, on Jan. 31.

1987

Carl-David Birman is consulting as a grant writer and fund-raising associate for a not-for-profit community services organization located in Brooklyn, N.Y.

Stephanie Lucie was promoted to vice president, general counsel and secretary of Alta Vista Co., a subsidiary of Compaq Computer Corp., as well as vice president and associate general counsel of Compaq. Lucie and her family have relocated to Palo Alto, Calif. She and her husband announce the birth of their first child, a daughter named Mackenzie, on Nov. 23, 1998.

W. Joseph Thesing is the general counsel for the Coca-Cola Co.'s Philippines division where he is responsible for legal matters in the Philippines and Korea.

1988

After 10 years spent in the trenches of litigation, **Marc E. Golden** joined an entertainment boutique firm, Gendler & Kelly, in Los Angeles, Calif. The firm represents leading actors, directors and writers in the motion picture and television industries.

Gary M. Lisker is a senior regional attorney with NASD Regulation, the enforcement arm of the National Association of Securities Dealers, in Atlanta.

Beth D. Wilkinson and **Scott Wilkinson** have relocated to Atlanta, Ga. Scott, who had previously been counsel with Moore & Van Allen in Durham, N.C., is senior counsel for Turner Sports. Beth, formerly the

class notes class notes

director of alumni relations at Duke Law School, is practicing law with the Atlanta office of Dow, Lohnes & Albertson.

1989

Carol Barry Bellon was promoted to shareholder at Jenkins & Gilchrist. Bellon works in the firm's corporate and securities law section of the Austin, Texas, office.

Martin T. Fletcher and his wife, Jeaneen, announce the birth of their third child, Jared, on Aug. 20, 1997. Fletcher is a partner at Whiteford, Taylor & Preston in Baltimore, Md.

Michael D. Golden has become a partner at the Atlanta law firm Arnall Golden & Gregory, where he is a member of the firm's corporate department and the real estate practice group. Golden focuses his practice on entities that acquire commercial real estate and hotels. He also advises family and/or closely held business owners.

Gregg R. Melinson, a partner in the Philadelphia law firm Drinker Biddle & Reath and former deputy general counsel to Pennsylvania Gov. Tom Ridge, has been appointed to serve on the five-member governing board of the Pennsylvania Intergovernmental Cooperation Authority.

Dirk P.N. Van Belle became a partner in the Belgian law firm Dauginet & Co-Advocaten in Antwerp. Van Belle focuses on corporate tax, international tax and customs cases.

1990

Jon Brilliant and his wife, Sherry, announce the birth of their second daughter, Myla Mae, on Dec. 23, 1998.

Karen R. Cashion has been named a partner in the Atlanta law firm Meadows, Ichter & Trigg, where she handles commercial and employment litigation.

Paul Dietrich and **Kristyn Elliott** announce the birth of their son, Benjamin Paul Dietrich, on June 11. Benjamin has a two-year-old sister, Madeleine.

Scott L. Kaufman and his wife, Audrey, announce the birth of their daughter, Dalia, on July 20. Dalia joins big brother, Aaron, 5, and big sister, Courtney, 19 months, to round out the clan.

Donald M. Nielsen has been named counsel for the environmental and natural resources practice group of Kilpatrick Stockton in Winston-Salem, N.C.

Christopher Ragonesi has opened his own practice focusing primarily on labor and employment law.

Martin J. Ricciardi, a partner at Whiteman Osterman & Hanna in Albany, N.Y., has been named to the committee on Internet and technology law of the New York State Bar Association. Additionally, Ricciardi was appointed to chair the committee's newly formed subcommittee on trademark and usage in cyberspace. Ricciardi is a member of his firm's corporate practice group.

Anne Marie Tanin and her husband, Thurston Towle, welcomed their first child, Isabelle Kidder Towle, on March 29.

1991

Louis S. Citron was named senior vice president and general counsel of ING Mutual Funds in the fall of 1998. He and his wife, Danielle Morris Citron T'90, have a daughter, Julia Jean Citron, born on May 31, 1998.



Mark Claypool and his wife, Kristin, announce the birth of their first child, Benjamin Donald Claypool, on Sept. 17, 1998. Claypool is an attorney with Knox McLaughlin Gornall & Sennett in Erie, Penn., where he specializes his practice in bankruptcy, creditors rights and commercial law.

Garrett Epps, an associate professor of law at the University of Oregon, published "To an Unknown God: The Hidden History of *Employment Division v. Smith*" and "What We Talk About When We Talk About Free Exercise" in the *Arizona State Law Journal*.

Stephen A. Good was named a shareholder and director of Fennemore Craig law firm in Phoenix, Ariz., on Jan. 1.

Shabbir S. Wakhariya has been named a partner at Kelley Drye in the firm's New York office. Wakhariya is a member of the firm's India and project finance practice groups. His practice focuses on advising clients on Indian law in connection with infrastructure and project finance transactions, cross-border transactions and general corporate matters.

1992

Philip J. Combs has left the U.S. Attorney's Office for the Southern District of West Virginia to return to private practice. While a member of the USAO, Combs worked in the areas of health care fraud and

class notes class notes

firearms prosecutions. He successfully prosecuted the first federal domestic violence case brought under the Violence Against Women Act. Combs has joined the Charleston, W. Va., firm of Farmer, Cline & Arnold and will practice in the area of civil litigation.

John D. Gardiner was recently promoted to vice president of business development and general counsel of AOL Latin America, a joint venture established by America Online and the Cisneros Group. Gardiner was formerly assistant general counsel at America Online.

Robert E. Kaelin and his wife, Linda, announce the birth of their first child, Ryan Edmund, April 14, 1998.

Stefan A. Kenn has been promoted to general counsel and secretary of Mercedes-Benz U.S.

C. Michele Kirk has left Akin, Gump, Strauss, Hauer & Feld in Washington, D.C., to become a labor and employment attorney for AT&T.

Robert E. Kohn is a partner in the Los Angeles office of McDermott, Will & Emery.

Urs Maurer has joined Richard C. Ritter's law firm as a partner in Zurich, Switzerland.

Thomas G.W. Telfer earned a doctor of juridical science degree (S.J.D.) at the University of Toronto

Faculty of Law in March. Telfer continues to reside in New Zealand, where he teaches at the University of Auckland Faculty of Law.

James C. Worthington, an associate at Poe, Hoof & Reinhardt in Durham, N.C., has graduated from Leadership Durham, an organization devoted to educating local members of the community to take their talents to the tables of local organizations and offer their particular expertise. Worthington spent six months discussing with experts various aspects of Durham's history, human needs, health care, public education, government process, the judicial system and law enforcement and working on three community service projects.

1993

Mark C. Brandenburg and his wife, Leigh, announce the birth of their first child, John Martin Brandenburg, on May 20.

Jacquelyn M. Broughton has joined the Cherry Hill, N.J., office of Schnader Harrison Segal & Lewis as a litigation associate.

Anna E. Daly recently joined the Philadelphia-based law firm Cozen and O'Connor as an associate in their Charlotte, N.C., office. Daly concentrates her practice in professional liability defense. Prior to joining Cozen and O'Connor, Daly was a partner with Daly & Daly in Charlotte.

Michael F. Kleine has joined the U.S. State Department as a foreign service officer. In September, Kleine began a two-year assignment in Ho Chi Minh City, Vietnam.

Rebecca Denson Nelson and **David C. Nelson '94** announce the birth of their first child, Zoe Alexandra, on Dec. 6, 1998.

Stewart K. Wilner recently graduated from the Anderson School at UCLA with an MBA in finance. Wilner has joined Concord Investment Counsel, an investment management firm in Orange County, Calif., as director of research.

1994

Victoria McElhane **Benedict** and her husband, Charles Coleman Benedict Jr. Fuqua '93, announce the birth of their daughter, Sarah "Catherine" Benedict, on July 4, 1998.

Theodore C. M. Edwards II has transferred to the Raleigh office of Kilpatrick Stockton from their Charlotte office.

Kimberly M. Grantham is an assistant county attorney for Durham County, N.C. Grantham represents the County Tax Department in assessment and appraisal matters and foreclosure cases. Grantham also collaborates with the county Office of Governmental Affairs to develop the county's legislative agenda and provide legal research and analysis on legislative issues.

R. Jeffrey Layne has joined the Washington, D.C., office of Fulbright & Jaworski as an associate. Layne focuses his practice on health administration and litigation matters.

Russell A. Miller has been awarded a Robert Bosch Foundation Fellowship for 1999-2000. Together with 20 young American professionals, Miller will work full time in Germany for a nine-month period.

David C. Nelson and **Rebecca Denson Nelson '93** announce the birth of their first child, Zoe Alexandra, on Dec. 6, 1998. David Nelson is now a partner with Nelson & Nelson in Belleville, Ill.

Chiyong Rim is a law clerk judge of the Supreme Court of Korea.

W. Bradley Wendel began teaching as an assistant professor at Washington and Lee Law School in Lexington, Va., this fall. Wendel's courses focus on professional responsibility and torts, and he will continue his scholarship in legal ethics. Before becoming a member of the Washington and Lee law faculty, Wendel completed a two-year teaching fellowship at Columbia Law School, where he obtained an LL.M. degree, and he continues to work on an SJD. In addition, Wendel has an article forthcoming in the *Notre Dame Law Review*.

class notes class notes

Julie Youngman and her husband, Paul, announce the birth of their children, Alexander Peter, on Sept. 14, 1995, and Madeleine Olivia, on March 11, 1998. Youngman has relocated from Washington, D.C., back to Chapel Hill, N.C., where she practices with the Raleigh office of Smith Helms Mullis & Moore.

1995

Kenneth W. Bullock, an Air Force JAG Department attorney, moved to Montgomery, Ala., in June to assume duties as the Staff Judge Advocate, Headquarters Air Force Officer Accession and Training Schools at Maxwell Air Force Base. Bullock is responsible for providing legal services to Air Force ROTC and the Air Force Officer Training School.

Alexander Glashauser has become a professor of law at Washburn University School of Law in Topeka, Kan.

Paul W. Hespel married Deidre Ellen Holmes on April 24 in New York City. Hespel is an associate at Sherman & Sterling.

Rachel E. Kosmal joined Silicon Graphics as senior securities counsel, where she is responsible for strategic investments and general corporate securities work. Kosmal was formerly associated with Cooley Godward,

Pedro Oller Taylor is working as corporate counsel for several local corporations representing U.S. companies in Costa Rica and Central America. In addition, Taylor is a professor of comparative law at La Salle University in San Jose, Costa Rica.

Frederick L. Williams recently left the Washington, D.C., office of Akin, Gump, Strauss, Hauer & Feld to take an in-house position with the legal department at America Online. Williams practices in the corporate and securities group.

1996

Jason A. D'Amico is an associate in the corporate group at Klett, Lieber, Rooney and Schorling in Pittsburgh, Pa.

Julian E. Hammar has taken an attorney-advisor position with the office of the general counsel of the Commodity Futures Trading Commission in Washington, D.C.

Ana Maria Legendre is the legal department director of the Panama Maritime Authority.

Christine Cecich Lehr is an associate with Smith, Anderson, Blount, Dorsett, Mitchell Jernigan, in Raleigh, N.C., where she practices in the corporate and securities group.

Naoki Watanabe has returned to Japan and resumed practice at Tanaka & Takahashi. His son, Jun, was born Feb. 4.

1997

Christopher M. Bass is employed by the Internal Revenue Service in the office of the chief counsel, corporate tax division.

Joseph G. Walker joined the Dallas office of Vinson & Elkins as an associate in the corporate department. Walker will practice primarily in the securities and mergers and acquisitions areas.

Jennifer Yelton has become an associate at McKool Smith in Dallas, Texas.

1998

Julie A. Bentley has joined the Washington, D.C., office of Fulbright & Jaworski as an associate. Bentley, who speaks French and Russian, focuses her practice on international law.

Leopoldo Cadenas-Celi is a foreign associate at Rogers & Wells in New York City. Previously, Cadenas-Celi was associated with Bingham Dana in Boston.

Jeremy Lee Cook and Elizabeth Warren were married on April 10 in Charleston, S.C. Cook practices in South Carolina with the firm Haynsworth, Marion, McKay & Guerard, where his practice areas include municipal and public

finance, bond, corporate and economic incentive.

Todd A. Dawson is an associate at Baker & Hostetler in Cleveland, Ohio.

George H. DeBusk has left the South Carolina Court of Appeals to work as an assistant solicitor in the Horry County Solicitor's Office.

Tilman T. Gates is a real estate associate at Robinson, Bradshaw & Hinson in Charlotte, N.C.

Seth H. Jaffe is a staff attorney at the Raleigh office of the ACLU. Jaffe was previously associated with Curtis, Mallet-Prevost, Colt & Mosle in New York City.

Baekgyu Lee was transferred to the Uijungbu Branch of the Seoul District Court of Korea, where he is a judge.

Sharad K. "Bobby" Sharma is currently working as an advance staffer on Sen. Bill Bradley's presidential campaign.

1999

J. Andrew Hutton is a briefing attorney for the Texas Court of Criminal Appeals in Austin, Texas.

Felipe Lecaros will return to Chile in mid-August to work at Cruz & Leighton.

obituaries

1934

Edwin C. Bryson, a resident of Durham for 72 years, died April 20 after a short illness. In 1927, after completing three years of undergraduate work at the University of North Carolina and one year of classes at the University of North Carolina Law School, Bryson passed the North Carolina State Bar Examination and was admitted to the practice of law. He joined his brother, Thad D. Bryson III, in the practice of law in Bryson City, N.C. Bryson was elected mayor of Bryson City in 1927 and served until 1930. In September 1931, Bryson moved to Durham, where he became a member of the staff of the Duke University School of Law Legal Aid Clinic. While serving as staff attorney, he attended classes in the Law School. In September 1947, Bryson's father, Judge Bryson, retired from his position as Duke University Attorney, and Bryson was appointed to succeed him, an appointment he held until 1962. In 1954, Bryson became a member of the Law School faculty, where he taught courses in North Carolina practice and procedure, and

during the summer months he voluntarily conducted courses for Law School graduates planning to take the North Carolina Bar Examination. He described this experience as one of the most exciting and rewarding experiences he had at the university. Many lawyers over the state remain grateful to him for his help and guidance in preparing them for this necessary step in the practice of law. Because of his interest in legal medicine and through his association with Duke University Medical School and Medical Center, Bryson was named Professor of Legal Medicine in 1960. Bryson is survived by his daughter, Mary Bryson Dickinson; two sons, Edwin C. Bryson Jr. and Daniel Rice Bryson; four sisters; nine grandchildren and 12 great-grandchildren.

1940

Lt. Col. Tord V. Malmquist, 83, died April 1 in Laredo, Texas. Malmquist distinguished himself during World War II and was decorated with the Purple Heart and Bronze Star medals. He served in the infantry during the Italian Campaign, where he was

attached to the 85th Division. After the war, Malmquist was posted in Japan with the Forces of Occupation for four years in the JAG. After his honorable discharge as a lieutenant colonel, Malmquist received a master's degree from St. Mary's University. He then moved to Laredo where he taught at Laredo Community College for many years. He is survived by his wife of 56 years, Betty Malmquist, and his son, Chris Malmquist.

1942

Charles Jenkins Henderson, 78, retired attorney of Charlotte, N.C., died March 27, 1999, following a long battle with Parkinson's Disease. Henderson earned both his undergraduate and law degrees from Duke University. After law school graduation and bar exams in North and South Carolina, Henderson volunteered for duty with the U.S. Navy and was commissioned as a lieutenant J.G. on the U.S.S. Azameck. After almost four years of service in the South Pacific, Henderson returned to Charlotte and joined the practice of law with his

father and brother. His 50 years as an attorney were marked by steadfast service to many local families and frequent pro bono work for the community at large, including some forty volunteer fire departments. He was heavily involved in many civic activities, including service as president of the Jaycees and the Charlotte Association of Civic Clubs, and as director of the Charlotte Kiwanis Club. He held a number of positions within the Methodist Church, especially First United Methodist Church, where he was a member for over 70 years. Surviving him are his wife of 49 years, Juanita Tillman Henderson; his two daughters, Caroline Beavers and Ruth Locke; his two sons, Robert and James Henderson; two brothers; one sister and eight grandchildren.

1950

Allen H. Gwyn Jr., 76, of Reidsville, N.C., died on June 12. A retired attorney, he was a member of the firm Gwyn, Gwyn & Farver. A double-Dukie, (T'47), Gwyn served as lieutenant J.G. in the U.S. Navy in World War II. He was a member of the

Obituaries cont.

board of governors of the N.C. Bar Association and a councilor for the 17-A Judicial District to the N.C. State Bar. Gwyn served on the Governor's Commission on Education Television (now UNC-TV), the N.C. Board of Higher Education and the State Commission of Higher Education Facilities. He was chairman of the Rockingham County Democratic Party from 1964 to 1972 and was county campaign chairman for various political figures, including President John F. Kennedy, Gov. Terry Sanford and Gov. Jim Hunt. In addition, Gwyn was a North Carolina presidential elector in 1964 and a delegate to the 1968 Democratic National Convention in Chicago. Active in his local community, Gwyn was a former president of the Reidsville Jaycees, and was a member of Main St. United Methodist Church. He is survived by his wife, Evelyn Worsham Gwyn; two daughters, Jane Gwyn Ward and Leslie Gwyn; a brother and one sister.

1972

Elisabeth Petersen died peacefully on July 26 from complications of her long battle with lymphoma. Petersen won the New Haven Vassar Club Scholarship Award and attended Vassar College, graduating cum laude with a degree in history in 1969. She continued her academic pursuits at Duke University School of Law, earning her J.D. in 1972. At the Law School, she was a student member of the admissions committee and Duke Bar Association. She published an article, "Sex Discrimination in Law School Placement," in 1972.

Professionally, Petersen had a private law practice in Durham, N.C., and served as a Middle District bankruptcy trustee. She also served as president of the Durham Bar Association, was an active member of the National Association of Consumer Bankruptcy Attorneys, and most recently, was on the board of the National Association of Bankruptcy Trustees (NABT). With the NABT, she was leading an effort to improve the personal security of trustees as they carry out their duties. She had lec-

tured and written articles on the need to improve the interface between family and bankruptcy law issues.

Petersen was a parishioner at St. Thomas More Church and was the former parish council chair and past chairman of the community involvement committee. She was guiding the development of a peace and justice fair to help raise awareness of the injustices in North Carolina and the community, which will be held this fall at St. Thomas More Church. Petersen's love and concern for others led her to be involved in additional community outreach efforts, such as the Pope's Jubilee 2000 debt forgiveness campaign, as well as migrant farm workers' issues. She was a good and dedicated friend to many people worldwide. Throughout her life, she was an inspiration to others and even during her illness, she counseled other cancer patients.

Petersen is survived by her daughters, Erika and Aili Petersen; her mother, Phyllis Saranec; a sister and a brother.

Correction from Spring 1999 Duke Law magazine:

Richard L. Garbus '83, 40, died on Sept. 2, 1998, after an extended illness. He was the husband of Margaret A. Garbus. Born in Springfield, Mass., on Feb. 1, 1958, he was the son of Grazina Garbus of Kansas and the late Richard Garbus. He lived in Wilton, Conn., for three years and was a lawyer in New York, where he specialized in commercial litigation. He was a member of the Wilton Newcomer's Club and Sacred Heart Church. In addition to his wife of 10 years and his mother, Garbus is survived by his two daughters, Haley and Berett, a son, William; a sister; a niece and a nephew.

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Linda G. Steckley
 Lawrence D. Steckmest
Gillian Steel
Robert King Steel
Robert K. Steel Family
Foundation
 Gary S. Stein
 Betsy A. Steinbrink
 William H. Steinbrink
 Sonja Steptoe
Jeannette Stern
 Katherine Goodman Stern
 Sidney J. Stern Jr.
Christine E. Stevens
Thomas Charles Stevens
Victoria Stevens
William F. Stevens
 Sandra Paine Stewart
 William R. Stewart
Caroline P. Stoel
Thomas Burrows Stoel
Ben F. Stormes (deceased)
Rita L. Stormes
 Donald Ray Strickland
 Kathy B. Strickland
 Leslye S. Stringfellow
 Walter A. Stringfellow III

Jane M. Stubbs
Trawick H. Stubbs Jr.
 Robert L. Styers
 Jeffrey E. Tabak
 Marilyn D. Tabak
 Hiroyuki Takai
 James Alexander Tanford
Carol Taub
Melvin S. Taub
David K. Taylor Jr.
Isabel D. Taylor
 Joe T. Taylor III
 Susan P. Taylor
 Karen O. Teller
 Richard Eric Teller
Juliann Tenney
 F. Roger Thaler
 N. Imogene Thaler
 Suzanne E. Thoeni
 Roger P. Thomasch
 Thompson & Knight
 Carolyn B. Thornhill
 Warren A. Thornhill III
 Donald Thorpe
 Doc Jones Thurston III
 Time Warner Inc.
 Gerald B. Tjoflat
 Marcia P. Tjoflat
Marianne W. Tobias
Randall L. Tobias
Randall L. Tobias Foundation
 Joel Barry Toomey
 Mary A. Toomey
 Diane Rowley Toop
 Richard Scott Toop
 Ernest C. Torres
Josiah C. Trent Memorial
Foundation
Triangle Community
Foundation Inc.
James Walter Ummer
Janet Sue Ummer
United Methodist Foundation
of Western North Carolina Inc.
USX Foundation Inc.
 Sue Ellen Utley
 Mark T. Uyeda
William W. Van Alstyne
 Caroline M. van den Berg
 Egerton King van den Berg
 Paul Richard Van Hook
 Edward C. Vandenberg III
 Dominique N. Vandepierre
 Darrell Robert Vandeusen
K. Morgan Varner III
David L. Vaughan
 Constance Elizabeth Vaught
 Jean Ellen Vernet Jr.
 Charles Owen Verrill Jr.
 Lori O. Vezina
 William Robert Vezina III
 Neil Vidmar
 Amy W. Vieth
 Robert R. Vieth
 Anne B. Vincent
 Richard H. Vincent
 John O. Vogt
 Ann M. Volk
 Jay Garrett Volk
Wachovia Corporation
Wachovia Foundation
Wachtell, Lipton, Rosen & Katz
Foundation
 Edward H. Wagner
 Patricia H. Wagner
 Ann Heath Walker

Caroline A. Walker
 Clarence W. Walker
 John Lockwood Walker
 Stephen Wallenstein
Robert William Walter
Michael Warner
 Charles L. Warren
 David G. Warren
 Marsha Warren
 Sharon Kronish Wasserman
 Steven David Wasserman
 Donna H. Watson
 Wade Thomas Watson
Linda B. Weber
Robert Carl Weber
 Peter David Webster
 Karen Hanke Weeks
 Kent M. Weeks
Peter A. Weitzel
 John Robert Welch
 Elizabeth Kay Westbrook
 James E. Westbrook
 Campbell L. Wester
 John R. Wester
 J. Lofton Westmoreland
 Gerald T. Wetherington
 Leona L. Wetherington
 Mary P. White
 Sylvia S. White
 W. Dunlop White Jr.
 Joe Park Whitener
 Ruby P. Whitener
 Elaine Kupp Wick
 Henry S. Wick
 Wick & Wick
 Wiley, Rein & Fielding
Breckinridge L. Willcox
Laura Willcox
L. Neil Williams Jr.
 Mary K. Newcomer Williams
Paul B. Williams Corp.
Richard J. "Tex" Williams
Sue S. Williams
Thomas William Winland
Tyla Winland
 Winston-Salem Foundation
 John J. Witmeyer III
 Robert S. Wolff
 Shirley Keel Wolff
 Calder W. Womble
 Erna A.P. Womble
 Jane G. Womble
 Martha H. Womble
 William F. Womble Jr.
 William F. Womble
 Richard A. Wood Jr.
 Michele Jordan Woods
William F. Wright
 Yan Xuan
 Kathleen R. Yergler
 Jon Carl Yergler
 Charles H. Young
 James F. Young
 Martha C. Young
Sadie M. Young
 Young & Rubicam
 Linda Hausrath Zaino
 William J. Zaino
 Clifford Jack Zatz
 Jonathan Marc Zeitler
 Huixiu Zhang
 Jiusu Zhao
 Jonathan Alan Zimring

ALUMNI DONORS BY CLASS

1935

1 donor

Lee S. McKeithen

1936

2 donors

Louise Maxwell Barr
 Harry Goldstein

1937

12 donors

Dorothy L. Airheart
John Mack Holland Jr.
 Richard W. Kiefer
 Harland Francis Leathers
H. Hale McCown
Helen Lanier McCown
 William L. Mosenson
 James L. Newsom
Floyd M. Riddick
 Farley Hunter Sheldon
Caroline P. Stael
Thomas Burrows Stael

1938

4 donors

Edward B. Bulleit
 James E. Sapp Jr.
 Carmon J. Stuart
Charles H. Young

1939

4 donors

Russell S. Deneen (deceased)
 Eugene Desvernine
 Benson C. Tomlinson
William F. Womble

1940

6 donors

Margaret A. Harris
Alex R. Josephs
Joseph Laufer
 Harold Milton Missal
 Benjamin Dimmick Raub
Edward C. Vandenburg III

1941

10 donors

Aute L. Carr
 Virgil W. Coopridner
 Daniel Roberts Dixon
 Eugene A. Gordon
 Thomas William Harvey Jr.
Benjamin S. Horack
W. Frank Malone
 James R. Mattocks
Numa Lamar Smith Jr.
 Norman L. Wherrett

1942

6 donors

Donald Johnston Berkemeyer
 John B. Breckenridge
 A. Vernon Carnahan
Ralph Lamberson (deceased)
 Henry Walton Morrow
 John F. Repko

1944

3 donors

John W. Bronson
Nathaniel R. Johnson Jr.
Melvin S. Taub

1945

3 donors

Elwood M. Rich
Frances F. Rufty
Julian D. Sanger

1946

1 donor

Elizabeth Parker Engle

1947

13 donors

Bertram J. Dube
Jack D. Hawkins
 Linton R. Lovett
Henry A. McKinnon Jr.
 Jonathan Zachariah McKown
 Robert F. Moore
 Lillard H. Mount
 Matthew S. Rae Jr.
 Henry F. Sherrill
 Harold D. Spears
 John A. Speziale
 Harry Rudd Teel
Calder W. Womble

1948

17 donors

Robert P. Barnett
 William Wright Daniel
 Herbert D. Fischer
Willis H. Flick
Edwin P. Friedberg
 William H. Gray
Lorraine Boyce Hawkins
 Shelby E. Horton Jr.
Richard T. Marquise
Wallace Hardin McCown (deceased)
 DeRosset Myers
 George H. Newsome
 Edward Rocap
 Frederick H. Stone
 A. William Sweeney
 Joe Pitts Vick
 William Sidney Windes

1949

21 donors

\$184,226 Reunion Class Gift Total

Reunion Co-chairs:
 David K. Taylor Jr.
 Elaine Kupp Wick
 William A. Bader
Francis A. Benedetti

Charles F. Blanchard
 Robert Franklin Clodfelter
 Bueford G. Herbert
Duncan W. Holt Jr.
 Ben Franklin Johnson Jr.
 Michael E. Kusturiss
 Hugh A. Lee
 Ben H. Logan
William J. Lowry
Edward J. Moppert
 John Edward North
Leila Sears
Sidney W. Smith Jr.
 James B. Stephen
David K. Taylor Jr.
Joe Park Whitener
Elaine Kupp Wick
 Silas Williams Jr.
Robert S. Wolff

Includes the Class of 1949 and The Half Century Classes

1950

28 donors

William H. Adams III
 Bachman S. Brown Jr.
 James G. Cate Jr.
Robert L. Clifford
 Ralph Clayton Clontz Jr.
W. Warren Cole Jr.
John J. Coleman Jr.
 Robert I. Cooper
Robert R. Gardner
Roy J. Grogan Sr.
Allen Hatchett Gwyn Jr. (deceased)
 J. Allen Harrington
 Thomas G. Hart
 Arthur Knute Knudsen Jr.
 Kwan Hi Lim
 Walter H. Mason Jr.
 Henry Leo Max
 Oren Walsh McClain
Sue Vick McCown
William R. Patterson
Albert E. Philipp Jr.
 Hugh E. Reams
 John Webb Routh
 Robert F. Stokes Jr.
Ben F. Stormes (deceased)
 William T. Wachenfeld
 Nathan H. Wilson
 James B. Wolfe Jr.

1951

18 donors

Grace C. Boddie
 James Jackson Booker
 Wood M. De Yoe
 Ned P. Everett
J. Carlton Fleming
 Robert Watson Foster
 Frederic Milton Klein
Edward Arthur Loeser
 John Earl Marsh Jr.
 Edward E. Marx
 Arnold B. McKinnon
James F. Perry
Milly D. Peters
 Frederick Dietrich Rosenberg
Robert L. Styers
 George Butler Thomasson
 James Toombs Thomasson Jr.
 Charles E. Villanueva

1952

22 donors

Robert Barber Jr.
James S. Byrd
Charles A. Comer
Walter Raymond Dudek
Robert L. Elkins
Joe W. Gerstein
J. Bruce Gilman Jr.
Ray Graves
Edward W. Hautanen
Lee H. Henkel Jr.
Joseph H. Levinson
Wallace T. Marlowe
Robert L. Musser
Jay Walter Myers
Robert C. Oshiro
James Chesley Rehberg
E. Norwood Robinson
William J. Rokos Jr.
Peter B. Scuderi
Thomas W. Seay Jr.
John Michael Specia
Warren A. Thornhill III

1953

9 donors

Val C. Brooks
Harry R. Chadwick Jr.
John B. Dawson Jr.
Julius J. Gwyn
George Lee Hudspeth
Floyd E. Kellam Jr.
John D. Shaw Jr.
Lee C. Smith
L. Stacy Weaver Jr.

1954

7 donors

\$3,875 Reunion Class Gift Total

Reunion Committee:

S. G. "Cy" Clark
Paul R. Hardin III
S. Perry Keziah
James F. Young

Richard L. Baylog
Paul R. Hardin III
William G. Kaelin
Robert L. McFadden
Charles E. Rushing
Donald Eugene Williams
James F. Young

1955

11 donors

Hans Wolfgang Baade
Trent C. Bowen
John A. Carnahan
J. Peter Friedrich
Sanford Ira Halberstadter
John F. Kuffner
David Shapiro
Edward N. Swanson
Clarence W. Walker
Roland R. Wilkins
William L. Woolard

1956

19 donors

David H. Allard
B. Richard Burdman
Marshall R. Cassidy
Lloyd C. Caudle
Frederic E. Dorkin
Robert L. Felts
Francis M. Fletcher Jr.
Vincent T. Hall
John D. Hamilton Jr.
John D. Johnston Jr.
Paul F. Kortepeter
John Wheeler Lawther
Alfred Raymond Mays
Duncan Oliphant McKee
John S. Neely Jr.
Carl P. Rose
Gary S. Stein
David Boyette Stevens
Donald B. Strickland Sr.

1957

15 donors

Robert H. Beber
Robert W. Bradshaw Jr.
Robert Moye Chandler Jr.
David R. Chipman
Winslow Drummond
Charles A. Dukes Jr.
Ernest Wilson Dyer
G. William Hackett
Elliott T. Halio
Donald C. Knickerbocker
William Gerard Louis-Dreyfus
Arnold H. Pollock
Herbert S. Savitt
Gerald B. Tjoflat
Stephen D. Walsh

1958

10 donors

Larry Ivan Bogart
Robert Lewis Burrus Jr.
D. Pierre G. Cameron Jr.
John F. Lowndes
Paul W. Markwood Jr.
William Kellam Oden Jr.
Edward Ernest Rieck
W. Donald Sparks
J. Robert Sterling
Robert D. Stewart

1959

15 donors

\$271,227 Reunion Class Gift Total

Reunion Chair: Davis W. Duke Jr.

Leif C. Beck
Robert B. Berger
Davis W. Duke Jr.
J. Terry Emerson
Robinson O. Everett
Robert Carnahan Hudson
Robert W. Hutchins
David C. Newman
Charles England Plunkett
Ronald William Sondce
Bernard Harold Strasser
Egerton King van den Berg
Julian W. Walker Jr.
James E. Westbrook

W. Dunlop White Jr.**1960**

12 donors

Robert B. Bell
Richard E. Cooley
Herbert O. Davis
Rufus S. Hill Jr.
Joel I. Keiler
William S. McLean
Joseph Martin Parker Jr.
Wade Hampton Penny Jr.
William R. Shebey
Allen G. Siegel
Maynard Francis Swanson Jr.
Newton C. Taylor

1961

20 donors

George B. Autry (deceased)
Robert Flowers Baker
Robert Norman Davies
Donald Paul Dietrich
Erich Emery Everbach
Edgar B. Fisher Jr.
Francis V. Gay
Joseph M. Griffin
William D. Grubbs
Jeremy R. Johnson
James E. Moore
Walter F. Moossa
Joseph Charles O'Rorke
Llewelyn G. Pritchard
David A. Quattlebaum III
Stanley Albert Star
James W. Tarlton III
Robert M. Walker
L. Neil Williams Jr.
David R. Willson

1962

23 donors

John Hamilton Adams
C. Thomas Biggs
William H. Bradford Jr.
Douglas F. DeBank
Thomas C. Dorsey
J. Marne Gleason
Alan E. Johnson
Gerald P. Johnston
Johnie L. Joyce Jr.
James J. Kenny
Robert E. Lockhart
David M. Merchant
Richard W. Metz
James Watt Moorman
Thomas R. Nesbitt Jr.
Garrett Power
Peter L. Roda
Vincent L. Sgrosso
Phillip K. Sotel
Sandra J. Strebel
Charles Owen Verrill Jr.
William K. West Jr.
Richard A. Wood Jr.

1963

31 donors

Thomas L. Bass
Darrell D. Bratton
Paul Lee Coulter
E. Lawrence Davis III

Roger L. Decker
Stuart E. Duncan II
Mark B. Edwards
John Boyd Gordon
Harry Leigh Griffin Jr.
Harold Robert Hampson
Don F. Hazlett
Jerone C. Herring
Gilbert Patterson Johnson
Glenn E. Ketner Jr.
William J. Kinnamon Jr.
Frederic S. Le Clercq
Daniel K. McAlister
Alexander Ward McKeithen
Marvin D. Musselwhite Jr.
Charles W. Petty Jr.
Edward Scott Robe
Edgar J. Roberts Jr.
Myong-Joon Roe
Thomas E. Rohricht
J. Bowen Ross Jr.
J. David Ross
Conrad N. Swanson
F. Roger Thaler
W. Laurens Walker III
Michael Raymond Walsh
Gerald T. Wetherington

1964

31 donors

\$151,557 Reunion Class Gift Total

Reunion Chair: Stephen G. Crawford

Thomas J. Andrews
Theodore M. Armstrong
William B. Armstrong
Robert J. Bertrand
Kenneth G. Biehn
Jay Darwin Bond Jr.
Girard E. Boudreau Jr.
Courtney B. Bourns
William T. Buice III
Paul M. Butler Jr.
John C. Carlyle
Stephen G. Crawford
Julie Welch Davis
David Nesbit Edwards Jr.
John Robert Elster
W. Erwin Fuller Jr.
Anton Henry Gaede Jr.
David L. Grigg
Harry J. Haynsworth IV
William A. Hirsch
Thomas Swain Kale
Arnold J. Kohn
Charles W. Mertel
Robert K. Montgomery
Robert K. Payson
Charles A. Powell III
Walter W. Pyper Jr.
James P. Riley
Robert E. Shoun
David G. Warren
Kent M. Weeks

1965

33 donors

Peter B. Archie
Robert Angell Bogle Jr.
Joseph J. Brigati
Peter Ogden Brown
Patrick C. Coughlan
Thomas A. Edmonds

Paul Revere Ervin Jr.
Thomas W. Graves Jr.
John M. Hines
Jeffrey P. Hughes
Frank Watson Hunger
Thomas C. Kleinschmidt
William H. Lear
David L. Lougee
Douglas F. MacPhail
Emil C. Marquardt Jr.
Raymond A. McGearry
Thomas P. Meehan
Charles B. Mills Jr.
Richard M. Morgan
E. Lowry Reid Jr.
C. Nicholas Revelos
Ronald Seeber
Philip S. Shailer
Robert C. Sink
Gibson L. Smith Jr.
S. Berne Smith
G. William Speer
James C. Stokes Jr.
Carter H. Strickland
Edan G. Unterman
Richard H. Vincent
Wade Thomas Watson

1966

42 donors

Andrew Edson Adelson
Richard Marlow Allen
William J. Alsentzer Jr.
Bruce H. Anderson
Charles D. Axelrod
W. Reece Bader
Richard W. Buhrman
Robert D. Cabe
Christine Yarrington Denson
Judson W. Detrick
Jerold A. Fink
Henry H. Fox
John Ganotis
L. Mifflin Hayes
Andrew S. Hedden
Jonathan Thomas Howe
James Cary Jacobson
F. Sherwood Lewis
Don Boyden Long Jr.
Michael F. Lynch
James B. Maxwell
Ralph L. McCaughan
Daniel M. McDonald
Peter J. Michel
Roy W. Moore III
Thomas H. Morgan
Joel J. Morris
David D. Noble
Sidney Joseph Nurkin
Carolyn M. Osteen
Richard A. Palmer
David Frankman Peters
T. Stephen Phillips
Thomas B. Pitcher
Thomas William Porter III
Edward B. Robin
Richard A. Smith
Brian Armil Snow
Robert W. Spangler
K. Morgan Varner III
Douglas P. Wheeler
Dale A. Whitman

1967

40 donors

Richard G. Bacon
William C. Barrier
Daniel F. Bernard
John T. Berteau
Carl E. Bolch Jr.
Stephen M. Chiles
Roger M. Clark
Calvin J. Collier
Norman G. Cooper
Donald B. Craven
James B. Craven III
Linwood L. Davis
William A. Davis II
William Lyman Dillon
Douglas Arthur Faulkner
Haley J. Fromholz
Curtis D. Genders
Richard A. Gordon
Thomas J. Gormley
George G. Guthrie
Robert J. Hackett
Thomas A. Jorgensen
Peter K. Lathrop
George R. Mahoney Jr.
David Meyers
Charles A. Moran
William Ray Norfolk
David W. Pancoast
Douglas A. Poe (deceased)
F. Raine Remsburg
Wayne A. Rich Jr.
William L. Riley
Homer G. Sheffield Jr.
Lanty L. Smith
William H. Steinbrink
George Thomas Stronach III
Trawick H. Stubbs Jr.
John Craft Taylor
Roger P. Thomasch
William F. Womble Jr.

1968

51 donors

Bruce D. Alexander
Carl F. Bianchi
Brian H. Bibeau
Jacob A. Bouknight Jr.
Donald B. Brooks
John R. Brownell
Laurie B. Bruce
Charles Bryan Burton Jr.
Thomas J. Clarke
William E. Eason Jr.
Henry L. Ferguson III
Paul B. Ford Jr.
Stuart M. Foss
Robert Frey
Robert K. Garro
Gilbert L. Gates Jr.
R. Bertram Greener
Geoffrey Hamilton
Randall L. Hughes
Stuart N. Hutchison III
Richard Vaughan Jones
James H. Kelly
Lawrence M. Kimbrough
John D. Kirby
Rosemary Kittrell
Walter O. Lambeth Jr.
Stephen W. Leermakers
Carl F. Lyon
Robert Stillwell Marquis

Donald H. Messinger
Walter G. Moeling IV
Fred H. Moore
Marilyn M. Norfolk
William L. Patton
Stephen P. Pepe
William P. Pinna
David E. Prewitt
Gordon S. Rather Jr.
Edward A. Reilly
O. Randolph Rollins
James R. Saffley
Henry E. Seibert IV
Ronald V. Shearin
Jerrold Shenkman
William R. Stewart
Joe T. Taylor III
Ernest C. Torres
Marlin M. Volz Jr.
Lynn E. Wagner
John C. Weistart
William F. Wright

1969

54 donors

\$362,528 Reunion Class Gift Total

Reunion Co-chairs:

David G. Klaber
Joel M. Lasker

James P. Alexander
Joseph R. Beatty
Charles L. Becton
J. Sidney Boone Jr.
William H. Briggs Jr.
John A. Canning Jr.
Joseph M. Clayton Jr.
John Patrick Cooney Jr.
Katherine M. Crowe
James P. Davenport
Norman E. Donoghue II
James W. Dunlap
Charles M. Firestone
David E. Foscue
Howard G. Godwin Jr.
L. Alan Goldsberry
John M. Harmon
Robert M. Hart
Robert P. Herendeen
Paul A. Hilstad
John O. Hoos
R. Randall Huff
Jerry R. Jenkins
M. Scott Johnson
R. Norman Junker
Michael J. Kane
Christine Keller
David G. Klaber
Joel M. Lasker
David D. Laufer
Jeffrey E. Lewis
Edward Rivinus Leydon
Robert S. Luttrell
Robert A. Maynes
Walter J. McNamara III
James R. Moore
Leonard M. Murphy Jr.
Donald B. Myers Jr.
Michael F. O'Brien
Wilson D. Perry
John B. Platt III
David M. Powell
Robert B. Pringle
Michael C. Russ
Dudley Saleeby Jr.

John R. Sapp
Ronald L. Shumway
Young M. Smith Jr.
R. Keith Stark
Wayne R. Vason
Joseph L. Waldrep
Robert S. Warwick
Breckinridge L. Willcox
Thomas C. Worth Jr.

1970

20 donors

Victor A. Cavanaugh
Jean C. Coker
Eugene E. Derryberry
John M. Edwards Jr.
Rodney L. Eshelman
R. Buck Ferguson
James C. Frenzel
Paul M. Glenn Jr.
James K. Hasson Jr.
George R. Krouse Jr.
Jeffrey R. Lopic
Albert H. Larson III
Charles B. Neely Jr.
Michael A. Pearlman
Robert J. Shenkin
Kenneth M. Socha
William F. Stevens
Richard F. Stokes
Sue Ellen Utley
William J. Zaino

1971

36 donors

Arthur A. Abplanalp Jr.
J. Ernest Baird
Michael R. Butler
W. Dayton Coles Jr.
Michael W. Conlon
Donald A. Daucher
Kenneth F. Dornbush
Christine M. Durham
Randall L. Erickson
Karla Harbin Fox
Robert F. Gerkens
Richard S. Harwood
Laurent R. Hourcle
Christopher N. Knight
Philip C. Larson
Randolph J. May
Peter T. Meszoly
H. Todd Miller
Douglas B. Morton
Steven Naclerio
Henry J. Oechler Jr.
Richard L. Osborne
Jerry P. Peppers
Gail Levin Richmond
James A. Rydzal
Peter R. Seibel
Bryan E. Sharratt
David L. Sigler
Walter A. Stringfellow III
David L. Vaughan
Frank P. Ward Jr.
William M. Warren Jr.
Barry J. Wendt
J. Lofton Westmoreland
John J. Witmeyer III
David B. Wuchrmann

1972

47 donors

William H. Adams
 Thomas C. Barbour
Thomas W. H. Barlow
 William C. Basney
Robert B. Breisblatt
Stephen J. Bronis
William P. Carr
 Bernard B. Clark Jr.
 Joseph E. Claxton
John D. Englar
Ronald W. Frank
William J. Galloway III
Charles D. Ganz
 Jeffrey P. Garton
 Paul A. Gottlieb
William T. Graves
 C. Marcus Harris
 Harry L. Hobgood
 A. Everett Hoeg III
Richard D. Huff
 Samuel W. Johnson
 William J. Kimpton
 Hiram Knott
 Glenn W. Letham
Cym H. Lowell
Paul C. Madden
 Charles R. McManis
 Joseph A. McManus Jr.
 John G. McWilliams
 Amos T. Mills III
 Cary A. Moomjian Jr.
 Alan H. Otte
 John Wallace Patterson
 Elisabeth S. Petersen (deceased)
 Richard W. Ragsdale
 Edward D. Reibman
 Ronald L. Reisner
Richard Joseph Salem
 Wendell L. Schollander
Thomas H. Sear
John A. Sherrill
 Richard C. Snider
 Susan P. Starling
 William H. Swan III
 Joshua R. Treem
 James Walter Ummer
 John R. Wester

1973

49 donors

Sarah H. Adams
 William Heywang Bayliss
Daniel Terry Blue Jr.
Dana Gibson Bradford II
 Donald Hess Brobst
Jackson B. Browning Jr.
Byron Bernard Burns Jr.
John Richard Carney Jr.
 Robert Allen Dietz
 William Thomas Fahey II
 Duncan Joseph Farmer
 Carl Hess Fridy
Pamela Brooks Gann
James David Garrison
 Robert Thomas Gradoville
 S. Ward Greene
 Larry George Haddy
 Lee Louis Hale
C. Wells Hall III
Charles Roberson Holton
 William Sherrill Jacobs
 Malcolm Davis Johnson

Richard Meredith Kennedy

Paul Robert Koepff
J. Michael Lamberth
 George Thomas Love III
James Edward Luebchow
 Carol W. Matthews
 Joseph W. Moyer
David Naftzinger
 Jeffrey Scott Nickloy
 Robert E. Portune
 James C. Ray
Roger Alan Reed
 Cheryl Scott Rome
James Charles Roscetti
Leonard Bruce Simon
 Halcyon E. Skinner
 Leslie E. Smith
 Frank David Spiegelberg
 Kenneth George Starling
Kenneth Winston Starr
 Michael Jerome Stewart
 Robert L. Titley
 Michael Edmond Weddington
 Donald Ross Williams
 John Turner Williamson
 Paul E. Zimmer
 James Bradford Zimpritch

1974

90 donors

\$313,933 Reunion Class Gift Total

Reunion Co-chairs:

Jay Jordan Levin
 Russell Bachman Richards

Alfred G. Adams Jr.
 Edna Ball Axelrod
 John Philip Bailly Jr.
 Susan Elizabeth Barco
Brenda B. Becton
William Philip Bennett
James Wilson Berry Jr.
 Charles Edward Binder
 Thomas Watson Black
William Pomeroy Borchert
John Michael Bremer
Colin Wegand Brown
 Evelyn Omega Cannon
 Candace M. Carroll
 Niccolo A. Ciompi
Robert Phillips Cochran
 Philip Gary Cohen
 Curtis Lynn Collier
 John A. Decker
 Anne Maxwell Dellinger
 Gordon Bartle Dempsey
 James Clifton Drennan
 Raymond Craft Dryer
 Andrew Dexter Dunn
 John Vincent Dwyer Jr.
 John Wesley Edwards II
 James Robert Eller Jr.
 Richard Howard Freed
 Fred William Fulton
 Johnnie L. Gallemore Jr.
 Howard B. Gelt
 James Garfield Good
Donna Coleman Gregg
Robert Edgar Gregg
 James C. Hardin III
 James William Harris
 William Patrick Healy
 David Richard Hillier
 L. Lynn Hogue
 David Edward Horvath

Eric Alan Houghton
 Ronald Robert Janke
 Jerry W. Jernigan
Mark David Kaufman
 Robert Tilford Kofman
 Paul Lendon Lassiter
 Edward John Lesniak
Jay Jordon Levin
 James J. Locher
Donald John Logie Jr.
 David William Lowden
 Ronald Moore Marquette
Kenneth Wayne McAllister
Edward A. McDermott Jr.
 Dean Alan Messmer
 John Roberts Moffat
Phillip Harby Moise
William Page Montgomery
 R. Wade Norris
 Kenneth E. North
Rory Robert Olsen
 Marcus Sherman Owens
 Stephen Lewis Parr
 Christopher Biram Pascal
 Steven Donald Pierce
David Russell Poe
Gregory Vincent Powell
Charles Richard Rayburn Jr.
 Ronald D. Reemsnyder
Russell Bachman Richards
 William Lang Rosenberg
 Irwin Neal Rubin
Ira Sandron
 Stuart M. Sessoms Jr.
 Andrew Shaw
 Larry W. Shelton
Alan Terry Sorrells
Thomas Charles Stevens
 John Cowles Tally
 Mary Ann L. Tally
Richard Eric Teller
Jean Ellen Vernet Jr.
Patricia H. Wagner
 Lynn Dennis Wardle
Peter David Webster
 Clair F. White
 Tommy Joe Williams
Thomas William Winland
 Raymond L. Yasser
Jonathan Alan Zimring

1975

38 donors

Lawrence Harris Babich
 Richard James Baxter
 Gary Keith Berman
 George F. Bihn III
Martina L. Bradford
 Terry Walter Calderwood
 James Howell Carl
 Bruce Allen Christensen
 Frank Johnstone Dana III
Thomas Phillip Davis
Timothy Joseph DeBaets
 George William Dennis III
 Allyson Kay Duncan
 Michael Fabian Fink
 Paul Jay Fukushima
 Ronald H. Hoebet
 John A. Howell
 Keith Allen Hunsaker Jr.
 Howard Judah Klein
Gary G. Lynch
 John Bowman McLeod
 James W. Mertzluft

Mark A. Michael
 John R. Miller
 Glenn R. Moran
Francis H. Morrison III
 Linton Lauer Moyer
Ashmead P. Pipkin
 Thomas Edwin Prior
 Michael C. Quillen
 Clinton D. Richardson
Thomas S. Richey
 Dale C. Robbins
 David Norman Shane
 Richard C. Siemer
 Richard A. Sill
Lawrence D. Steckmest
 William J. Trull Jr.

1976

53 donors

James Robert Acker
David Brooks Adcock
Harris Robert Anthony
 Todd Hunter Bailey
John Cole Beeler
 David Alan Bruce
Peter Coleman Buck
Denise Caffrey
Betsy Ida Carter
 Kenneth Sears Coe Jr.
Dean M. Cordiano
 Michael Gordon Culbreth
 W. Robinson Deaton Jr.
 Daniel James Dugan
Paul B. Eaglin
Raymond John Etcheverry
Gail Winter Feagles
Prentiss Eric Feagles
Mark Stephen Fischer
 John Richard Flavin
 Karen Louise Gearreald
 Daniel William Gepford
 John Bernard Gontrum
 Eric Peter Hansen
Kenneth Charles Hunt
Peter J. Kahn
 Reeve Withrow Kelsey
 Mitchell Kolklin
 Constantine Hanna Kutteh
Thomas Landis Lackey
 James Andrew Lewis
Thomas Davis Magill
Kent Lawrence Mann
 Johnnie William Mask Jr.
 Robert Edward McCorry Jr.
 John Thomas McFerrin
 Lewis Eugene Melahn
 Miguel Agustine Orta
 Michael Francis Perley
David Bruce Post
Celia A. Roady
Stephen Elston Roady
 Aron Morris Schwartz
 Bruce Sheridan Scolton
 Steven Mansfield Shaber
James Alexander Tanford
 Harry F. Tepker Jr.
 Gary DuBois Thompson
 Clay Burford Tousey Jr.
 Edward Walter Vogel III
Robert Carl Weber
 Charles Kenneth Wiggins
 G. Gray Wilson

1977*61 donors*

Ronald Evan Barab
Donald Haskell Beskind
 Mark Bookman
 Richard Allen Carbone
 John Martin Conley
 Jeffery Mason Cook
 Larry Edward Coploff
 Brian Henry Corrigan
 Timothy Joseph Curry
 Michael Louis Eckerle
David M. Eisenberg
 Charles Ira Epstein
 Samuel Peter Feldstein
 Harold I. Freilich
 Michael John Gallagher
 Marsha Taylor Gepford
Raymond Hayes Goodman III
 Maxine Patricia Gordon
 Brent S. Gorey
Croley Wayne Graham Jr.
 Edward T. Hinson Jr.
Jay Roderick Hone
 Timothy Joseph Jacob
 Bruce Edward Johnson
 Lauren Evans Jones
Carolyn B. Kuhl
 Pamela Knowles Lawrason
 Amy T. Levere
Adele O. Levitt
Dana Nisen Levitt
 Paul Vincent LiCalsi
 William A. Meaders Jr.
W. Edward Meeks Jr.
Timothy Elmer Meredith
 Gary Edward Meringer
Heloise Catherine Merrill
 James L. Miraldi
 Albert Garver Moore Jr.
David Eugene Morrison
Robert Gary Moskowitz
 Kenneth Jay Nussbacher
 Susan Freya Olive
 James Wilson Parker
William Henry Pauley III
Andrew Jay Peck
Gary Alan Poliner
 Kathleen Pontone
 Charles L. Revelle III
 Stephen Clay Rhudy
 Paul Newton Riddle
 Neil Tobias Rimsky
 Melinda Mits Sakioka
Richard Waldo Scott
 Alvin Harold Shrago
Robert E. Spring
 Rachel Love Steele
John Lockwood Walker
 Jeri L. Whitfield
 William Earl Whitney
 C. Thomas Work
 John Edward Zamer

1978*53 donors*

William George Anlyan Jr.
 Kenneth Furman Antley
 Benita S. Baird
 Susan Brooks
 Jonathan Edward Buchan
 Phillip Carl Christensen
Reginald J. Clark
 Jana Banahan Cogburn

Charles Molony Condon
 Richard E. Connolly
Michael Dockterman
 Steven R. Dottheim
 Susan Linda Edelheit
 Evans Watkins Fisher
Mark Alan Fishman
Steven Ross Gilford
 Barbara S. Gontrum
 Jonathan Matt Gross
 Ronald Leslie Harrop
 John Hasnas
 Michael P. Horan
Richard Alan Horvitz
 Marilyn H. Howard
David W. Ichel
 Alfred Francis Jahns
 Michael Jenkins
 Thomas Edward Johnson
 James Thomas Royster Jones
 Linda McCall Kangeter
 Leslie Peter Klemperer
David C. Kohler
 Howard Lawrence Levin
Jane Makela
 Alan Mansfield
CoraLynn H. Marshall
Lawrence G. McMichael
 Arthur Madden Miller
 Renee J. Montgomery
 Mark Richard Morano
 William A. Nickles III
 Michael John O'Connor
 Andrew Marvel O'Malley
James Earl Padilla
David King Perdue
 Wendy C. Perdue
Peter David Rosenberg
 Daniel Austin Smith
 Sarah Holzswieg Steindel
 Robert David Stets
 Edward P. Tewkesbury
 Richard J. Webb
 Gregory Scott Wetstone
 Arthur Charles Zeidman

1979*66 donors**\$95,386 Reunion Class Gift Total**Reunion Co-chairs:*

Taylor Tapley Daly
 Peter R. Pendergast

Jean T. Adams
Louis Jay Barash
 Alan Ronald Bender
Philip Ross Bevan
Richard Dennis Blau
Anthony H. Brett
 Valerie Thompson Broadie
 Lorynn A. Cone
Jeffrey C. Coyne
 Carl W. Dufendach
 Elizabeth Hoyes Esinhart
Carol Murphy Finke
Richard Charles Finke
 Andrew W. Forsyth III
 Adrienne M. Fox
 Laura Marie Franze
 William Francis Giarla
 Kevin Patrick Gilboy
 Aaron Glenn Graff Jr.
Robert T. Harper
Jerry H. Herman
Mark R. High

John Richard Holzgraefe
Seth Harry Hoogasian
 Mark John Hulings
Terence Michael Hynes
Gary W. Jackson
Margo Ericka Jackson
Gary L. Justice
Edward William Kallal Jr.
 Sara S. Beezley Keller
 Benjamin C. Kirschenbaum
 Thomas Joseph Leclair
 Amy W. Liss
 Michael D. Lorton
Gray McCalley Jr.
 Mark Steven McCarty
 Rita Ann McConnell
 Harry F. McNaught Jr.
 William Kent Moore
David Welsh Morgan
Nancy Arnole Nasher
 Solveig Jan Overby
 John Andrew Pelehach
Peter R. Pendergast
 L. Timothy Portwood
 Neil Philip Robertson
 Gerald Martin Rosen
 Carl Jonathan Schuman
Francis Bolger Semmes
 Edward P. Swan
Juliann Tenney
Diane Rowley Toop
 Brian Thomas Tucker
 Christine E. Tunnell
 Pamela J. Uhl
 Jeffrey Mark Villanueva
 Charles Donald Vogel
Steven David Wasserman
 David Hilleary Wilder
 James Edward Williams Jr.
 William Thomas Wilson
 Rhonda Reid Winston
 V. L. Woolston
Jon Carl Yergler
Clifford Jack Zatz

1980*50 donors*

Nat Salvatore Amadeo
 Barbara Deaton Anderson
Kim James Barr
 Margreth Barrett
 Ellen Jane Bickal
Daniel S. Bowling III
 Blain Byerly Butner
 Robert Allan Carson
 John Lawrence Crocker
Dara Lyn DeHaven
 David Dreifus
 J. Scott Dyer
 Ann Katherine Ford
Thomas William Giegerich
 John Edward Glancy
 Deborah F. Greenblatt
Linda Boyd Griffey
Mary Metil Grove
 Michael Leo Hall
 John Heyward Hickey
 Bruce V. Hillowe
Kevin Edward Huston
 Joan Stein Jenkins
Thomas Patrick Jenkins
 Karl W. Kindig
 Jeffrey Patterson King
 Justin Gregory Klimko
 Clifford Benjamin Levine

Kathryn Hilliard Lies
Jane Pickelmann Long
William B. Miller III
Michael Paul Mirande
 Andromeda Monroe
Carol Grant Opferman
Paul Joseph Pantano Jr.
Happy R. Perkins
 Donald Lee Pilzer
 Fredric Alton Rollman
Edward J. Schneidman
Marjorie Stripling Schultz
 Lisa Margaret Smith
 Madison Stockton Spach Jr.
 Sidney Joseph Stern III
 Michael Stewart Thwaites
Richard Scott Toop
 Robert W. Turken
 Kathryn Gray Ward
 Elizabeth McCutcheon Weaver
 Priscilla Peterson Weaver
 Sally Brenner Wolfish

1981*67 donors*

David Spears Addington
 Marshall Stuart Adler
 Mark Alan Beatrice
 Thomas A. Belles
 Phillip Wayne Campbell
 Karen Estelle Carey
 Lauren F. Carlton
 Michael Lawrence Chartan
 Gregory John Cioffi
Jonathan Edward Claiborne
John J. Coleman III
 Thomas Edward Cone
 Timothy John Corrigan
 Glenn Edward Cravez
 Michael Richard Dreeben
 Patrick Brock Fazzone
 David Alan Fine
 Russell Howard Fox
 Keith Eslin Gainey
 Carl R. Gold
Abigail Teresa Reardon Gosnell
 David Douglas Gustafson
 David Lawrence Hankey
L. Cecily Hines
 Brian Jay Hostetler
 Jon Mark Jenkins
 Evan Walter Johnson
 Kenneth Alan Jones
 Stephen Vincent Kern
 Nancy Holland Kerr
Jeffrey Paul Libson
 Michael Lee Lieberman
 Walter Marvin Lovett Jr.
 Alan Scott Madans
 Gary Dennis Melchionni
Craig Benton Merkle
Paula Krahn Merkle
David Edward Nash
Robin P. Nash
 James Arthur Pope
David Howard Potel
 Donald James Rendall Jr.
 Jane F. Rodas
 Susan Peters Rosborough
Jennifer P. Rose
Leo Rose III
Mark William Ryan
 Bruce Howard Saul
 James Evan Schwartz
 Pamela Kaye Silverman

Bold denotes Barrister

David Charles Stohler
Geraldine Sumter
David C. Tarshes
Edmond Carlos Tiryakian
Neil Robert Tucker
Robert Allen Useted
William Robert Vezina III
Robert William Walter
Michael Lesley Ward
Barry Elias Warhit
Sharon Kronish Wasserman
Blake Andrew Watson
David J. Wittenstein
Cynthia Leigh Wittmer
Peter G. Wright
Michael Richard Young
Steven Mark Zeidman

1982

57 donors

James Bradford Anwyll
James Edison Bauman
A. Fleming Bell II
Karen Koenig Blose
Harris T. Booker
Glenn J. Carter
Patricia Anne Casey
Eva P. Cederholm
James Michael Dalton
Robert Louis Dougherty
Ruth Harriet Dukelow
P. Brooks Eason
Barbara Sara Esbin
Thomas Merrill Ewing
Harry John Finke IV
John A. Forlines III
Richard Hugh Foster
Sharon Monahan Fountain
Mary Howell Friday
Anne E. Fulton
Ronald Lee Goldstein
Margaret Hayba Gonzales
Charles Scott Greene
Gail E. Griffith
Thomas Andrew Hale
Andrew S. Halio
Ruth Cohen Hammer
John Louis Hardiman
Paul Russell Hardin
James Barrett Hawkins
Martha J. Hays
Mitchell Alan Horwich
Richard Louis Horwitz
Larry Dean Irick
Donald Craig Lampe
Thomas William Logue
Ann L. Majestic
Douglas L. McCoy
Susan Kathleen McKenna
Stanley Theodore Padgett
James Russell Peacock III
Susan Jean Platt
Frederick Robinson
Elizabeth Roth
Sally Samuel
Paul Josiah Schwab
Michael J. Schwartz
Andrea Tracy Shandell
Mark Donald Shepard
Arthur Bradley Shingleton
Hezekiah Sistrunk Jr.
Jeffrey E. Tabak
Joel Barry Toomey
Thomas Richard Travis
Mary Ann Tyrrell

David Michael Underhill
Richard Craig Zeskind

1983

63 donors

Jeffrey Michael Anders
Dean W. Baker
Coralyn Meredith Benhart
Gary L. Benhart
William A. Blancato
David Lloyd Blisk
Kenneth Richard Breitbeil
Duane E. Brown
Jean Gordon Carter
David Bancroft Chaffin
Lisa Elaine Cleary
Violet Diamant
Seth Lee Forman
Benjamin Eagles Fountain III
Dieter Fullemann
Robert Walker Fuller III
John Baltzly Garver III
M. Brett Gladstone
Susan Bennett Green
Rondi Rauch Grey
Richard Douglas Harmon
Scott Dean Harrington
Craig Alan Hoover
Dawson Horn III
Charles Wilson Hurst
William Donald Jones III
Daniel Franklin Katz
John Ruffin Knight
Kenneth James Kornblau
Karl William Leo
Gregory Earl Lindley
Dianne Cahoon Magee
Richard David Magee Jr.
Jennifer D'Arcy Maher
Michael Patrick Manning
Beth Willard Miller
Patrick Timothy Navin
Susan Westeen Novatt
Jerry Hale Owens
Mary Burke Patterson
Carlos Edward Pena
Michael Thomas Petrik
Marc Philip Press
John Randolph Prince III
Rebecca Davis Prince
James Christopher Reilly
Sally S. Reilly
Richard Franklin Riley Jr.
Mary Alice Robison
Bruce Jay Ruzinsky
Laurence Jay Sanders
Jeffrey Scott Schloemer
Per Haakon Schmidt
James Dale Smith
John Clay Spinrad
Laura Stuart Taylor
John Robert Welch
Andrew Barrett Williams II
Jay Warren Williams
Rebecca S. Wilson
Rosemary Hsuen Yeoh
Nancy L. Zisk
Robert Louis Zisk

1984

58 donors

\$30,000 Reunion Class Gift Total

Reunion Co-chairs:

Robert P. Riordan
Robert R. Vieth

Anonymous

Karen Ann Aviles
Diane Marie Barber
Vicki L. Berman
Sol W. Bernstein
Gary Paul Biehn
Michael Francis Burke
Jeffrey Drew Butt
Margaret Carter Callahan
Leslie Wheeler Chervokas
Ronald Louis Claveloux
Gardner Fabian Davis
Brian Lee Dobben
Jonathan Lyman Drake
Barbara Tobin Dubrow
Joseph Davis Fincher
Donald Ray Fitzgerald
Amy Marie Flick
Kurt Wilhelm Florian
Cathy Ann Gay
Duane Michael Geck
Jonathan Andrew Gruver
Ellen Elizabeth Hausler
Mitchell Ira Horowitz
Gary Adamson Jack
Lauren Wood Jones
Gregory Joseph Kerwin
Katharine Lord Klein
Paul Allyn Kramer
Paul Joshua Levenson
Scott David Livingston
David Michael Lockwood
Ellen Gershanov London
Jeffrey Lewis London
Arthur William Mackie
Lee Douglas Mackson
Loren Brian Mark
Pope McCorkle III
George Conrad McFarland Jr.
Karen B. Mozenter
Michael Jay Mozenter
Steven Paul Natko
Steven David Plissey
Briget Mary Polichene
Margaret Jean Reinsch
Cynthia Lynn Rerucha
John Francis Rigney
Robert P. Riordan
R. James Robbins Jr.
John Henry Sokul Jr.
Donald Ray Strickland
Edward Sueta Jr.
Shuji Taura
Kathryn Ann Underhill
Stephen Royle Van Arsdale
Robert R. Vieth
C. Geoffrey Weirich
Elizabeth Blackwell Wright

1985

62 donors

Arthur Howard Adler
Linda Ann Arnsbarger
Amy McCabe Baker
Janet Ward Black
Robert Brooks Carroll
Brian Charles Cary

John William Connolly III
Mark Orth Costley
Tia Lynn Cottey
Alan Morton Cregg
Karen McDade Cutler
Mary Woodbridge deVeer
Joseph Porter Durham Jr.
Caroline E. Emerson
Cassandra Small Franklin
Charna L. Gerstenhaber
Thomas James Gorman
Lynn G. Hawkins
Michael Richard Hemmerich
William Wiley Horton
Arthur J. Howe
Eric Alan Isaacson
Joel Kaufman
Carolyn V. Kent
Anne M. Knickerbocker
Hidefumi Kobayashi
John Mitchell Lambros
Gerald Anthony Lee
David Samuel Liebschutz
Elizabeth H. Liebschutz
James Edward Lilly
George Robert Loxton
Eileen Marie Mallon
Christopher Dabney Mangum
Davia Odell Mazur
Douglas Cowne McAllister
Neil Douglas McFeeley
Dana Whitehead McKee
Pressly McAuley Millen
Siobhan O. Millen
David Edward Mills
William Douglas Morris
James Robert Moxley III
Eric John Murdock
Jeffrey David Nakrin
Jonathan Paul Nason
Nathan Earl Nason
Carol D. Newman
Rebecca Sue Orlich
Marshall David Orson
Alan Bruce Perper
Elizabeth York Schiff
Rachel J. Setear
Kenneth Douglas Sibley
Michael Stephen Smith
Sonja Steptoe
Charles Vuille Stewart
Bellanne M. Toren
Leslie Campbell Tucker III
Paul Richard Van Hook
Darrell Robert Vandusen
Bea Louise Witzleben

1986

58 donors

Paula Marie Anderson
Catherine D. Barshay
Clifford Andrew Barshay
Daniel Bruce Bogart
Karen Lisa Brand
Antonio Brito Braz
John David Briggs Jr.
Rachelle Bromberg
Benjamin Andrew Brown
Kathleen Jean Byrnes
Susan Dana Canter
Michael Cary Castellon
Ellen Soffin Coffey
Ronald Thomas Coleman Jr.
Mark David DeSantis
Brett David Fallon

Ellen K. Fishbein
 Alan Gregg Fishel
 Catherine Slawson Gim
 Larry Eugene Gramlich
 John Francis Grossbauer
 Christy Myers Gudaitis
Elizabeth Anne Gustafson
Mark Daryl Gustafson
 Christopher John Hagan
 Robin G. Hayutin
 Pamela Gronauer Hill
Lindsay Glickman Hollister
 Lyndall Jay Huggler
 Joseph Richard Irvine
 Peter Joseph Juran
Christopher Gerard Kelly
Christopher Mark Kelly
 Frederick Kennedy III
 Kermit Brian Kennedy
 Mary-Elise L. Kennedy
 Kelly Jean Koelker
Alexandra D. Korry
 Lisa Ann Krupicka
 Stephen Arnold Labaton
 Peter B. Lafond
Mary Elizabeth LaFrance
 Cristin C. Lambros
 Jeffrey Taylor Lawyer
 Jessica Essex Lorden
 Stephen Matthew Lynch
 Karen Louise Manos
 Elizabeth Ann Martin
 Francis Joseph Mootz III
 Matthew Talbot Murphy
Robin Panovka
 Thomas William Peterson
 Mark David Reeth
 Robert Allen Scher
 Daniel R. Schnur
 Caren A. Senter
 Jonathan Robert Spencer
 Kristen Larkin Stewart

1987

54 donors

Michael John Andreana
 Amy Merrill Appelbaum
 John Robert Archambault
David Joel Berger
 Axel Bolvig III
 Deborah Dunn Brown
 Richard Ward Brown
 Teresa Clare Buchheit
 Jennifer Nancy Carson
 Steven Jewett Davis
 James Evan Felman
Ross Carey Formell
 James Alec Gelin
 Lawrence Jonathan Goode
 John Forrest Guyot
Susanne Ingeburg Haas
 Karis Alison Hastings
 Eve Noonberg Howard
 Jasper Alan Howard
 Laurence Bryan Isaacson
 Amy Katharine Johnson
 Ross Neil Katchman
 Jeffrey Thomas Kern
 Gordon Stewart Kiesling
 Kevin Michael LeWinter
 David H. Lorig
 Stephanie A. Lucie
 Geraldine Mack
 Gary Edward Mason
 Bart Anton Matanic

Cynthia Ellen Webb Milstead
 Marleen Arleen O'Connor
Wendy Beth Oliver
 Christopher James Petrini
Alice Higdon Prater
Harlan I. Prater IV
 Lindsey A. Rader
 John Randolph Read
 Elizabeth Miller Roesel
Bruce L. Rogers
 Susan Gwin Ruch
 Cheryl F. Ryan
 Junya Sato
A. Daniel Scheinman
 John Francis Sharkey
 Karen Wallach Shelton
 Sherri W. Tatum
 Michael K. Vernier
 Eric Damian Welsh
 Nancy E. Welsh
 Lorraine L. Wilson
 Alan Durrum Wingfield
 Emily O. Wingfield
Yan Xuan

1988

51 donors

Paul Dwight Anderson
 Erik O. Autor
Timothy Andrew Baxter
 Susan L. Beesley
Jay B. Bryan
 Mark Gerard Califano
 Jody Kathaleen Debs
 Mark R. DiOrio
 Martin Eric Edgington
 Margaret Ann Force
 Kodwo Pere Ghartey-Tagoe
 Scott Glabman
Kathleen M. Hamm
Paul Edwin Harner
 George Randolph James
 Emily V. Karr
 Lori Handelsman Killinger
 Daniel Brian King
 Susan Ciferni Kinsella
 Martha Schauer Klinker
William Isaac Kohane
 John Harold Kongable
 Mark Labaton
 David Aaron Leff
 Gary Michael Lisker
 Josiah Charles Trent Lucas
 Mary Kathryn Mandeville
 Linda H. McCown
 David Todd Miller
 Karen Marie Moran
 Kevin G. Mulcahy
Robert J. Nagy
 Theresa A. Newman
 Frank Paiva Jr.
 Mario Alberto Ponce
 John David Prather
 Claire Richards
Gregory James Ruffa
 Lisa Grogan Sams
 Michael Paul Scharf
 Sandra Jean Seaton-Todd
 Tony Yuantao Shaw
Steven R. Shoemate
Michael C. Sholtz
 Terri Lynn Stein
 Amy Leah Wadsworth-Platt
 Michael Sherard Wakefield
 Taylor D. Ward

Susan Kay Weaver
 Jill A. Whitworth
Jiusu Zhao

1989

45 donors

\$19,779 Reunion Class Gift Total

Reunion Co-chairs:

Steven T. Breaux
 Marny Lundy Solazzo

Scott Andrew Arenare
 John Stephen Barge
 Kathleen Westberg Barge
Steven T. Breaux
 Kimberly A. Brown
Brian C. Castello
 Thomas John Falish
 Craig B. Fields
 Kimiko T. Fields
 Deborah Stone Flannery
 Michael Lawrence Flynn
 Andrea B. Goldman
 Michael Grunde
 Jeffery S. Haff
 David Tong Han
 Carol Nell Hardman
 Robert Mont Howard
 Deena Bein Jenab
 John Jenab
 Andrea Lee Lyman
 David Dillion Marshall
 Tanya Martin
Philip Edward McCarthy II
 Albert Thomas Morris
 Eric Keith Moser
 Ann Marie Nader
 Jeffrey Stevens Perlee
 Irene Bruynes Ponce
 Donna L. Primrose-Brown
 Susan Marjorie Prosnitz
 Katherine McKusick Ralston
 Rose Kriger Renberg
 Thaddeus T. Rieger
 Mark Jon Rosenberg
 Russell Edward Ryba
 Marsha Anne Sajer
 Bin-Xue Sang
 Beth Anne Sansiper
 Marny Lundy Solazzo
 John Reed Stark
 Kate Susan Stillman
 Paul K. Sun Jr.
 James Edward Tatum Jr.
Dominique N. Vandeperre
 Danian Zhang

1990

41 donors

John Woodworth Alden Jr.
Mohammed Abdulrahman Al-Sheaihi
Renee Elizabeth Becnel
 Roger Wayne Byrd
Steven Rod Chabinsky
 Bernard H. Chao
 W. Scott Creasman
 John Sabine DeGroot
 Jay Martin Fisher
 Anne Tunstall Fitzgerald
 Peter Robert Franklin
 Michael Scott French
 Caroline Bergwald Gottschalk
 Joel J. Greenwald
 Thomas Andrew Hanusik

Terrill Johnson Harris
 James J. Hoctor
Jonathon Howard Kaplan
 Nicolas Anthony Killen
 Alfred L. Kossmann
 Heather Mackenzie Rawlings
 Audrey LeVine Manicone
 Rebecca Ament Marquigny
 William Walter McCutchen III
Sally J. McDonald
 Michele Anne Mobley
 Donald Merritt Nielsen
 Charles Mark North
 Mark A. Redmiles
 Margaret Faye Rowlett
 Martin Schaefermeier
 Susan Alfred Schechter
 Julie Ann Schejbal
 Julia Stephanie Shields
 Jacqueline Ouzts Shogan
 James Patrick Sutton
Denise Elaine Thorpe
 Rebecca L. Torrey
 Robert A. Van Kirk
 John Faros Wilson
Michele Jordan Woods

1991

47 donors

Amanda Elizabeth Allen
 Calvin Brooks Bennett III
 William Lee Bostleman
 Louis Samuel Citron
 David Tracy Cluxton
 Anne Eldridge Connolly
 Colm F. Connolly
 John Mark Coulson
 Bonnie Freeman Davis
 Charles Santo Detrizio
 Erica Lynn Edwards
 Melissa Mary Engelberth
 Javier Francisco Firpo
 Comrie Barr Flinn
 Takaaki Fujimoto
 Stanley Martin Gibson
 Jennifer Lynn Hays
 Susan L. Heilbronner
 Pamela Lohr Hendrix
 Ting-Ning Zabrina Hsu
 Jane Elizabeth Davis Huff
 Evy M. Jarrett
 Karen Beth Johnson
 Tyler Matthew Johnson
 Aaron Kenan Kann
Ronald James Krotoszynski Jr.
 Gregg Allen Landau
 Joseph Hwan-Yul Lee
 Eric Neil Lieberman
Trent William Ling
 Angela Lykos
 Maureen Gimpel Maley
 Robert Scott Mantell
Barbara Caridad Matthews
 William Joseph Metcalf
 Adam Albert Milani
 Kelly Anne Moore
 Karl G. Nelson
 Kimberly Jo D. Rasevic
 James Stuart Rowe
 Elissa Jill Shendalman
 Amy Beth C. Slutkin
 Andrew George Slutkin
 Carl L. Sollee
 Juraj Strasser
 Jason Frederick Trumbour

Thomas Kjell Wallinder

1992

42 donors

Jennifer B. Arlin
Jennifer Elizabeth Baltimore
Leigh Anne Battersby
Daniel Scott Berman
Karen Ann Bussel Berman
John Jeffrey Bowers
Hans Jozef Brasseler
Samuel Michael Braverman
Jayne Honey Chapman
Kristin Ramsey Clyde
Thomas MacIver Clyde
Jon Edward Cohen
Philip Judson Combs
Marilyn Tiki Dare
Jonathan Micah Fox
John David Gardiner
Monique Garris-Bingham
Michael Ivan Greenberg
Douglas Hsi-Yuan Hsiao
Ann Hubbard
William Stuart Jackson
Neil Anthony Jeffries
Ira S. Kaufman
Robert Espensen Kohn
Dara L. Kretschmer
Deborah R. Kurzweil
Jonathan Gardner Lasley
Lisa Curtis Lochridge
Troy Matthew Lovell
Brendan Francis Macaulay
Maria Eulalia Mascort
Shirley Ann Meyer
Amy Jeanne Meyers
Janet Moore
Sean Patrick Moylan
Jay Brian Must
Leisl Newsome Must
John Douglas Nachmann
Kathleen Huhara Patrick
Margaret Faith Spring
Paul Scott Veidenheimer
Sheryl Ann Wilbon

1993

38 donors

Syed Nadeem Ahmad
Sofie Maria Margaretha Ameloot-Camp
Jeffrey Alan Benson
James Joseph Bergin
Mark Coats Brandenburg
Jacquelyn Michelle Broughton
Jennifer Lisa Buchanan-Machovec
Adam Isaac Cohen
Philip Adam Cooper
Rebecca Anne Denson Nelson
Kelly Capen Douglas
Kira Elizabeth Druyan
Fritz Lee Duda Jr.
Bruce Andrew Elvin
Sara Elizabeth Emley
Catherine Stanton Flanagan
Lawrence Jacob Gould
Lynn Carin Halpern
Mauri Adolf Hamalainen
Estelle Sherry Levine
Frances Sears Lowenfield
Robert Reed Marcus
Michael F. Newbold
Mary Margaret Ogburn
Roxane Frances Reardon

Candice Savin
Alexander Grant Simpson
Timothy Patrick Smith
Jim Odell Stuckey II
Joyce J. Sun
Lodewijk Dirk Van Setten
Jay Garrett Volk
Ilene Tova Weinreich
Keith Eric Wexelblatt
Atsushi Yashiro
Jamie Ann Yavelberg
Jonathan Marc Zeitler
Constantine J. Zepos

1994

43 donors

\$36,304 Reunion Class Gift Total

Reunion Co-chairs:

Paige Tobias Button
Michael Sorrell

Michael William Balfe
Allison F. Beakley
Victoria McElhanev Benedict
Rindala Beydoun
Valerie Yoder Busch
Paige Tobias Button
Gregory Stephen Camp
Elizabeth Johnson Catlin
Lawrence Stewart Fox
Seth Evan Gardner
Charles Vijendra Ghoorah
Reena Naomi Glazer
Randall David Grayson
Willie Holt Johnson III
Leslie Shane Kehoe
Russell Benjamin Killen
Carol Williams Lally
Kevin Michael Lally
Jennifer Vogdes Lange
John Robert Lange
Silvina Leone
Carol Elizabeth Lockwood
Natasha Rath Marcus
David Curtis Nelson
Douglas Bancroft Neu
Jason Griffin New
Jennifer McCracken New
Rosalind Marie Parker
Laura Elizabeth Patrick
Laurie Cooper Putthoff
Elizabeth Hitchins Quigley
Leonard Matthew Quigley
Giordano Rezzonico
Katherine Miller Ringness
Adam Gasser Safwat
Noriyuki Shimoda
Lisa Toth Simpson
Lisa Patterson Sumner
Felicia Street Turner
Thomas Von Ballmoos
Martha Wach
Matthew Ernest Watson
Megan Paige Whitten

1995

32 donors

Anne Micheaux Akwari
Carolyn Guthrie Benne
Mark Richard Busch
Thomas Francis Carey
Angela Maureen Cooper
James A. Davlin V
Helen Irene Dooley

Duane D. Draper
Marc Eumann
Alexander Glashauser
Jonathan A. Gluck
Kensei Kawaguchi
Erika Fisher King
Rachel Elizabeth Kosmal
David Jon Levine
Colleen McMillin McCall
Andrew Edward Miller
Maurine Mills Murtagh
Michael Clement O'Sullivan
Michael James Halloran Pierovich
Alejandro Posadas
Julie Hauschild Richardson
Craig Eugene Sanders
Natalie S. Sanders
Kelly Lynn Sather
Anne Wilhoit Sherley
Frederick Harrison Sherley
John Charlton Shipley Jr.
Mark T. Uyeda
Robert Clarence Vincent III
Brian Matthew Wyatt
Feng Xue

1996

19 donors

Eric T. Andrews
Nalina V. Chinnasami
Jason D'Amico
Amy Elizabeth Davis
Michelle M. Davis
David Mayfield Elliott
Pierre R. Heitzmann
Linda Halliday Martin
Loren M. Montgomery
Gregory M. Mose
Sharon Howland Patton
Catherine Ricks Piwowarski
Amanda Lavington Riley
Michael Ali Samway
Charles Brooke Temple III
Pierre Tourres
Sophia M. van Woensel
Mary K. Newcomer Williams
Peter L. Zwiebach

1997

60 donors

Phillip David Allen
Michelle Rose Apperlrouth
Christopher Perry Beall
Erik L. Belenky
Charles David Broll Jr.
David Andrew Buchsbaum
Paul B. Carberry
Larissa Marie Cochran
Krystilyn Corbett
Dylan David Cors
Wendy Ellen Coven
Anne Elizabeth Katherine Emmert
Stacey R. Friedman
Erin S. Gaddy
Heather Lynn Gaede
Jennifer Gayle Gardner
Matthew Christopher Gaudet
Robert R. Ghoorah
Denise Gough
Derrick Norman David Hansen
John Edward Hinding
Faith Diana Kasparian
Jacqueline Sue Kelley
Matthew Harris Kirtland

Aaron Michael Kitlowski
Brian William Koji
Tommy John Koltis
Geoffrey Rogers Krouse
David Paul Kunstle
Susan Kinz Maggioni
Jose Manuel Martinez
Robert Paul McCarthy
Jennifer Karoline McDannell
Alissa A. Meade
David Harris Morgenstern
Elizabeth Anne Napjus
Natalie Neveux
Patricia Taibo Northrop
Etienne Jean Patrocle
William Francis Porter
Kimberly Jean Potter
Katherine Quigley
Nelson Marlin Reid
Prabha Raja Rollins
Pamela Forrestall Roper
David Michael Rubenstein
Julie Anne Russell
Anirudh D. Sarwal
Brian William Sleigh
Heather Marie Stack
Elizabeth Chandler Stone
Doc Jones Thurston III
Diane Phebe Tso
Brennan Barr Tucker
Lena Dolores Wade
Rashad Wareh
Jillion Stern Weisberg
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This report gratefully acknowledges the generosity of the many alumni and friends who provided vital support to Duke Law School. The Law School operates on a fiscal-year calendar and gifts listed in this report were received between July 1, 1998 and June 30, 1999. Every effort has been made to avoid errors, and we apologize for any that might appear. Please contact us about corrections:

Ann Sundberg
Associate Director of Development & Director of the Annual Fund
 919-613-7217
 919-613-7170 Fax
 888-LAW-ALUM
 sundberg@law.duke.edu

events calendar

EVENTS CALENDAR

fall term 1999

Oct. 7, 1999

Poe Loggia Dedication
Durham, N.C.

Oct. 15, 1999

First Year Student Dinner
Washington Duke Inn, Durham, N.C.

Oct. 15-16, 1999

Board of Visitors Meeting
Durham, N.C.

Oct. 18-19, 1999

Center for Global Capital Markets
"Re-examining Regulation of Capital Markets
for Debt Securities"
Washington, D.C.

Oct. 28-29, 1999

Center on Law, Ethics and National Security
"National Security Law in a Changing World:
The Ninth Annual Review of the Field"
Hotel Washington, Washington, D.C.

Nov. 4-5, 1999

New York City Alumni Event
New York, N.Y.

Nov. 12, 1999

Law School Scholars Dinner
Durham, N.C.

Nov. 12-13, 1999

International Alumni Weekend
Durham, N.C.

Nov. 12-13, 1999

Future Forum/Law Alumni Association Meetings
and Weekend
Durham, N.C.

Nov. 19-20, 1999

Center for Global Capital Markets
Annual Conference
Durham, N.C.

spring term 2000

January 6, 2000

American Association of Law Schools
Annual Meeting
Reception, hosted by David Vaughan '71
Anderson Room, Metropolitan Club, Washington, D.C.

Feb. 25-26, 2000

Siegel Moot Court Competition
Poyner Moot Courtroom, Durham, N.C.

March 3-4, 2000

Open Society Institute Muskie
Fellowship Conference
Durham, N.C.

April 7, 2000

Graduating Class Dinner
Durham, N.C.

save the date

April 14-15, 2000

Law Alumni Weekend
Durham, N.C.

April 12-16, 2000

Institute on Law and Economic Policy
Naples, Fla.

May 13, 2000

Hooding Ceremony
Cameron Indoor Stadium, Durham, N.C.

May 14, 2000

University Commencement Ceremony
Wallace Wade Stadium, Durham, N.C.

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