SMU Dedman School of Law Hosts Supreme Courts Summit
From July 17-19, 2004, more than 15 justices including U.S. Supreme Court Justices Stephen G. Breyer, Ruth Bader Ginsburg, and Sandra Day O’Connor; members of the Court of Justice of the European Communities; and the highest courts of Germany, Poland, Hungary, The Czech Republic, and Great Britain gathered in Oxford, England, to share their views and perceptions on constitutional law.
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Supreme Courts Summit

Years of history flow through the grand room constructed six hundred years ago. The mahogany wood tables glisten with their recent polishing. A breeze blows through the open windows. The talk in the room is lively but purposeful. And it seems that the room will continue to have history made in it as some of the most powerful judges in the world meet to discuss and debate constitutional law.

With Europe's trade barriers falling, currencies merging and courts uniting, the SMU Dedman School of Law and the Dräger Foundation believed it was important to gather justices from the United States and Europe for a discussion of U.S. and European constitutional law.

From July 17-19, 2004, more than 15 justices including U.S. Supreme Court Justices Stephen G. Breyer, Ruth Bader Ginsburg, and Sandra Day O'Connor; members of the Court of Justice of the European Communities; and the highest courts of Germany, Poland, Hungary, The Czech Republic, and Great Britain gathered in Oxford, England, to share their views and perceptions on constitutional law.

In addition, leading academics from the SMU Dedman School of Law, Oxford University, Bonn University, and Munich University participated in the summit, which was sponsored by the SMU Dedman School of Law and the Dräger Foundation, a nonprofit foundation based in Germany that promotes science and research, especially in the field of national and international economic and social order.

"This is a momentous occasion for the law school," Dean John B. Attanasio said. "To work with the Dräger Foundation and be able to organize and participate in a summit with this caliber of people attending is a great honor and experience."

Attendees shared in a number of discussions relating to constitutional law including subsidiarity and federalism, separation of powers, statutory interpretation, and the use of international, comparative, and national law.
Photos clockwise, from top left. Justice Sandra Day O'Connor, her husband John O'Connor, and Dean John Attanasio talk with a SMU Law student.

SMU Dedman School of Law students talk with U.S. Supreme Court Justice Stephen Breyer.

Prof. Dr. Gil Carlos Rodriguez Iglesias, Past President of the European Court of Justice in Luxembourg; U.S. Supreme Court Justice Ruth Bader Ginsburg; Dr. Erin Delaney, a research officer for the EU Constitution Project at the Federal Trust for Education and Research in London, and Sir Jeremy Lever, All Souls College Fellow and Senior Dean at a reception at Magdalen College.

Summit participants and SMU Dedman School of Law students gather together for a group photo before dinner at Oriel College in Oxford.
Photos clockwise, from top left: Dean John B. Attanasio; Prof. Dr. Gil Carlos Rodríguez Iglesias, Past President of the Court of Justice of the European Communities; and The Hon. Dr. Vassilios Skouris, President, Court of Justice of the European Communities in Luxembourg.

The Hon. Prof. Dr. Ninon Colneric, Court of Justice of the European Communities, Luxembourg; Prof. Dr. Attila Harmathy, Judge, Constitutional Court of the Republic of Hungary; and Ndiria Kofele-Kale, Professor of Law, SMU Dedman School of Law.

Prof. Dr. Matthias J. Herdegen, Director, Institute for International Law, University of Bonn, Germany and Prof. Dr. Miroslaw Wyzynkowski, Judge, Polish Constitutional Tribunal, Poland.

Dr. Stefan Talmon, Fellow & Tutor in Law, St. Anne's College — Oxford, United Kingdom; Xuan-Thao N. Nguyen, Professor of Law, SMU Dedman School of Law; Larkland H. Bloom Jr., Professor of Law, SMU Dedman School of Law; Jenia Iositcheva Turner, Assistant Professor, SMU Dedman School of Law.

Prof. Dr. Rudolf Dolzer, Director, Institute for International Law, University of Bonn, Germany; Dr. Ruth Bader Ginsburg, Associate Justice, Supreme Court of the United States; and Richard H. S. Toc, Bonn Fellow and Senior Law Tutor, Oriel College — Oxford, United Kingdom.
Supreme Courts Summit Participants

Dean John B. Attanasio
SMU Dedman School of Law
Chair

Nicholas Barber
Fellow and Tutor in Law
Trinity College - Oxford

Prof. Lackland H. Bloom, Jr.
Professor of Law
SMU Dedman School of Law

Prof. Vernon Bogdanor
Fellow
Brasenose College - Oxford

The Hon. Stephen G. Breyer
Associate Justice
Supreme Court of the United States

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Photos clockwise, from top left. Rudolf Mellinghoff, judge at the Second Senate, Federal Constitutional Court, Germany, and Prof. Dr. Matthias H. Hentdegen, Director, Institute for International Law, University of Bonn, Germany.

John B. Attanasio, Dean and William Hawley Atwell Professor of Constitutional Law, SMU Dedman School of Law, and Prof. Dr. Dietmar H. Feddersen, Attorney at Law, Frankfurt am Main, Member of the Board, Drager Foundation, Germany.

Dr. Jiří Mucha, Judge, Constitutional Court of the Czech Republic with SMU Dedman School of Law students Sarah Kaiser, Dawn Whalen, and Hailey Moon.

The Rt. Hon. Sir Konrad Schemdt, Court of Justice of the European Communities, Luxembourg, with SMU Dedman School of Law student Britt Darwin.

The Hon. Sandra Day O’Connor, Associate Justice, Supreme Court of the United States and The Hon. Dr. Vassilios Skouris, President, Court of Justice of the European Communities, Luxembourg.
Students attending the SMU Dedman School of Law summer program in Oxford also participated by assisting in the coordination of the summit as well as mingling with the justices and professors at various social functions.

“We felt it was very important to give our students the opportunity to meet with some of today’s brightest minds in constitutional law. Hopefully, it was an opportunity they will cherish throughout their lives,” Dean Attanasio said. The students were kept in the dark until the last moment though they were warned to keep their calendars open that week.

“With all of the secrecy behind the event, I expected someone who was very high profile,” said Dedman School of Law student Adrianne Speas ’06. In addition to assisting in the coordination of the Summit, some students were asked to pick up the justices at the airport and take them to Oxford.

“The highlight for me was getting to ride in a taxi-cab with Justice Sandra Day O’Connor. It was so great because I had to run halfway across Oxford in heels in order to get there in time, but it was definitely worth it,” said law student Dawn Whalen ’06.

In addition to closed-door discussion sessions, summit participants were able to enjoy receptions and dinners hosted by several Oxford colleges including All Souls College, University College, Oriel College, Magdalen College, and the Oxford Union.
SMU Dedman School of Law Brings In New Stellar Faculty Members

The SMU Dedman School of Law is proud to announce the addition of two new professors: Shubha Ghosh as Professor of Law specializing in intellectual property, employment, and antitrust issues and Joshua C. Tate as an Assistant Professor of Law specializing in legal history, property, and trusts.

John B. Attanasio, Dean and William Hawley Averill Professor of Constitutional Law is excited about these new faculty members and said "I expect great things from their association with the SMU Dedman School of Law."

"We will be able to build on SMU's offerings of classes concerning intellectual property with the hiring of Shubha Ghosh," said Dean Attanasio. "Professor Ghosh is the author of a casebook on Intellectual Property, chapters in several books, and numerous articles and essays. In addition, he has spoken at faculty-organized IP conferences at Duke, Stanford, Carnegie Mellon, and Toronto. He is well known and respected, and I am delighted that he has joined us at SMU."

Professor Ghosh received his J.D. from Stanford Law School in 1994, after earning his Ph.D. in economics from the University of Michigan in 1988. Before studying at Stanford, he taught economics at the University of Texas.

"There's a lot of overlap between economics and law, and I was doing some consulting down in Austin working with law firms. It was sort of a natural transition," Professor Ghosh said. "I wanted to get into the applied, business aspects of regulation. A lot of what I was doing in economics was regulation."

Prior to coming to SMU, he taught law at Oklahoma City University School of Law, Georgia State University College of Law and SUNY at Buffalo School of Law. Professor Ghosh also served as co-director of the NYSTAR Science and Technology Law center, a joint project of Syracuse Law School and SUNY at Buffalo Law School.

Professor Ghosh has been a visiting scholar at the National Law School of India in Bangalore and a visiting professor at the Dedman School of Law. He has received several Fulbright Research Grants.

Prior to teaching, Professor Ghosh was an international tax associate with Baker & McKenzie in San Francisco and a law clerk with the Hon. John T. Noonan at the United States Court of Appeals for the 9th Circuit. He now looks forward to his future with SMU, and his plans for what he can add to the law school.

"A lot of great stuff is happening at SMU and there's a real push to develop on its strengths in business and international law and develop an intellectual property aspect to the curriculum," he said. "I'd like to develop more of the intellectual property curriculum, especially doing some stuff with international and intellectual property that would involve the LLM students and also doing some of the business aspects of intellectual property."

Professor Ghosh's articles include "Reflections on the
Traditional Knowledge Debate; "Legal Code as Unprotected Expression;" "Globalization, Patents, and Traditional Knowledge;" "Deprivatizing Copyright; Copyright as Privatization; and The Merits of Ownership; or, How I Learned to Stop Worrying and Love Intellectual Property." After completing his teaching obligations at SUNY at Buffalo Law School, Professor Ghosh will join SMU in the fall of 2006 teaching patent law, Internet law, property, torts, and intellectual property.

A Texas native, Joshua Tate has returned to Dallas to teach law at SMU starting in Fall 2005. "It's nice to be back," he says.

Prior to coming to SMU, Professor Tate was a visiting scholar at the University of Colorado Law School and an Irving S. Ribicoff Postgraduate Research Fellow at Yale Law School. His primary research interests are modern trust law, property, and intellectual property.

"Joshua is a promising young scholar," said Dean Attanasio. "He was a Samuel Golieb Fellow in legal history at NYU and clerked for Carlos Lucero of the 10th Circuit."

Professor Tate earned a B.A. from Pomona College in 1996, an M.Phil. from the University of Cambridge in 1997, a J.D. from Yale in 2002, and is expecting to receive his Ph.D. in medieval legal history from Yale in 2006. Professor Tate intended to be a lawyer when he started college, but his interest in history could not be denied.

"I decided that the kind of history I was interested in was legal history," he said. "So I decided that the best way to continue to pursue that interest would be through doing a joint degree program and becoming a law professor."

"SMU is a great place to pursue my scholarship interests. I like the fact that being a faculty member in a law school gives you freedom to pursue whatever kind of scholarship interests you the most as long as it is related to the law and has some value to society." While earning his J.D. at Yale, Professor Tate was an executive editor for both the Yale Law Journal and the Yale Journal of International Law. He also acted as editor for the Yale Journal of Law and the Humanities.

"I have rarely seen this quantity of publication from such a young lawyer," said Dean Attanasio. "He has published several articles as well as several book reviews." Professor Tate's publications include "The Origins of Quare Impedit, Roman and Visigothic Procedural Law in the False Decretals of Pseudo-Isidore," and a "Review of Richard Fentiman, Foreign Law in English Courts: Pleading, Proof and Choice of Law," in the Yale Journal of International Law.

He has written an article about perpetual trusts, and he is currently doing research on modification and termination issues with respect to incentive trusts. Professor Tate has also made presentations on "Perpetual Trusts and the Settlor's Intent" at a number of prominent schools of law including the Yale Legal History Forum and the NYU Legal History Colloquium.

"I'm excited to begin my teaching career at SMU and look forward to working with my new colleagues and students," he said. "I believe that this is a first-rate law school and the best place for me.""This should be a great chance to develop myself in the fields that I'm interested in. I think that the best way to learn something is by explaining it to someone else. So, I think the process of teaching will make me a better scholar."

Professor Tate will be teaching courses in property and wills and trusts.
Last year, the executive committee of the Appellate Judges Conference of the Judicial Division of the American Bar Association (AJC) selected Southern Methodist University's Dedman School of Law as the home of its new Appellate Judges Education Institute (AJEI), a nonprofit organization that will administer the AJC's nationally offered continuing education programs for both state and federal judges and appellate lawyers.

Since 1968, the AJC, a network of more than 800 state and federal judges, has sponsored forums enabling appellate judges and attorneys to learn not only about issues affecting their profession and the day-to-day administration of the nation's courts, but also developments in the law.

"The AJEI conference is unique in that it provides ample opportunity to members of the bench and bar to meet with each other and discuss issues in a collegial atmosphere," said Dean John B. Attanasio, William Hawley Arwell Professor of Constitutional Law.

Craig Enoch '72, President of the AJEI and retired Justice of the Texas Supreme Court, said the Appellate Judges Conference visited a number of top law schools to determine who would host the new headquarters for the AJEI.

"After reviewing schools across the country, SMU was selected for its national academic reputation, its central geographic location and its strong support from SMU Dedman alumni for judicial education," Justice Enoch said.

For its first year, the Appellate Judges Education Institute at SMU presented three simultaneous sessions each individually focusing on chief judges, judges and appellate lawyers from Nov. 12 to Nov. 14, 2004 in Dallas.

"The SMU Dedman School of Law was honored to host the nation's premier institute on appellate judicial education. We have always been an innovator in legal education and were happy to continue this tradition by helping the AJEI meet and exceed its lofty goals," Dean Attanasio said. "There were more than 100 appellate judges and over 100 appellate lawyers in attendance. So, for this conference, we had an ideal ratio of judges to lawyers: a near one-to-one ratio."

"I thought it was a wonderful sendoff for a new program," said Harry T. Lemmon, AJEI Education Committee Chair and former Justice of the Supreme Court of Louisiana. "It's entirely different from what we had been doing before because we had been having seminars that drew from 25-50 judges. Last year and this year, we're having one big one instead of three or four small ones. The one big one last year

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was very successful with over 100 appellate judges and 100 appellate lawyers. I thought it was extremely successful. We got some very good presenters and everyone gave real high marks for just about the whole program."

Harris Hartz, Chair of the Appellate Judges Conference and Judge on the U.S. Court of Appeals for the 10th Circuit said, "I think everyone who was there thought it was a great success. The people who attended felt that it was a very helpful program in two respects. One, the programs themselves, the speakers, the question-answer periods were informative, but also it was an excellent occasion for appellate judges, academics, and practitioners to get together and exchange ideas."

This year, the Appellate Judges Education Institute will be held September 28 to October 1, 2005 in San Francisco, California. There is a lot of excitement about the second annual summit. "The lineup is stellar," said Judge Enoch. "The facilities are excellent, and we're already receiving inquiries about the date and the hotel rooms are filling up."

"SMU wants to be able to continue to keep this same quality of commitment with the AJEI so that they may offer the best quality education to appellate judges and lawyers across the country," said Dean Attanasio. "Our alumni and community contributed heavily to the achievements of the 2004 conference, and I'm sure the 2005 conference will be exceptional as well."

The speakers coming to the 2005 conference are "a big plus," according to Justice Lemmon. He noted that one of the leading stem-cell researchers, Dr. Irving Weissman from Stanford University will be speaking on law and Medicine. The former dean of the Stanford Law School, Kathleen Sullivan, is also on the program.

"We're drawing heavily on California people: Ken Starr, the Dean of Pepperdine is going to be on the program as is Jesse Choper who is the former Dean of Berkeley," Justice Lemmon said.

Other speakers include Kenneth Feinberg, the Special Master for the 9/11 Victim Compensation Fund, who will discuss his experiences and lessons learned from managing and distributing the funds; Peter Neufeld, the co-founder and co-director of the Innocence Project which currently represents hundreds of inmates seeking post-conviction release through DNA testing; and Dennis Archer, former Mayor of Detroit and former president of the ABA.

The 2005 AJEI will offer both joint and separate seminars for appellate lawyers and appellate judges, as well as unique opportunities for informal exchange. Among the events are a presentation on the use of International Law in American courts, an exchange on the topic of what lawyers and judges think of each other, and managing the flood of cases following landmark decisions like *Blakely*.

Plans for the 2006 AJEI conference are already underway. It will be held from November 8 - 12 in Dallas, Texas.
Photos clockwise, from top left: Judge Stephen J. McEwen Jr. of the Pennsylvania Superior Court and Chief Judge Thomas Cane of the Wisconsin Court of Appeals, District III.

Justice Denise Johnson of the Vermont Supreme Court and Judge James A. Wixen Jr. of the North Carolina Court of Appeals.

Chief Judge Chris Armstrong of the Massachusetts Appeals Court; Judge Patrick E. Higginbotham of the U.S. Court of Appeals for the Fifth Circuit; and Dean John B. Attanasio.

Breakout session speakers: (Front Row L-R) Professor Alsabah Y. Al-Hibri, T.C. Williams School of Law, University of Richmond; Dr. Rufus Fearn, University of Oklahoma; (Second Row L-R) Randy Gordon, Gardere Wynne Sewell LLP; Judge Robert H. Henry of the U.S. Court of Appeals, Tenth Circuit; and Dr. J. Donald Capra, Oklahoma Medical Research Foundation; make presentations on the law and its relation to literature, religion, science, and history at the AJEI on Nov. 14, 2005.

Over 125 appellate judges and over 100 appellate attorneys attended the 2004 AJEI Summit at the SMU Dedman School of Law.
New Dean of Student Affairs Hired

The SMU Dedman School of Law is excited to welcome one of its own back to the school to serve its students. Martin L. Camp '79 has not been a stranger to this school having served as an adjunct professor teaching land use law and real estate.

"I am so pleased that Martin Camp will be joining us as Assistant Dean for Student Affairs," said Dean John B. Attanasio, William Hawley Atwell Professor of Constitutional Law. "Martin graduated cum laude and Order of the Coif from this law school where he was a Hatton Summers Scholar and a member of the SMU Law Review."

Camp has a philosophical approach to why he wanted to become the Assistant Dean of Student Affairs: "You make a commitment when you become a Summers Scholar. You're chosen, obviously you need to have good grades and a good LSAT, but also, there's something in your background that demonstrates a commitment to public service. At this juncture in my life, it's as if this is a chance for me now to give back and to do something for the school that has done so much for me."

"To me, having the opportunity to come back to my alma mater as the Dean of Students is, in a lot of ways, completing a circle. It's a continuation of a lot of things I've done in my life," Camp said.

Growing up in Tyler, Texas, Camp came from a family where a high school diploma was a rarity, much less a college degree or legal education. But, he strove to become a leader and thought about how young people can make a difference in the world.

"Probably the reason I became a lawyer was because some of my mentors in the youth programs I was involved with were lawyers, and it seemed like lawyers were looked up to in the community," Camp said. "People always seemed to gravitate toward the lawyers and ask them to take positions of responsibility, and I thought, that's the type of person I would like to be."

In his successful professional career, Camp spent time mentoring young lawyers and serving on recruiting committees. He specialized in the areas of corporate acquisition and disposition, corporate real estate and general real estate law with Hughes & Luce from 1979—1984 and Jones Day from 1984—2005 in both Dallas and Austin. While in Austin, Camp taught real estate transactions and land use law as an adjunct professor of law at the University of Texas School of Law.

From 1993 until 1996, Camp served as the partner resident in Kuwait for Jones Day. He was involved in assisting various Kuwaiti companies and the Government of Jordan in a variety of international matters resulting from the first Gulf War. After working in Kuwait, Camp returned to Dallas to continue his work with Jones Day.

For about the last six years, Camp was the New Associates Coordinator for the Dallas office of Jones Day, directing the training and assimilation of new lawyers into the firm. He continued to be part of the recruiting committee, interviewing and evaluating law students for summer and permanent positions.

"Looking back on different leaders in my past, it became apparent to me that I needed to give back," Camp said. "And so, all throughout my legal career, I've been involved with younger lawyers."

Camp's role as Assistant Dean of Students focuses on coordinating efforts of the student organizations, law reviews & journals; coordinating with the Senior Associate Dean for Academics, Professor Roy Anderson, on course schedules and ABA compliance; coordinating with Karen Sargent in assisting students with career issues; and dealing with disciplinary actions and academic probation. As this is his first foray into academia, Camp anticipates a big learning curve, but adds "That doesn't bother me. Over the course of my legal career, I have had to face many challenges and to master various practice areas. It's something I like doing."
a Successful First Year

The midnight oil is burning in Florence Hall. For the first time in over 30 years, the SMU Dedman School of Law has an evening program. The 86 individuals who entered the program last fall are now one year closer to earning their J.D.
The caliber of the students impressed even their professors who found themselves teaching in a class where 40 percent hold graduate degrees, including two who have Ph.D.s from M.I.T.

"These are exemplary students and career professionals," Dean John B. Attanasio, William Hawley Arwell Professor of Constitutional Law said. "You realize that they have re-organized their schedules and sacrificed time with their families and from their careers to fulfill a desire to study law." The evening students average 10 years of work experience each in fields ranging from education to TV reporting.

Many of the students now enrolled had a desire to study law earlier in their life but tabled the idea of law school until hearing about SMU's evening program. Now, they say they are grateful for the chance to continue to work, support families, and take classes. The evening program students say they are impressed with the quality of the education they are receiving at SMU and that they have enjoyed the camaraderie of their classmates.

"Our current evening students are very enthusiastic about the program and some have even volunteered their time to speak with prospective evening students," said Virginia Keehan '00, Assistant Dean for Admissions.

Current evening student Brad Johnson, who spent 24 years in the Navy and now works as a legal assistant, said "It's a really impressive bunch of people. It's a fun group of people. I'm having fun. I'm too old to do stuff that isn't fun." For Johnson, attending school while working is the only way to earn his J.D.

"I can't afford to be a full time student, but the evening program worked just perfect for me. It fits in with my time schedule. Everything just fell right into place for me," he said.

With an average age of 32, members of the evening program paint themselves as somewhat older and wiser than the day students. Teresa Martin, an evening student with a background in marketing said, "We have a lot of other things to share like politics, business, and our collective experiences outside of school." Martin works full-time, goes to school at night, and still finds time to run marathons and triathlons.

"I found that the evening program, for me, is well paced. I have time to do all the other things I want to do," she said.

Time is a significant factor for nearly all the evening program students. Many students, like Ijeoma Nkcle, are married with children, work full time, and take classes.

"I really appreciate the fact that SMU thought enough about people in my situation to offer a program like this in the evening," said Nkcle, who works as an architect project manager for the City of Allen. "I always thought about going to study law but never knew how I was going to do it. So eventually SMU's evening program came about and I jumped on it."

Martin, Nkcle, and Johnson all spoke highly of the quality of their professors. "I think it's certainly indicative to me of the support that the school has for the evening program..."
in terms of professors. We’re certainly getting the A team,” Johnson said.

Civil Procedure for the evening program was taught by William Dorsaneo, Chief Justice John and Lena Hickman Distinguished Faculty Fellow and Professor of Law. Professor Dorsaneo is the principal author of the twenty-six volume *Texas Litigation Guide* and co-author of the five-volume *Texas Civil Trial Guide*, as well as three casebooks and several other volumes on Texas litigation. He is one of the leading professors on appellate practice in the country.

“I was very impressed with the quality of the students who enrolled in the evening program,” Professor Dorsaneo said. “For the most part, they were well prepared and very able. Several of them performed as well as any students I have had in my Civil Procedure classes at SMU over the last thirty years. On balance, reinstating the program turned out to be a very good idea.”

Roy Anderson ’69, Senior Associate Dean for Academics and Vinson & Elkins Distinguished Teaching Fellow and Professor of Law, taught contracts for the evening program. Starting the evening program was a “no-brainer issue” for him. Since the community, Dean Atamanos, SMU President Turner, and trustees wanted the evening program reinstated, Professor Anderson’s concern was “just a matter of how can we do it and do it well.” Even though some fine tuning had to be made, the evening program has gotten off to a great start.

“I can’t imagine the first year having gone better mainly because it’s just an extraordinary class of people. They bring years of life experience, and when you’re teaching something like contracts or commercial law, what they have to add to the discussion is just extraordinary.”

—Professor Roy Anderson

that she can be flexible with us and help us out,” he said.

When asked about the future of the evening program Melton joked, “I think we’re going to take over!”

Career services is working with both legal employers and the students to make sure they receive the same prospects as the day students.

“We are taking every opportunity to tell legal employers about the amazing talent and wealth of work experience of students enrolled in the evening program,” said Karen Sargent ’79, Assistant Dean and Director of Career Services. “We are taking the time to get to know each student in the evening program individually, so that we will be poised to help the students who want to transition into a legal career when the first evening program class graduates in 2008.”

The SMU Dedman School of Law is hosting several information sessions throughout the fall for those interested in learning more about the Evening Law Program. For more information, contact the office of admissions at (888) 738-5291 or lawadmit@smu.edu.
SMU Dedman School of Law Career Services: New Location, New Staff and New Services

With a new location, new staff and new services, the Office of Career Services has worked to restructure and deliver services to students and alumni more efficiently during the past year.

"We have specifically focused on making things easier for our alumni and taking better advantage of Internet technology," said Karen Sargent '79, Assistant Dean and Director of the Office of Career Services. "We are now allowing firms that are interested in hiring our students to directly post jobs through our websites, as well as continuing to offer our previous services including the online alumni job bank and our online resume reviewing service."

With the re-institution of the Evening Law Program, the Office of Career Services recognized that Evening Program students have different backgrounds than Day Program students. This prompted the hiring of an Associate Director of the Evening Program, and Jennifer Harman '01 was added as Associate Director of the Day Program. The increased staffing allows for more focused and individualized counseling for students in both programs.

"We want students to have a personal contact and consistent career counseling," Sargent said. "The students in the two programs may have different needs or career paths that can best be addressed by different counselors, each of whom has more specialized knowledge relevant to successfully advising each group."

For the Evening Program students, the Office of Career Services is working to inform legal employers about the high caliber of students and to structure alternative ways for Evening Program students to gain legal experience while they are in law school.

"We are very grateful that some of the larger, prestigious firms have taken the lead to hire some of our Evening Program students to work in alternative clerkship arrangements," Sargent said.

In an effort to cater to the law students' different interests, the Office of Career Services organized and presented twenty-six programs during the past year. Some programs were held multiple times so that both Day and Evening Program students could attend. Attorney panels discussed interviewing strategies, judicial clerkships and preparing for summer clerkships. The Dallas Association of Young Lawyers also presented programs, and there was an interactive program on networking. Popular programs are taped and can be accessed through the Career Center website for viewing online.

The growing availability and diversity of career counseling and programs may have contributed to the recent increase in placement percentages for the class of 2004. Six to nine months after graduation, 95.88 percent of the 281 graduates were employed, compared to a national percentage of 88.9 percent, according to the placement statistics compiled by the SMU Dedman School of Law Office of Career Services and the National Association of Law Placement 2004 National Summary Report.

"The legal employment market is still recovering in Dallas and regionally, so we are extremely happy with this overall placement rate," she said. "Not surprisingly, 86 percent of the graduates chose to remain in Texas, with 74 percent staying in the DFW area," Sargent said. Eleven 2004 class members went to work in post-graduate judicial clerkships.

The median starting salary was $85,000 for graduates entering private practice compared to a national median of $77,000. The median starting salary for all employed graduates in every sector — private practice, business, government, public interest and academia — increased from $65,000 in 2003 to $72,000 in 2004.

For the 2005-2006 academic year, the Fall On-Campus Recruitment program kicks off with Early Interview Day on Saturday, Sept. 10 and continues for the next two weeks.
There is once again a place to get a fresh hot meal in the law quad, the Godwin Gruber Dining Hall at the Godwin Gruber Lawyers Inn, thanks to a generous gift from the law firm of Godwin Gruber, LLP.

"The needs of the law school have evolved with the reinatement of the evening program and the need again for a dining hall," said SMU President R. Gerald Turner. Evening students typically work full days then arrive on campus with little time to eat dinner before class begins.

In addition to the Godwin Gruber Dining Hall, the first floor of Carr Collins Hall was named the Godwin Gruber Lawyers Inn in honor of the firm's contribution. From 1951 to 1993, the building served as a dorm and dining hall before it was converted into administrative offices. It has now been modified again to be a place where students can eat and congregate.

"The Godwin Gruber dining hall provides a wonderful opportunity for students to grab a bite before heading off to class and to have a nice, very comfortable place to read, study, and meet and visit with other law students, thus helping us to ensure a greater sense of community among our students," said Dean John B. Attanasio.

The dining hall is constructed with beautiful cherry wood and granite countertops. It is capable of seating over 100 people and has a separate room to hold private events. Sheffield Architects of Fort Worth and contractor Ross Allison designed the facility to be impressive yet comfortable.

"The Fort Worth firm of Sheffield Architects and contractor Ross Allison have come through again by using wonderful design features to create a space of beauty and elegance, and also one of functionality where law students can dine, study and hold meetings while remaining on campus," said Godwin Gruber CEO Michael Gruber '80. Crescent Catering provides the meals, currently serving lunch and dinner with plans to also be open for breakfast.
"The Godwin Gruber Dining Hall will be open to the entire SMU community, alumni, and friends; so when you are in the area, please stop by and dine with us," said Dean Attanasio. President Turner and Dean Attanasio both expressed deep gratitude to the firm of Godwin Gruber for this extraordinary gift to the campus.

"Speaking as alumni, SMU and Dedman School of Law have contributed so much to our future and our community," said Godwin Gruber Chairman of the Board Don Godwin '73. "We are grateful to be in a position that enables us to give something back to this institution. Not only is this school our alma mater and the alma mater of many of the attorneys at Godwin Gruber, it is one of the country's premier learning institutions and we are proud of our continued affiliation."

Besides large tables at which both day and evening students can eat and study, the Godwin Gruber Lawyers Inn features arm chairs and other comfortable areas to sit and read or converse with other students.

"The Lawyers Inn is so convenient for all law students. It will be an asset on campus since a dining hall is something students have wanted for a while now. I think it will also be attractive to prospective students," said law student Kimberly Sellers '07. The Godwin Gruber Dining Hall and Lawyers Inn opened with a dedication and reception on March 31, 2005, welcoming students, faculty, staff and Godwin Gruber associates.

"We sure hope they realize how much better this Inn is than what was available in our day," Gruber said.

The SMU Dedman School of Law dedicated the Godwin Gruber Lawyers Inn and Dining Hall on March 31, 2005. Pictured L-R: SMU President R. Gerald Turner, Godwin Gruber Managing Partner Darrell Jordan '66, Carmen Godwin, Godwin Gruber Director of Marketing Natalie Godwin, Diane Gruber, Godwin Gruber CEO Michael Gruber '80, Dean John B. Attanasio, and SMU Vice President for Development and External Affairs Arne Christi. The SMU Dedman School of Law dedicated the Godwin Gruber Lawyers Inn and Dining Hall on March 31, 2005. Pictured L-R: SMU President R. Gerald Turner, Godwin Gruber Managing Partner Darrell Jordan '66, Carmen Godwin, Godwin Gruber Director of Marketing Natalie Godwin, Diane Gruber, Godwin Gruber CEO Michael Gruber '80, Dean John B. Attanasio, and SMU Vice President for Development and External Affairs Arne Christi. The SMU Dedman School of Law dedicated the Godwin Gruber Lawyers Inn and Dining Hall on March 31, 2005. Pictured L-R: SMU President R. Gerald Turner, Godwin Gruber Managing Partner Darrell Jordan '66, Carmen Godwin, Godwin Gruber Director of Marketing Natalie Godwin, Diane Gruber, Godwin Gruber CEO Michael Gruber '80, Dean John B. Attanasio, and SMU Vice President for Development and External Affairs Arne Christi.
The SMU Dedman School of Law and the Greater China Area:
A Long History & A Bright Future

The great global challenge – but also opportunity – facing our world over the coming two decades will be how the economic growth and political linkages (formal and informal) play out within the Great China Area (that is, the People’s Republic of China-Mainland, Hong Kong SAR, and Taiwan).

Will this Area be able to maintain sustainable economic growth for the economic and social betterment of over 1.5 billion Chinese? Will this Area be able to arrive at and maintain a viable political accommodation between the PRC and Taiwan? (The Mainland, Hong Kong and Macao have already done so). Will the Great China Area prove to be a dynamic and constructive economic, monetary and political force for the betterment of the Asian Region, for the United States and for the world?

“The stakes are indeed very high for everyone,” said SMU Dedman School of Law Dean John B. Attanasio, upon return from one of his regular decanal visits to the Great China Area.

As further observed by SMU Law Professor Xuan-Thao Nguyen who just returned from delivering a series of lectures on global developments in information technology to the main law faculties in Shanghai and Beijing: “The growth and changes that are occurring in China are visibly staggering; but what is even more staggering and pleasantly surprising is the voracious appetite for knowledge by its academics, governmental policymakers and practitioners. I do not know of any society today that is more into the Internet and modern technology and that is more interested in what is economically and legally occurring in other societies than the Chinese.”

Yet, Professor Christopher Hanna, who heads up the SMU Dedman School of Law’s Pacific Rim Institute and international taxation efforts, comments: “What we Americans often tend to forget is that our country, when compared to China, has a very young history. The Chinese culture and history is truly one of the oldest and greatest ones in human annals. As such, the Chinese maintain their own long-term historical perspectives.”

Professor Joseph Norton, who has long experience dealing with the Great China Area, adds: “The Chinese, indeed, are most anxious to absorb as much as they can from the outside, but they maintain the cultural propriety and confidence to most always want to seek a solution ‘with Chinese characteristics’. Also, the Chinese are a cautious people: as the saying of the late leader Deng Xiao-ping goes: one should cross the river feeling one stone at a time. This is exactly what the PRC is doing with its economic liberalization, societal reforms and with its monetary position.”

The SMU Dedman School of Law’s special relationship with the Great China Area goes back to the beginnings of the School’s international programs over 50 years ago.

For example, in the early 1950s, the Law School established a relationship with Soochow University Law School Faculty in Taiwan, involving faculty exchanges and bringing students into our LL.M. and S.J.D. programs. As a result, a prominent SMU Alumni Association exists in Taiwan today, comprising many of the leading government officials, academicians, business-people and lawyers.

With a foundation established, many programs were implemented over the past 50 years to continue to build the law school’s relationship with the Greater China Area. One such program is the Tax Training Institute for Taiwanese government officials, which was set up by SMU Dedman School of Law Professor Henry Lischer and the tax faculty and is still running today. Professor Joseph Norton also served as a visiting professor at Soochow Law School and assisted in the amendment of the Taiwanese Securities Laws.

In 1980, Professor Shiao-Ming Shen entered the LL.M. program at the law school and was the first PRC postgraduate law student to study in the United States. She returned regularly to SMU as a visiting law professor, teaching specialized seminars concerning issues of doing business in China and on the Chinese legal system. Also in the 1980s, SMU Law Dean Jeswald Salacuse and Sir Joseph Gold, general counsel of the IMF, visited a number of law schools and institutes in China, establishing numerous long-term contacts. Professor Norton visited China during this time to deliver the inaugural China lecture.
deliver a series of lectures on international business law and the importance of a rule of law based society at over a dozen Chinese law faculties and to various government agencies. As a result of these efforts, the SMU Dedman School of Law has hosted numerous groups of distinguished Chinese judicial and academic officials and hosted various special lectures by officials such as Professor Gao Shangquan, one of the country’s leading economists, and Professor Wu Ziphan, vice president of the University of Peking. After a year-long visit to SMU, Professor Deng, former dean of the Fudan Law Faculty, introduced the first international banking law course in China. The current vice president of Shanghai University of Finance and Economics completed his Ph.D while visiting the law school.

Each year, four full LL.M. scholarships (including board and stipend) are awarded to highly qualified PRC students. These scholarships are given by Dr. Helmut Sohmen ’66, an LL.M. graduate and successful Hong Kong businessman.

The faculty continues to visit and lecture extensively in the Great China Area. Professor Norton served as the Vice Chancellor’s Distinguished Professor of Law at the University of Hong Kong and in 2001 was awarded an honorary LL.D degree from the University of Hong Kong for his work on financial sector law reform in emerging economies. He represented SMU and delivered a lecture at the University of Peking’s 100th anniversary celebration where SMU was only one of four American law schools invited.

Over the past seven years, Dean Attanasio has visited numerous law faculties, judicial officials and law societies, delivering a variety of lectures on U.S. and comparative constitutional law topics.

In September 2004, the Sohmen Foundation sponsored a visit of high-ranking officials from the China Law Society and People’s Supreme Court to Washington, D.C. and Dallas. Dean Attanasio, Lee Shepps ’65 and Professor Shiao-Ming Shen ’81 organized meetings with the Supreme Court of the United States, the Senate and other officials in the judiciary, government and academia. Professor Liu Songshan, a member of the delegation delivered a lecture at the law school on the development of constitutional changes and legal reforms in China.

In May 2005, the law school co-sponsored a major international conference with Shanghai University of Finance and Economics and the Asian Development Bank on “Law, Culture and Financial Sector Development.” Professors Norton, Nguyen and Marc Steinberg delivered papers at the conference in Shanghai. Professor Steinberg also delivered the Hastings Distinguished Lecture at the University of Hong Kong and made a presentation on the U.S. Sarbanes-Oxley legislation to the senior officials and staff of the Hong Kong Securities and Finance Commission.

“I am confident that the SMU Dedman Law School will maintain and further enhance its special relationship within the Greater China Area and elsewhere in Asia,” Dean Attanasio said. On this later point, he notes the special interests and connections which Professor Hanna has with Japan (where he has recently served as a Visiting Professor at the University of Tokyo), Professor Nguyen with Vietnam (where she has recently delivered a series of lectures for Vietnamese Law School and government officials) and Professor Ghosh who maintains strong contacts on the Indian Subcontinent.
Dean Charles O. Galvin

Scholar – Educator – Friend

A cherished former dean of the SMU Dedman School of Law, Charles O. Galvin, received the award of Doctor of Laws Honoris Causa from Southern Methodist University, at the May 14, 2005 university commencement ceremony.

Dean Galvin is the longest-serving dean the law school has seen, giving 15 years to the school and playing a major role in the school's rise in national and international prominence. Dean Galvin was also responsible for significant improvements in the school's academic programs and facilities during his tenure from 1963 to 1978. One of the most recognizable improvements that occurred during the Galvin era was the construction of the Underwood Law Library. At the time of the library's completion in 1971, it was second in building size only to the Harvard Law Library.

Dean Galvin also strengthened the school's international dimensions through faculty appointments and the expansion of the international graduate program. He enlarged the faculty, improved the credentials of entering students, reformed the law school curriculum and improved law school funding. To benefit the students, he installed a chapter of the Order of the Coif and worked with Judge Alfred P. Murrah and Mr. J. Cleo Thompson in establishing the annual academic scholarships sponsored by the Hatton W. Sumners Foundation. Because of these accomplishments and the mark Dean Galvin left not only on the law school but SMU, he was awarded an honorary doctorate by SMU.

It is a tradition at SMU that when an individual receives an honorary degree, an academic symposium is held in honor of the recipient. Dean Galvin, a distinguished scholar of tax law, was honored at the Dedman School of Law on April 15, 2005 with a symposium on recent developments in professional responsibility and federal tax law. Current Dean John B. Attanasio, William Hawley Atwell Professor of Constitutional Law at SMU, noted the irony of holding a tax symposium on the 15th of April.

"Most of us would rather forget about taxes today and certainly find it difficult to talk about taxes in an academic manner," Dean Attanasio said. "Charlie, it's a tribute to you..."
June 3, 2005

To: All alumni, faculty, and friends of the Dedman Law School
From: Charles O. Galvin

On Friday, April 15, 2005, the Law School presented a symposium and reception in my honor on the occasion of my receiving an honorary Doctor of Laws degree from the University.

There is no way that I can respond personally to all the courtesies, greetings, and well-wishes I received before, during and after the occasion. Therefore, please accept my thanks to all for your kindness.

Some of you may know that not long after the reception I spent over a month in the hospital trying to recover from a serious heel infection which has required a very slow recovery period.

Thanks again and good luck to all.

Charles Galvin
SMU's Dedman School of Law paid tribute to the achievements of its 2004-2005 Distinguished Alumni on February 5, 2005 at the Fairmont Hotel in Dallas. Pictured L-R: SMU President R. Gerald Turner, Dawn E. Moore '81, Captain Glen N. Gonzalez '74, James "Blackie" Holmes III '59, Darrell E. Jordan '64, Nancy McMillan Dedman, Richard M. Hull '64, Judge Richard A. Schell '75, Chairman of the Selection Committee Albon O. Head Jr. '71, Dean John B. Attanasio.
The Charles O. Galvin Award for Service to the SMU Dedman School of Law

DARRELL E. JORDAN '64

The Charles O. Galvin Award for Service recognizes continued loyalty and dedication to the SMU Dedman School of Law.

This year's recipient, Darrell Jordan, is managing partner of the Dallas firm of Godwin Gruber where he represents clients in the areas of commercial litigation, antitrust, and banking. Jordan received his B.A. at The University of Texas and his law degree at SMU in 1964.

"Charles Galvin was the dean of the law school while I was a student. He is a good friend of mine and he certainly is a role model to so many people, and to receive an honor that bears his name is especially meaningful to me," Jordan said of the award.

In his acceptance speech, Jordan also reflected on how the practice of law is a high calling.

"I believe that being a lawyer is a privilege, a privilege that must be earned every day. The best lawyers are those who see practicing law as a service," he said. Jordan has remained very active at his alma mater. He has been a member of the SMU Dedman School of Law's Executive Board since 1991 and a member of the SMU Council for Excellence in the Study of Law since 1986, which he chaired from 1994 to 1996. He also serves on the Dean's Roundtable for the SMU Perkins School of Theology. Even with all his support of SMU, Jordan remains modest.

"The truth of the matter is that I owe SMU Dedman School of Law far more than I can ever repay. It's an honor to be associated with Dedman School of Law," Jordan remarked.

Jordan has given many years of service to the bar. He served on the Board of the Dallas Bar Association for six years before becoming its president in 1982 and also was president of the State Bar of Texas in 1989. In the American Bar Association, he served on the House of Delegates, the Board of Governors, the Executive Committee and chaired the Operations Committee.

Jordan has received numerous awards for service, including the President's Award and the Presidential Citation from the State Bar of Texas, the Equal Justice Award from Legal Services of North Texas, Outstanding Pro Bono Attorneys' Award from the Dallas Bar Association, the Justinian Award from the Dallas Lawyers Auxiliary, and the Harold Kleinman Award from the Texas Equal Access to Justice Foundation. He was recognized on many occasions for his outstanding work in the successful defense of the constitutionality of the Texas Interest on Lawyers Trust Accounts (IOLTA) program, which generates funds used to enhance legal services for the poor.

"The best lawyers are defined by their humanity, their character, their professionalism," Jordan said. "Lawyers are the reason that our justice system works and make possible the fact that the rule of law undergirds our representative democracy in America. SMU Dedman School of Law is turning out young lawyers all the time who fit that mold. And that's why, for me, it is so special and I am so proud of my long-term association with that law school."

"Past recipient of the Distinguished Alumni Award Don Godwin '73 and Mike Gruber '81 congratulate Darrell Jordan '64 after the awards presentation."
The Distinguished Alumni Award for Public Service
RICHARD M. HULL '64

Richard Hull has been an active practitioner in Dallas and New York for more than 40 years, specializing in corporate and business law. Hull also has extensive experience in managing turnaround transactions and in acting as a judicially appointed receiver. During the 1990s, he managed the turnaround of the LBJ Holding Company for the Lyndon Johnson Family—serving as CEO and a member of the Board of Directors. He is also a leader and active participant in legal and educational volunteer efforts and is a co-founder of the Dallas Volunteer Attorney Program, which provides legal services to the poor.

“We know that the justice system cannot work unless it’s available to all, rich or poor. We must make our services available to the less fortunate,” Hull said in a speech that highlighted respect for others’ rights and where the lawyer fits in society.

Hull graduated from SMU with a B.A. degree in 1962 and a J.D. in 1964. Upon his law school graduation, Hull received the highest grade for that year on the Texas Bar examination and was thereby selected to deliver his colleagues’ acceptance response to the Texas Supreme Court at the swearing-in ceremony in Austin, Texas. Hull then departed for Wall Street for several years before returning to Texas.

One of Hull’s greatest contributions to public service is his work on the Dallas Volunteer Attorney Program. Named the Most Outstanding Pro Bono Program by both the State Bar of Texas and the American Bar Association, this program is now the leading model in the nation for cooperative efforts of private lawyer volunteers and professional poverty lawyers. In 1999, the Dallas Bar Association gave Hull its Lifetime Achievement Award for his work in bringing legal services to the poor.

Hull has been active in other volunteer programs, both at the local and the state level. He and the Honorable Jerry Buchmeyer chaired the Dallas Bar Association Immigration Amnesty Task Force.

Hull has also served on the boards of various private elementary schools. He and his son, Richard, developed the Richard M. Hull Family Scholarship at Jesuit College Preparatory School of Dallas.

Hull began and ended his speech by saying, “Thank you for permitting me to serve you.”

The Distinguished Global Alumni Award
DR. MOHAMED ABOUL-ENEIN '67

Dr. Mohamed Aboul-Enein is currently the Director of the Cairo Regional Centre for International Commercial Arbitration, which offers both Asian and African countries specialized services to help settle trade and investment disputes by promoting fair operations of expeditious and economical procedures. In addition, he is Constitutional Advisor to the People’s Assembly (Parliament) in Egypt and a Professor of Law at Cairo University.

Born in Egypt, Aboul-Enein received his law degree from Cairo University and his LL.M. from the University of California Berkeley. In 1967, Aboul-Enein became the first doctoral degree candidate to receive his S.J.D. from the SMU Dedman School of Law.

Prior to his current positions, Aboul-Enein was Senior Vice President of the Supreme Constitutional Court of Egypt. He has also served as a Member of the Egyptian Judiciary and a Justice of the Supreme Constitutional Court of Egypt. He was a Professor of Constitutional Law and...
Public Finance at Algeria University, a Visiting Scholar at the Harvard School of Law and a Visiting Professor at the King Fahd University of Petroleum and Minerals in Saudi Arabia.

Aboul-Enein serves as Vice President of the International Federation of Commercial Arbitration Institutions (IFCAI), comprising 85 international arbitral institutions, and as Chairman of the IFCAI Institutional Section. In 1997, he was elected Secretary General of the Union of Arab Arbitration Centers. He is also Vice President of the London Court of International Arbitration, Vice President of the Egyptian Branch of the International Law Association, and Member of the Board of Trustees of the Chartered Institute of Arbitrators.

Aboul-Enein was not present at the ceremony, but his award was presented to him by Dean Attanasio on June 18 in Cairo, Egypt.

The Distinguished Alumni Award for Corporate Service
DAWN E. MOORE '81

Dawn Moore is president and chief executive officer of Allegiance Title Company, a provider of real estate title insurance and escrow services. Moore founded Allegiance Title in 1995 and it has grown into one of the largest independent real estate title insurance agencies in Texas. In 2003, First American Corporation acquired Allegiance Title Company and retained Moore to lead the organization. Allegiance currently has eleven DFW metroplex office locations, two Houston office locations and plans to expand into other Texas cities in the near future.

"The law school opened doors for me and all I had to do was walk through," Moore noted in a lively speech. She graduated magna cum laude from SMU with a B.S. degree in economics in 1978 and received her SMU law degree with honors in 1981.

Continuing to stay active with her alma mater since graduation, she currently serves on the SMU Alumni Board of Directors. She chaired the SMU Dedman School of Law Dallas Alumni Association and served a term as president of the SMU Law Alumni Council. This fall she will serve as chair of the SMU Distinguished Alumni Awards Banquet.

"My SMU Law experience was tremendous," she said. "SMU continues to be a tremendous resource for me providing outstanding lecture series, hosting seminars on issues relevant to my field, creating a pool of talented hires, and giving me a way to give back to my alma mater."

Moore is also active outside of SMU. In 1998, Governor George Bush appointed Moore to serve as Chair of the Texas State Affordable Housing Corporation. She is a member of the Texas Real Estate Commission's Broker/Lawyer Committee, the Board of Directors of the Texas Land Title Association and serves as a foundation trustee for University Park United Methodist Church. Moore also teaches continuing education courses for realtors, escrow officers and title attorneys.

Most recently, she served as chair of the Board of Interfaith Housing Coalition, which provides transitional housing, training and support services for Dallas-area homeless families. She is a former board member of Dallas Habitat for Humanity and received the organization's Spirit Award for Volunteer Service.

The Distinguished Alumni Award for Private Practice
JAMES H. "BLACKIE" HOLMES III '59

James "Blackie" Holmes has been practicing law since 1962 with Burford & Ryburn L.L.P. where he focuses primarily on civil litigation. He received a B.B.A. in 1957 and a J.L.B. in 1959 from SMU. Following graduation, he served in the U.S. Air Force Judge Advocate General's Corps until 1962.

"To have one's name associated with those of prior recipients is an unparalleled honor," Holmes said.

He has received numerous awards in his career, including the Presidential Citation from the State Bar of Texas; the Dallas and Texas chapters of the American Board of Trial Advocates' 2004 Texas Trial Lawyer of the Year Award; the 1999 Professionalism Award from the College of the State
Bar of Texas; the 2000 Morris Harrell Professionalism Award, presented by the Texas Center for Legal Ethics and Professionalism and the Dallas Bar Association; the State Bar of Texas' Judge Sam William's Local Bar Leadership Award; and the Texas Bar Foundation's 2002 Lola Wright Foundation Award. Holmes attributes his education to many of these accomplishments.

"I fully recognize it was the education and precepts received at the SMU Law School that formed the foundation of my being able to stand at this dais tonight. I know that I received my education at the best institution," he added.

He is a Fellow of the American College of Trial Lawyers, Texas Bar Foundation, Dallas Bar Foundation and the Center for American and International Law (formerly the Southwestern Legal Foundation). He is a Master Emeritus of the American Inns of Court. He was also chosen to work as Co-Chair of the Texas Supreme Court Advisory Committee on Professionalism which promulgated The Texas Lawyer's Creed.

He is a member and a former board member of The M Association (SMU Lettermen). Holmes is past president of the Dallas Chapter of the American Board of Trial Advocates. In addition, he has served as State Chairman for the Defense Research Institute, president of the Texas Association of Defense Counsel and Chairman of the Dallas Association of Defense Counsel.

Holmes has served the University Park community as a City Councillman and Mayor Pro Tem. Recently, he was elected Mayor of the City of University Park for 2004 to 2006.

Captain Glenn N. Gonzalez served 30 years of active duty in the U.S. Navy Judge Advocate General's Corps before retiring this January.

"I most humbly accept this award, and I say humbly because I personally know many graduates of our superb law school who have served and distinguished themselves in government service. I'm honored to be included in this group," Gonzalez said in a memorable speech.

Gonzalez was born in the Philippines and raised in El Paso, Texas. He received his B.A. in Political Science from the University of Texas at El Paso in 1970 and his J.D. from SMU in 1974. He earned an LLM in Environmental Law with Highest Honors at The George Washington University Law School in 1981.

"I can say that in receiving an outstanding legal education and making good friends among students and faculty, and in learning the SMU Dedman values of family and community support, independence, and respect for government and for authority, it prepared me well for government service and greatly influenced my decision to seek a commission," Gonzalez noted.

Gonzalez began his career in the Navy at the Naval Legal Service Office in Corpus Christi, Texas, where he prosecuted or defended approximately 300 cases from 1975 to 1977. Following this duty, he served as the Force Judge Advocate or senior military attorney, for several Navy commands. As Force Judge Advocate, he provided advice to commanders preparing for deployment and legal support to over 300,000 personnel.
He later served as Commanding Officer of overseas legal services offices in Guam and Japan where he led his commands to record productivity in prosecuting and defending court-martial cases, providing legal assistance to sailors, and defending the Federal Government against Federal Tort claims.

In 1997, he became a Military Judge of the Southwest Judicial Circuit (San Diego) where he presided over general and special court-martial cases, conducted pretrial investigations, and improved local rules of court, docketing procedures and training for counsel. After his tour as Military Judge, Gonzalez spent his remaining career as Force Judge Advocate for Commander Naval Air Forces Pacific Fleet and Commander Naval Reserve Force.

"My feelings for the school run deep. I thank the Dedman School of Law for giving me the opportunity at a great start in the Navy, and I thank all those connected tonight in making this a fine outstanding institution," Gonzalez said.

Captain Gonzalez has been awarded the Legion of Merit (4 times), Meritorious Services Medal (3 times) and Navy-Marine Corps Commendation Medal (3 times) in recognition of his superior performance of duty. After Gonzalez's speech, SMU President R. Gerald Turner read aloud and presented him with a congratulatory letter from First Lady & SMU Trustee Laura Bush and President George W. Bush.

The Distinguished Alumni Award for Judicial Service

THE HONORABLE RICHARD A. SCHELL '75

Judge Richard Schell has over 23 years of judicial service and is currently a United States District Judge for the Eastern District of Texas, Sherman Division. Schell received his Bachelor of Arts degree in economics from Southern Methodist University in 1972 and his law degree from the SMU School of Law in 1975. Schell called this award a "tremendous honor."

"I feel very fortunate to be this year's recipient. I am flattered to be placed in the company of those judges who have received this award in the past," he added.

Upon graduation, Schell worked as an Assistant District Attorney for the Collin County District Attorney's Office and was a Research Methods/Legal Writing instructor at the SMU Law School from 1975 to 1976. He was engaged in the private practice of law from 1977 until 1982. He was appointed in 1982 as judge of Collin County Court at Law #1. He was subsequently elected that year to a four-year term. In 1986, Schell was appointed and then elected judge of the 219th Judicial District Court in Collin County, Texas for a four-year term. President Ronald Reagan appointed Schell to the Eastern District of Texas in 1988. He served as chief judge of the court from 1994 to 2001.

"I chose to pursue a law degree at SMU, and I have always been pleased with that choice. My degree from SMU Law School has enabled me to do what I do now, which I find to be so fulfilling and always interesting," Schell said about being a judge.

While he was chief judge, he presided over one of the biggest lawsuits in the country at the time— the Norplant Products Liability Multidistrict Litigation, which was assigned to him by the Judicial Panel on Multidistrict Litigation. During that time, tens of thousands of claims were consolidated into his court. The Norplant litigation attracted much attention from the media and legal experts.

Schell served on the Federal Judges Association Board of Directors from 1997 to 2000. He was appointed in 2003 to the Advisory Committee on Bankruptcy Rules, which is a committee of the Judicial Conference of the United States.

In concluding his speech, Schell noted that "In the course of one's career, if you are lucky, there will be a few important events such as this one that are memorable and that punctuate your career. This award is now and will always be one of the highlights of my career."
SMU Dedman School of Law Honorary Alumnus Award
NANCY MCMILLAN DEDMAN

The Honorary Alumnus Award recognizes outstanding achievement, public service, and contribution to the community by an individual who has been supportive of the Dedman School of Law.

Nancy McMillan Dedman is a civic and philanthropic leader whose generosity supports a host of causes, including education, health care and the arts. A part of the SMU family for more than 50 years, she graduated Phi Beta Kappa in 1950 with a Bachelor of Arts degree in history and political science.

"To become an honorary alumnus of the SMU Dedman School of Law means so much to me," she said. "SMU Dedman School of Law produces quality lawyers and some of the most effective businessmen and leaders, in the country and in the world."

Dedman and her late husband, Robert H. Dedman Sr., have shared SMU's dreams and supported its advancement through the years. The fruits of their generosity are evident throughout the campus — in the Dedman School of Law, Dedman College of Humanities and Sciences, Dedman Life Sciences Building, Dedman Professorships in Economics and History, Dedman Center for Lifetime Sports, and the SMU Dedman Scholars program with North Dallas High School.

"Our family has always believed that education is the foundation to a successful life. Many of you have heard Bob say "The more you learn, the more you earn, but more importantly, the more you learn the more you live," Dedman noted while accepting the award.

Dedman also gives generously of her time and talents to her alma mater. She currently serves on the boards of Dedman College and the Willis M. Tate Distinguished Lecture Series and has previously served on the Dedman College Committee of The Campaign for SMU, which raised $542 million for scholarships, faculty positions, programs, and facilities.

Equally committed to her community, Dedman serves on the boards of the St. Paul and Zale-Lipsky University Hospitals, Shelter-Dallas Ministries of Dallas, and the Salvation Army Advisory Board. She has been an active supporter of the Dallas Museum of Art and the Fort Worth-Dallas Ballet. She was honored with the 2004 Annette G. Strauss Humanitarian Award and, with her late husband, received the Flora Award and SMU's Mustang Award. Dedman currently serves on the Board of Directors of ClubCorp Inc.

"To become an honorary alumnus of the SMU Dedman School of Law means so much to me."

— Nancy McMillan Dedman

SMU President R. Gerald Turner, Nancy McMillan Dedman, Allen O. Hood Jr. '71, and Dean John E. Aumann.
The story of how the Dallas Independent School District shook its segregationist past lies in 250 boxes at the SMU Dedman School of Law. Thousands of documents resulting from the 1970 lawsuit *Tasby v. Estes* against the Dallas Independent School District have been donated to the school district in response to Judge Sanders's guidelines.

"Judge Sanders's papers offer a wonderful historical and legal resource for the Underwood Law Library," Dean John B. Attanasio said. "Legal scholars, historians and students will have access to the complete collection of papers relating to *Tasby v. Estes* right here in Dallas as well as world-wide." Once the papers are archived and digitized, they will be made available on a website for public use.

"The Underwood Law Library and its staff are proud to be stewards of these important documents that trace the history of the *Tasby* case," said Gail Daly, Associate Dean for Library and Technology and Associate Professor of Law. For more information on the *Tasby v. Estes* case go to [http://library.law.smu.edu/disd/index.shtml](http://library.law.smu.edu/disd/index.shtml).
Child Welfare Symposium Brings Attorneys and Social Workers Together

Children are one of the most vulnerable groups in society, and foster children are especially at risk. Nearly 80 people whose work involves protecting children attended the inaugural Child Welfare Symposium to discuss the topic, “Abused Children in State Care: Are Their Best Interests Being Served?” The Symposium, which brought together both attorneys and social workers, was hosted on Oct. 15, 2004 by the W.W. Caruth, Jr. Child Advocacy Clinic at the SMU Dedman School of Law.

“Attendees were evenly distributed between attorneys and social workers,” said Jessica Dixon, Director of the W.W. Caruth, Jr. Child Advocacy Clinic. “It was good for everybody to come together as there is not a whole lot of cross-learning in this area. The panels were interdisciplinary and participants spoke about what could be done or what is being done in the different fields.”

Panel topics included permanency placement, abuse of children while in foster care and aging out of the foster care system. Keynote speaker Katherine H. Federle, a nationally known child advocate and Director of the Justice for Children Project and Professor of Law at The Ohio State University College of Law, discussed the role of lawyering for children.

Additionally, there was a mock child welfare case regarding the permanent placement of several children. Attendees were placed in small groups composed of both attorneys and social workers to discuss what was in the best interest of the child. Law students participated by playing the roles of children, parents, and other relatives in the mock case.

Dixon added that the Symposium was important in the mock case because not only did the attorneys and social workers see how the other group conducted interviews, but observed how each group came to their conclusion as to what was in the child’s best interest. Dixon is hopeful that the Clinic will expand over time so they will be able to have more classes and make the Symposium an annual event.

“I think that we had a great turnout,” said Dixon. “Everyone was very excited and interested in participating on the panels.”

Symposium speakers and panelists included: (Pictured L-R, First Row): Dr. Jack G. McCoy, Director of Center for Social Work Research, University of Texas at Austin; Dr. Heather Hays, Kemp Children’s Center, University of Colorado School of Social Work; Susan Victor, Program Director, The State University of New York at Buffalo Law School; Professor Maria Rios, Director, School of Social Work, Hunter College/Binghamton Center for Child Welfare, University of Texas at Arlington; Christine Staj, Associate Dean for Administration, SMU Dedman School of Law; Mark Tullo, University of Houston, Child Protective Services Training Institute; Katherine H. Federle, Director of the Justice for Children Project and Professor of Law, Ohio State University College of Law; Joyce N. Thomas, President and CEO of The Center for Child Protection and Family Support, Washington, D.C.; (Second Row): Dean John R. Atanassiou, SMU Dedman School of Law; Dr. Andrew Zins, Project Director, Midwest Evaluation of Adult Offenders of Former Foster Youth, Clayton Hall Center for Children, University of Chicago; Bob Willson, Director of Training and Assistance Program Director of Dallas CASA; Edward “Ted” Reading, Inter-Regional Attorney for the Department of Family and Protective Services of the State of Texas; Justin Dixon, Director of the WW Caruth, Jr. Child Advocacy Clinic at the SMU Dedman School of Law; Douglas Daube ’77, Guardian Ad Litem for foster children. (Not Featured): Michele Blood, Child Welfare Consultant, Texas Women’s University; Susan Etheridge, Executive Director, Collin County Children’s Advocacy Center; Dr. Thelma Fuerte, Clinical Psychologist, Dallas Children’s Advocacy Center; Dr. Veronica M. Harris, PhD, Judicial District 8; Patricia McQuay, The Pen Commission on Children in Foster Care; Scott McLean, Executive Director of Center for Public Policy Priorities; Laura O. Ohlendorff ’92, Guardian Ad Litem for foster children; Ashton Parnell, J.D., Representative for Parents and Children; Key Kay Dixon, Planning Director, Target Kids in Castro, Transition Resource Aviation Center; Dallas; Hon. Cheryl Lee Shannon, 395th Judicial District, Dallas County.
SMU Hosts Second Annual IP Symposium

The SMU Dedman School of Law hosted its second Symposium on Emerging Intellectual Property Issues on March 4, 2005. Monts & Ware, LLP sponsored the Symposium, and Xuan-Thao Nguyen, Professor of Law at SMU, acted as chair.

During his introduction to the conference, Dean John B. Attanasio said, "Part of my mission when I became Dean was to strengthen the intellectual property curriculum of the law school. Dallas is such a national leader in the field of technology that it is a natural fit. This Symposium and professors like Xuan-Thao Nguyen have helped us move toward that goal."

The Symposium brought nationally known leaders in the field to SMU. Through six panel sessions, they addressed the latest theories and practices important to the development of intellectual property law.

"One common praise we hear from attendees is the broad scope of the conference," Professor Nguyen said. "We touch on a lot of topics. The conference is not just the typical, traditional IP type of conference. We focus on a higher level of IP and Internet law. It’s so broad that they all can find something useful to their practice."

The panels discussed the topics of Secondary Liability in the Digital Space; Evaluating IP Infringement; Intellectual Property in Corporate Transactions: Due Diligence, Security Interest & Privacy; Global Trademark Challenges; and International Intellectual Property and Trade.

The keynote speaker was Professor Daniel Solove of The George Washington University School of Law, a nationally-known expert in the field of IP. He spoke about Data Privacy in a Digital World, where our "digital counterpart," made up of information fragments of ourselves, resides in databases.

"What happens to the digital person in the world of databases is increasingly having effects on our lives in real space, on our real person," Professor Solove said. Personal information is used to construct detailed models of consumer information by marketers. While information like your address or brand of tissue paper is not that intimate or embarrassing, it does create a sense of vulnerability because people do not know what specific data is stored, who has it, and what their motives are. Also, there is little accountability for private companies or bureaucracies who have your data.

"The problem with identity theft is, I think at its heart, irresponsible business practices," Professor Solove said. "The fact is that the businesses who maintain our dossiers are not keeping our information adequately protected."
The Future of Sentencing Reform
Fall of the Guidelines, Rise of the Jury?

On Nov. 19, 2004, the SMU Dedman School of Law and the SMU Criminal Law Association hosted a panel discussion on the future of sentencing reform after the U.S. Supreme Court’s decision in Blakely v. Washington. The Blakely case ruled that where the facts supporting an increased sentence beyond the legally prescribed range were neither admitted by the defendant nor found by a jury, the sentence violated the defendant’s Sixth Amendment right to a jury trial. Since Blakely dealt with rules in Washington state, the question raised is whether this ruling potentially affects other states’ guidelines and the federal sentencing guidelines.

The panel was moderated by SMU Assistant Professor Jenia Ioncheva Turner. Panelists were U.S. District Judge Barbara M. G. Lynn ’76; U.S. District Judge Jane Boyle ’81; Richard B. Roper, U.S. Attorney for the Northern District of Texas; and Peter Fleury, Assistant Federal Public Defender, Fort Worth. Professor Turner opened the panel by announcing that some have called the Blakely decision an “earthquake in criminal procedure” that could transform federal sentencing and possibly lead to the fall of the federal sentencing guidelines.

Judge Lynn explained how sentencing was the current legal “hot topic” because the Blakely decision affects approximately 50,000 cases a year. Judge Boyle delineated the history of sentencing reform leading to the view that “great amounts of discretion in federal district judges’ ability to sentence is not a good thing” because sentences could be meted out unfairly and inconsistently. However, she added that the decision in Blakely, “possibly turned everything on its head as the sentencing guidelines are potentially going to be invalid.” Roper, like Judge Lynn, discussed the different options for applying Blakely to the sentencing guidelines and predicted that the U.S. Supreme Court would find the federal guidelines to be advisory rather than mandatory. Fleury noted that the ruling goes back to the original purpose of the Constitution and the Sixth Amendment right to proving facts to a jury beyond a reasonable doubt.

Professor Turner hopes that in light of the more recent U.S. Supreme Court decisions on sentencing that the panel can reconvene to reflect on new sentencing guidelines changes.
SMU Dedman School of Law Hosts Its 12th Annual Corporate Counsel Symposium

The 12th Annual Corporate Counsel Symposium was hosted by the SMU Dedman School of Law and the SMU Law Review Association on Oct. 29, 2004 at the Westin Galleria in Dallas. Speakers and panelists discussed a variety of corporate issues including cooperating with the government, arbitration, audit committee directives under Sarbanes-Oxley, ethics and in-house counsel, whistleblower liability under Sarbanes-Oxley, and a panel discussion on stock valuation issues and confidentiality agreements.

Speakers included: William Alcorn, Comptroller, JCPenney Co.; Jeffrey W. Allen, Ph.D., Corrigan Research Fellow and Associate Professor of Finance, SMU Cox School of Business; Peter D. Brundage, Managing Director, Goldman Sachs; Craig W. Budner, Partner, Hughes & Luce LLP; Harold F. DeGebhardt, District Administrator, US Securities and Exchange Commission in Fort Worth; Professor Linda Eads, Associate Professor of Law at SMU; Stephen Fink, Partner, Thompson & Knight LLP; D. Gilbert Friedlander, Senior Vice President, General Counsel & Secretary, Electronic Data Systems Corp.; Lawrence Ginsburg, Partner, Locke Liddell & Sapp LLP; Daniel Godzler, Board Member, Public Company Accounting Oversight Board (PCAOB), former General Counsel for the Securities and Exchange Commission; Calvin H. Johnson, Andrews & Kurth Centennial Professor in Law, University of Texas School of Law; Ashley Kiser, Partner, Strasburger & Price LLP; Ron McCray, Senior Vice President for Law & Government Affairs, Kimberly-Clark Corp.; Frank Razzano, Partner, Dickstein Shapiro Morin & Oshinsky; Steven E. Smathers, Chief Legal Counsel, Sowell & Co.; Jessica Smith, Associate, Strasburger & Price LLP; Chief Justice Myron T. Steele, Delaware Supreme Court; Professor Marc I. Steinberg, Rupert and Lillian Radford Professor of Law at SMU; Andrew Weismann, Director of the Enron Task Force.

SMU Holds 39th Annual Air Law Symposium

The SMU Dedman School of Law's Journal of Air Law and Commerce's 39th Annual Air Law Symposium was held in Dallas on Feb. 24-25, 2005. A number of topics were discussed including the sport pilot rule, how federal preemption applied to aviation litigation, EU regulations on passenger rights, and aviation insurance. The keynote speaker (pictured above) was Robert A. Sturgell, Deputy Administrator of the Federal Aviation Administration.

"One question that I get asked is 'What are the major causes of commercial fatal airline accidents today?' Today my answer is that there really aren't any," Sturgell said. With accident rates so low, "fatal accidents have become such rare events that we really don't have what you could call common causes anymore."

For commercial passenger jets, the fatal accident rate is approximately one per every 15 million flights. This has been reached principally through technological advances which have reduced the opportunity for human error.

"I think we are in the midst of the next breakthrough right now and the system will continue to improve" with regard to technology and safety, Sturgell said. The current level of safety has been driven by continuing improvements in data analysis, incorporation of system safety principles, GPS and ever more precise navigation.
Robert Grey
ABA President

American Bar Association President Robert Grey spoke to SMU law students on Feb. 17, 2005, about creating better justice through better juries.

Grey has instituted the American Jury Initiative dedicated to educating the public and reinvigorating the nation’s commitment to jury service. The Initiative is composed of the Commission on the American Jury which provides outreach to the public, the legal profession and the courts, as well as the American Jury Project which analyzes different jury standards and is working to produce a single model document.

Grey instituted the American Jury Initiative to “let citizens know that their service on the jury is one of the highest callings of citizenship that occurs in their lifetime.” Grey noted that the legal profession should respect what juries do and improve the experience.

His recommendations include more communication with jurors about the process, more adequate compensation, better parking, daycare, and the basics of providing pen and paper for notes.

Former Chief Justice Thomas Phillips of the Texas Supreme Court and Texas House Representative Will Hartnett

Former Chief Justice of the Texas Supreme Court Thomas Phillips and Texas House Representative Will Hartnett, Chair of the Judiciary Committee, spoke at Southern Methodist University on Sept. 7, 2004 concerning the process of choosing judges in Texas.

Justice Phillips is a strong supporter of merit selection where the governor appoints initially, and then the judge must run in a yes or no retention race. Justice Phillips said that Texas’s current system of open partisan election of judges is “outmoded with the rest of the nation, not to mention the rest of the world.” Phillips added that this method would rid the judiciary of expensive campaigning, partisan labeling and instability.

On the other hand, Rep. Hartnett feels that the “system is broken,” and that there are no issues with the quality of judges coming through the partisan election system. Hartnett said the appointments “might remove the superficial politics, but you’ll just drive the politics beneath the surface.” Pictured below, L-R: Former Chief Justice of the Texas Supreme Court Thomas Phillips, Texas House Representative Will Hartnett and Dean John Attanasio.
Chief Justice Sheldon H. Weisberg, Chief Justice Christine Quinn-Brintnall, former Chief Justice Karen L. Lansing, and Professor William Dorsaneo

The Alfred P. Murrah Lecture held on March 3, 2005 featured a discussion about the Appellate Judicial Process. It focused on the workload on appellate court judges, the number of precedent-setting published opinions and the number of unpublished memorandum decisions. Lecture participants included (Pictured L-R) former Chief Justice of the Idaho Court of Appeals Karen L. Lansing, Chief Justice of the Arizona Court of Appeals Sheldon H. Weisberg, Chief Justice of the Washington Court of Appeals Christine Quinn-Brintnall and panel moderator William Dorsaneo, the Chief Justice John and Lena Hickman Distinguished Faculty Fellow and Professor of Law.

Chief Justice Quinn-Brintnall said that published opinions are chosen from complex cases with issues of broad public importance, where there is clarification or advancement of the law, cases of first impression, or the application of law in a new context. She said that approximately 10 percent of Washington opinions are published and set precedent. Chief Justice Weisberg said that approximately 4 percent of each Arizona judge's cases will be precedent-setting.

The chief justices noted that there was a push by the bar in their states to publish and make more opinions citable. Judge Lansing noted in response to a Texas-style 100% published rule that "the bar can't have it both ways. They can't have published opinions in every case and expect the level of quality they demand of the appellate judges."

Judges, Bar President and Attorneys Discuss Judicial Independence

The SMU Dedman School of Law hosted a panel of distinguished judges and lawyers from the Appellate Judges Education Institute (AJEI) as part of the Murrah Lecture Series. The lecture focused on why judicial independence is important, why judges should be independent, the biggest threats to judicial independence, the Missouri plan, partisan elections and selection process, the safety of judges and the judiciary's budget situation.

Panelists were (Pictured L-R): moderator Dean John B. Attanasio; James A. Wynn, Chief Judge of the North Carolina Court of Appeals and chair of the Appellate Judges Conference; Kembra Smith, staff attorney for the 11th Circuit Court of Appeals; Sharon N. Freytag '81, Haynes & Boone and Counsel of Appellate Lawyers; Judith M. Billings, Presiding Judge of the Utah Court of Appeals; Rosemary Shaw Sakett, Chief Judge of the Iowa Court of Appeals and Chair-Elect of AJEI; Mary Massaron Ross, Plunkett & Cooney and Counsel of Appellate Lawyers; Harry T. Lemmon, Louisiana Supreme Court, retired; Mark Mann, North Carolina Supreme Court; and (not pictured) Joe Whisler '72, president of the Missouri bar.
Judge Diana E. Murphy, U.S. Court of Appeals for the Eighth Circuit

Judge Diana E. Murphy delivered the Irving L. Goldberg Lecture on the topic of sentencing judgments.

Judge Murphy was chair of the United States Sentencing Commission from November 1999 until February 2004. She served on the United States Court of Appeals for the Eighth Circuit since 1994 and before that as a District Court Judge for Minnesota.

She discussed the history of sentencing reform along with the cases of Apprendi, Harris and Blakely where “many people saw the coming demise of the federal sentencing guidelines and many people were happy about it.” Then, in the recent Booker case, “the Court played its trump card – acknowledged power to declare legislation unconstitutional,” she said.

She concluded saying “We can’t predict today where this will all lead, but we know that the constitutional history of our country has seen many struggles between the different branches and so far the balance has held, but it’s a pretty interesting time for people who are following these conflicts.”

Professor Rudolph Dolzer
University of Bonn, Germany

The Carrington Lecture on Nov. 3, 2004 featured Rudolph Dolzer discussing the topic of foreign investment disputes.

Dolzer was the former Director General of the Federal Chancellor of Germany from 1992 to 1996. He is the Professor and Director of the Institute for International Law at the University of Bonn in Germany, on the Board of Directors of the International Development Law Institute, and is the co-author of BILATERAL INVESTMENT TREATIES. Dolzer spoke about the role of the International Centre for the Settlement of Investment Disputes and legal mechanisms to protect the foreign investor.

Of key importance in the lecture was whether the contract was unilaterally subject to the host country or was a bilateral investment treaty where a host state cannot change the rules by itself. “By and large, I think that the bilateral investment treaties have contributed more to the stability of investment arrangements than any other concept,” Dolzer said.

Professor Alexander Konovalov
Moscow State University, Russia

Alexander Konovalov spoke on Nov. 4, 2004 about the Beslan tragedy and the relationship between the U.S. and Russia in the new security environment. He is a Professor at the Moscow State University of International Relations and President of the Institute for Strategic Assessments. An expert in the military-political field, Konovalov has twice testified before Committees of the US Congress. He has been a lecturer at a number of universities and corporations and from 1990 to 1999 taught at NATO Defense College. Konovalov is a regular political commentator on Russian TV and radio.

Of the Beslan massacre, Konovalov said, “This tragedy was responded to by the whole world because it’s impossible not to respond when hundreds of kids were killed, who knows what for, and in such a brutal manner.” He went on to discuss different definitions of terrorism and how to characterize it. Konovalov also discussed ways that Russia should collaborate with the United States to succeed in fighting terrorism.
The Roy Ray Lecture was delivered by Helen M. Hubbard '87, Tax Legislative Counsel in the Office of Tax Policy of the Department of the Treasury on Feb. 22, 2005. Hubbard (Pictured with SMU Professor of Law John Mylan and SMU Professor of Law Hank Lischer) spoke on the “Universal Question of Tax Payers, Tax Students, and Tax Lawyers: Why is this so complicated?” She began by discussing the problem of defining complexity and simplification.

“The fundamental paradox of tax simplification is that although everyone thinks taxes should be simpler, almost every year our tax system becomes more complex,” Hubbard said.

She listed reasons for the complexity in the tax system with the main two being policy tradeoffs and budget rules & scoring issues. The Alternative Minimum Tax, the number one “mistake”, “is the greatest looming complexity issue ... to tens of millions of individual tax payers.”

On Oct. 3, 2004, SMU hosted a delegation from the Kingdom of Bahrain, along with U.S. Ambassador to Bahrain William Monroe. One prominent member of the delegation, His Excellency Jawad Al Arrayed, Minister of Justice, spoke on change, pluralism, and democracy. Al Arrayed began by speaking about the history of legal reform in his country, from the 1920's laws protecting pearl divers to the 2002 acceptance of Bahrain's National Charter.

“The natural human tendency is to resist and fear change. But, the judicial system is a reflection of the interface between the people and the rule of law and the social order within a society,” he said. “Thus, the judicial system must mirror the inevitable changes in society and the rule of law.” Al Arrayed concluded by discussing the climate of change in Bahrain and describing how the judicial system is retaining its fundamental principles while updating the details.

Professor Bernhard Grossfeld, Muenster University, Germany

Professor Bernhard Grossfeld, a distinguished visiting professor to the Dedman School of Law, spoke at SMU on Nov. 17, 2004. He is recognized as one of the leading European law scholars in comparative and international business law.

His lecture, “Global Corporate Governance and Legal Education,” was presented at a special luncheon sponsored by the SMU International Law Society and the law school. Professor Grossfeld is a member of the law faculty at the University of Muenster in Germany where he serves as the Director of the Institute for International Business Law, as well as the Director of the Institute for Cooperative Research. He is the author of many books on corporate, commercial and international law. Professor Grossfeld received his J.D. from the University of Muenster and earned an LL.M. from Yale.

Professor Grossfeld has previously taught as a visiting professor at the University of Michigan, the University of Texas, the University of Chicago, and NYU (where he is a permanent member of their Global Law School Faculty).
Professor Liu Songshan, Office for Constitutional and Administrative Laws of the Standing Committee of the Chinese National People's Congress

On Sept. 27, 2004, the SMU Dedman School of Law hosted a high-ranking delegation of Chinese jurists and lawmakers. A lecture was presented by Professor Liu Songshan on the development of constitutional changes and legal reforms in China. Professor Liu has played a role in drafting legislation for 10 years. He is now a law instructor in Shanghai.

Professor Liu recounted the four constitutions that China has had in the past 50 years, with the 1982 constitution being the current one.

"The differences between China and the U.S. exist in many areas, but the long-time feudal history will cost us more in our way to the rule of law," Professor Liu said. "We have only 20 years' experience in our way to the development to the rule of law in China. Fortunately, we have already gotten to a common understanding and knowledge to open our country and broadly introduce the legal achievements of foreign countries."

Linda Wertheimer Hart
Chairman & CEO, Hart Group Inc.


In the first half of her presentation, she spoke on ways to be successful in an organization. First, find out what is valued in the organization. Next, determine how to stand out in that organization, even working as a part of a team. Finally, the third way to be successful is to be authentic. "Find your own style and then perfect that," she said.

The second half of her speech involved three ways to sustain success and enhance your quality of life. First, recognize opportunities and take them, even if they do not appear to fit into your life's plan. Second, find a way to combine your work with your family. Her main piece of advice was to "make your kids feel part of your work." Finally, Hart said you have to know where you draw the line when it comes to ethical dilemmas.

Professor Angela Holder
Duke University

Angela Holder, LL.M., Professor of the Practice of Medical Ethics at Duke University, spoke on the Terry Schiavo case March 24, 2005.

Professor Holder (pictured with Tom Mayo, Associate Professor of Law at the SMU Dedman School of Law) explained that most of the time, the issues that have arisen in the Schiavo case did not come up.

"Even when you have people who have severe brain damage, even if they didn’t leave a living will or durable power of attorney, the family’s decision with the doctors, nobody questions it, nobody else gets involved, and hydration and nutrition are stopped," she said.

Professor Holder also explained the difference between a living will and durable power of attorney, and the physical effects of a persistent vegetative state.
On April 20, 2005, Professor Frank Vogel, Director of the Islamic Legal Studies Program at Harvard Law School, spoke to law students about "Islamic Law and Economic Development in the Muslim World." This was the inaugural speaker for the Comparative Islamic Law Society, which hosted the event.

Professor Vogel (pictured with SMU Professor of Law Ndina Kofele-Kale) discussed the rapidly growing field of Islamic finance and banking, organizations and enterprises set up on Islamic norms and seeking to uphold Islamic law as they do business.

Ron Kirk
Former Mayor, City of Dallas

On November 2005, Professor Stephen Shute of the University of Birmingham, UK presented his research on "A Fair Hearing? Ethnic Minorities in the English Criminal Courts: Perceptions of Fairness and Equality of Treatment." The study found that 21 percent of blacks and 12 percent of Asians felt that there had been unfair racial bias in the court.

"We found therefore, a much rosier picture in the Crown Court than we expected to find and many people felt we would find. Nonetheless, there's no grounds for complacency. It's still true that one in five of the black defendants to whom we spoke felt that their treatment had been affected adversely by their ethnicity," he said.

Exonerated Death Row Inmate Speaks at SMU Dedman School of Law

Juan Melendez spoke to law students on April 7, 2005 about his experience on Florida's death row. Melendez (pictured with SMU Associate Professor of Law Victoria Palacios) spent 17 years, 8 months and 1 day on death row, convicted with no physical evidence against him, and only two questionable eyewitnesses placing him at the scene. "I was scared, very scared, to die for a crime I did not commit," he said. In 2001, it was revealed that both the prosecutor and Melendez's own trial lawyer had a taped confession from the real killer a month before he was sentenced to die. Once the transcript of the confession came to light, a new trial was ordered, but prosecutors did not believe they had enough evidence to re-try him.
The study of intellectual property law is relatively new in law schools, but some forms of intellectual property have been part of civilization for thousands of years. For example, the roots of trademark use can be traced back to antiquity when artisans used marks to identify their pottery. Traders then marked their wares to distinguish them from goods produced by others. Later, cattle raisers branded their animals to identify source and ownership. Likewise, evidence of trade secret protection can be traced back to the Roman empire. References to patents are in Aristotle's Politic.
Some scholars have devoted their study on whether intellectual property is property or whether protection perimeters for a certain type of intellectual property are over-reaching. Their works allow me to focus on the next phase of scholarship, the normalization of intellectual property. That is the study of the intersection between intellectual property and other areas of the law such as secured financing, bankruptcy, privacy, taxation, international trade and Internet commerce. My goals are to understand how intellectual property and other areas of the law collide and to search for optimal solutions that would advance both the creative individuals and the communities. Intersectionality raises questions in many uncharted territories. The investigation into the intersectionality constantly challenges my theoretical frameworks and proposed solutions. In this limited space, I would like to illustrate and discuss some of the intersectionality.

I. Intellectual Property and Secured Financing

We all know secured financing. When we want to purchase a car, we go to a car dealership and select a car with model, design, and color of choice. After a satisfactory test drive we negotiate with the salesperson for the best price; we then see the financing person. Those lucky few may choose to pay for the car with cash. Most will opt for financing wherein a loan is made and the car that we have just "bought" serves as the collateral for the obligation to repay the loan in accordance with the payment schedule. What does this secured financing have to do with intellectual property? Everything. Well, almost.

The car probably has a brand name such as BMW, Mercedes, Lexus, Honda, or Hyundai. The brand name is so very valuable that it is worth several billions of dollars. The holder of the brand name can use the brand name as collateral for its own secured financing. That is, the lender or creditor may retain a security interest in the brand name to secure the payment of a loan. If the debtor fails to pay the loan, the secured creditor can foreclose on the brand name just like the car financing company can repossess the car when the debtor purchaser is in default. While secured transaction law has numerous reported cases on repossession of tangible property, it has very few cases on intangible property. How does a holder "repossess" a trademark? What should be a permissible repossession of a trademark that achieves the goal of secured transactions and satisfies the interest of trademark law of protecting the consumer? What if the secured party sold the brand name to a third party?

What will happen to the goodwill of the brand name? Might the secured party's assignment of the brand name to a competitor lead to destroying the goodwill of the brand name?

Consider this next scenario. Many of us have read Dan Brown's *The Da Vinci Code*. The book has been on the *New York Times* Bestseller List for the last several years. Assume that ten years ago, Brown was a struggling writer with a manuscript of *Angels and Demons*. Under copyright law, Brown had copyright protection in the manuscript from the date of creation. Brown needed money to pay off bills, so through his literary agent Brown received a $25,000 loan from Potential Publisher (PP). PP asked Brown to sign a loan document that contained a grant of a security interest in all rights in the manuscript, which the author compiled. With the new loan, Brown paid off his old debts. The remainder of the money helped him get through a couple of months of meager living to pen another book based on the main character developed in *Angels and Demons*: Robert Langdon, the Harvard symbologist. The new book was entitled *The Da Vinci Code*. At this time, Brown did not have the money to pay off the loan to PP, and PP decided to exercise strict foreclosure, i.e., keep the rights in the manuscript; not dispose of those rights by selling them to others. PP sent a strict foreclosure proposal to Brown, but he ignored it. Meanwhile, Brown found a publisher for the *The Da Vinci Code* and signed a publication agreement with the new publisher. The new publisher was about to print millions of *The Da Vinci Code* books when it received a cease and desist letter from PP asserting that PP has rights to the *The Da Vinci Code*. How?

In the secured financing Brown used the rights in the manuscript, including the copyright, to serve as collateral for the loan of $25,000 from PP. Article 9 of the Uniform Commercial Code provides that PP, the secured party, has the right to repossess the collateral and exercise strict foreclosure. That means PP became the new owner of all the rights, including the copyright in the *Angels and Demons* manuscript. In the manuscript, the main character Robert Langdon was created. This character is protected under copyright law. No one can use the character without PP's express permission. Does "no one" include Brown? Does it mean that Brown cannot use Robert Langdon in the *The Da Vinci Code*? Is the *The Da Vinci Code* a derivative work of *Angels and Demons*? Does it mean that the new publisher may be in violation of PP's copyright? What will be the solution to ensure that secured financing using copyrights as
collateral will continue to flourish, and that the right of the secured party will not hinder the creativity of the author, or deprive the public from opportunities to enjoy subsequent works created by the author?

Let's look at another scenario: www.sex.com is a generic domain name. It is a valuable domain name for it was the subject of multi-district litigation surrounding the conversion of the domain name. The Ninth Circuit Court of Appeals held that domain names are property and subject to conversion. During the litigation, the domain name sex.com was valued at around $250 million. The generic domain name is not entitled to legal protection under trademark law. The lack of trademark protection does not diminish the value of the generic domain name in e-commerce. Blame it on the Internet, borderless and electronic commerce, along with the surfers' interest in items offered at websites for the sex industry, that drive the value of certain domain names in the marketplace. Now, the owner of the generic domain name wants to use the domain name as collateral for a loan or credit line from a lender or investor. How would the lender or investor protect its security interest in the generic domain name? It cannot file anything with the U.S. Trademark Office because the generic domain name is not registrable under trademark law. It can file the financing statement with the Secretary of State Office, but which state may be deemed appropriate? Article 9 of the UCC provides that the filing state is where the debtor is located or incorporated.

The state filing scheme, however, may not be optimal. Information about domain names, including security interests, should be included in the electronic WHOIS database where comprehensive information about domain name existence such as registrant, registration date, and expiration date are currently included. That will reduce the cost for the searcher and filer of security interests in domain names. Presently, due diligence for domain names requires the searcher/filer to check in two places: the filing office of the Secretary of State and the WHOIS database.

II. Intellectual Property, the Internet and Consumer Privacy

Privacy today incorporates the consumer's expectations about and knowledge of the accessibility of personal information gathered by on-line companies. Privacy is violated when Internet companies collateralize consumer information, altering the promised limitation of accessibility posted on Websites.
Regardless of whether a consumer database may be protected under trade secret or copyright law or neither, when a consumer database is used as collateral in secured financing transactions, it is classified as a general intangible.

D. THE PERVERSIVE VIOLATION OF PRIVACY

1. The Security Agreement

In a secured finance transaction, the security agreement is the contractual document binding the debtor and creditor to its terms. In order for the collateralization process to occur, the security interest in the collateral must have attached.

Article 9 specifies that a security interest attaches when it is enforceable, that is, when three conditions are satisfied.

First, the debtor must have either a right in the collateral or property and can be used as collateral in secured financing.

Second, the security interest in the collateral must have attached.

Third, the debtor must have given the security interest to the creditor.

The security agreement is a contract between the debtor and creditor that outlines the terms of the secured financing.
in order to grant a security interest to the creditor. Obviously, the extent to which a creditor’s security interest attaches is limited by whatever rights in the collateral the debtor may have. The grant of a security interest in the collateral, however, does not amount to a transfer of ownership in the collateral. The second condition is that the creditor must provide value to the debtor. Value can be in the form of a loan or extension of credit to the debtor. Finally, the debtor must authenticate the security agreement, which contains a description of the collateral. In satisfying the three conditions have. The grant of a security interest agreement might include provisions pertaining to the loan or credit commitment from the creditor, the debtor’s right in the collateral, a description of the collateral, and signature blocks for both the debtor and creditor.

Article 9 requires that the description must reasonably identify the collateral. That condition is met if the security agreement describes the collateral by categorizing it as “a type of collateral defined in the Uniform Commercial Code.” For example, a security agreement might state that the collateral includes “equipment,” “inventory,” “farm products,” “instruments,” and “general intangibles.” This means that if the parties intend to use a consumer database as collateral, they can either use the term “general intangible,” as permitted under the statute, or create a more specific description of the collateral by using the term “consumer database,” “customer lists and information,” or “computer database.” Either usage is sufficient and binds the parties to the contractual security interest agreement.

Under article 9, both the debtor and creditor are free to set the rest of the terms in the security agreement. For example, the parties may choose to set forth the debtor’s obligations, such as sending notice to the creditor if the debtor moves to a new location or merges with another entity, or they may impose restrictions on the debtor’s ability to grant broad licensing rights to third parties that would diminish the market value of the collateral asset to the secured party. Also, the parties generally seek to define events which would constitute a default so as to permit the creditor to realize the security interest by repossession of the collateral. Other desirable terms are the creditor’s obligations, choice of forum, and severability.

The principle of freedom of contract allows both the debtor and creditor to negotiate terms agreeable to the parties. The public generally does not have knowledge of the terms of the security agreement because article 9 does not require the parties to file the security agreement with the Secretary of State’s office. The security agreement is a private contractual agreement between the parties.

2. The Financing Statement

The only document for which article 9 requires filing is the financing statement. Under article 9, however, the financing statement must disclose only the names of the parties and a generic statement indicating the collateral such as “all debtor’s assets other than automobiles.” The generic indication of the collateral serves the sole function of providing notice to the public that the debtor’s personal property assets are obligated as collateral in the secured transaction with the party named in the financing statement.

Article 9 does not require that the financing statement reveal the specific types of the debtor’s personal property assets. Such descriptions of personal property assets serving as collateral appear only in the security agreement kept by the parties to the contract.

The public is essentially in the dark as to whether consumer names and associated information, profiled information, and other data in the debtor’s computer database serve as collateral in various secured financing transactions.

Accordingly, the general public does not have knowledge of the extent to which the security interest reaches the debtor’s specific personal assets. By examining the financing statement filed in a public office, the general public can see only that all debtor’s “assets other than automobiles” serve as collateral. The general public has no idea whether such personal property includes consumer information assets. Even the financing statement contains a narrower description of the collateral normally required only for the security agreement, the financing statement may reveal only that the collateral is a “general intangible.” Again, the public will not know whether “general intangible” means trademarks, parental accounts, health care receivables, payment intangibles, rights to a tax refund, or consumer databases. Such detailed information is only included in the security agreement, the private contractual agreement between the parties. Moreover, article 9 does not require the parties to the security agreement to have a detailed description of the “type of the collateral.” As long as the collateral is identified as a type of collateral, it
Although the debtor did not sell the collateral outright to the secured party, the secured party through repossession takes complete control of the collateral.

For the Benefit of the Secured Party

The debtor is obligated under its contractual security agreement with the secured party to maintain the consumer database for the benefit of the secured party. In a typical security agreement, the debtor agrees to maintain, defend, and preserve the collateral in good condition. The debtor also furnishes to the secured party statements and schedules further identifying and describing the collateral in reasonable detail so the secured party can inspect or conduct audits with respect to the collateral. Essentially, the parties are free to agree upon procedures the debtor must follow to maintain and preserve the collateral and by which the secured party can monitor the collateral.

In light of the public's lack of knowledge about the collateralization of consumer databases, each day the debtor fulfills its obligations under the security agreement to maintain and preserve the consumer database for the benefit of the secured party, the debtor violates principles of consumer privacy embodied in the policy posted on the debtor's website. Specifically, the debtor is bound by the contract to maintain and preserve the collateral assets for the benefit of the secured party. The secured party wants the debtor to fulfill this obligation because the secured party does not want the collateral to diminish in value, causing the loan or credit provided by the secured party to become understated. When the secured party believes that the loan or credit provided to the debtor is understated, it may demand an acceleration of the outstanding amount. Typically, when the debtor fails to pay, the secured party may seize the collateral through the repossession process. 

Privacy Violations in the Event of Default

Although the debtor did not sell the collateral outright to the secured party, the secured party through repossession takes complete control of the collateral. The secured party may keep the collateral and use it in its own business. The secured party may dispose of the collateral by selling it to others against the outstanding debt owed by the debtor. For example, in Information Exchange Systems, Inc. v. First Bank National As’n, the debtor received a loan from a lender. To secure the repayment of the note, the lender took a security interest in the debtor's intellectual property. The debtor failed to make payment on the note to the lender. The lender then assigned its right in the note, along with the security interest in the debtor's collateral, to a third party. Instead of foreclosing on the collateral, the third party took possession of the debtor's assets and exercised strict foreclosure. The third party then began to use the debtor's intellectual property, including trademarks, copyrights, and patents, to run its own business under the debtor's trademarked name. The debtor sued the lender for infringement and inducing infringement of intellectual property, but the court held in favor of the lender because the security agreement between the lender and the debtor allowed the lender to assign its security interest in the debtor's collateral assets to third parties. Here, the consequence of the debtor's violation of the debtor's contract is the repossession of the collateral by the secured party in the event of default.

The secured party can use the consumer database in its business or sell the consumer database to others. The collateralization of the consumer database and its end result may contradict the debtor's consumer privacy statement declaring that the debtor does not sell or lease the consumer information to others. Though there is no direct sale of the consumer database to the secured party, the effect of the collateralization of the consumer database is the same: the consumer database is in the hands of third parties with unfettered control and rights. Essentially, the collateralization of consumer databases violates the privacy policies publicized on debtors' websites.

Privacy Violations Without Default

Moreover, even if there is no default event, the consumer privacy statement may be violated nevertheless if the debtor collects, maintains, and preserves the consumer database for the benefit of the secured party pursuant to the contractual agreement. At all times, from the moment the debtor executes the contract until the time the security interest in the con-

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secured transactions by recognizing intangible assets as valuable collateral in the Uniform Commercial Code has greatly expanded the scope of secured transactions. Companies, particularly online companies with little or no tangible assets, will continue to use general intangibles, including consumer databases, as collateral in their financing transactions with secured creditors.

Regarding the collateralization of privacy on the one hand, an Internet-company debtor that collateralizes its consumer databases may be under a contractual obligation to collect, aggregate, and maintain the consumer database at any time for the benefit of the secured party until it pays the original loan or meets the obligation. In the event of the debtor's default, the secured party can possess and keep the consumer database or sell it to others in satisfaction of the outstanding loan or obligation.

On the other hand, the consumer is not placed on notice by the privacy policy statement concerning the collateralization of a consumer database and its consequences. The consumer of the Internet-company debtor and the secured party pursuant to the terms of the contract are cut out of the consumer public's view. The debtor and the secured party are not obligated under article 9 to inform the consumer.

Obviously, prohibiting companies from using consumer databases as collateral in secured transactions is an unworkable and unrealistic solution. Addressing the dilemma of collateralization of privacy instead requires modifications to the existing article 9. To the need to balance consumer privacy with the debtor company's business need to obtain a loan or credit requires some critical modification of the current, misleading consumer privacy practices. Privacy policy statements should require the on-line company to disclose when a consumer database is used as collateral in secured transactions.

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In Private Default and Public Violation

Worse yet, default events usually occur out of the public's view. The public does not know when a debtor is in default because conditions constituting default are defined privately between the debtor and the secured party. The parties are under no obligation to inform the public when a default occurs. Moreover, the secured party is not obligated by law to inform the public when it plans to seize the collateral. The secured party does not even have to inform the debtor of the imminent seizure for fear that the debtor may remove the collateral. Upon seizing the collateral, the secured party is also not obligated to inform the public whether it will keep the collateral or sell it to third parties. The public is again kept in the dark as to the fate of the consumer database.

If the secured party decides to exercise strict foreclosure of the collateral, the public does not know. If the secured party decides to sell the collateral, it may advertise the sale. This advertisement may be the only way the public learns that the debtor's consumer database is subject to a sale. Under article 9, however, the purpose of advertisement is not to inform the general public, but rather the relevant public with an interest in purchasing the collateral.

E. Facing the Privacy Dilemma: A Proposal

Secured transactions are a fundamental business-financing strategy and have an important role in the economy at all levels—local, national, and global. To that end, article 9 of the Uniform Commercial Code has greatly expanded the scope of secured transactions by recognizing intangible assets as valuable corporate assets that can be used as collateral in secured transactions. Companies, particularly online companies with little or no tangible assets, will continue to use general intangibles, including consumer databases, as collateral in their financing transactions with secured creditors.

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This proposal requires modifications in the debtor's and the secured party's obligations in secured transactions under article 9. Article 9 should be amended to require that the financing statement refer to a consumer database if such a database is used as collateral in a secured transaction. Under such a regime, the public would be able to conduct a search under the debtor's name and learn if the consumer database is being collateralized. Because a financing statement is effective for five years, the public will learn the period of collateralization and the identity of the
secured party holding the security interest in the consumer database.

Article 9 should also be amended to require that the security agreement contain a provision relating to consumer privacy if a debtor’s consumer database is used as collateral. The provision would impose on the secured party an obligation to observe the consumer privacy policy adopted by the debtor and posted on its website. Obviously, from a stronger consumer-advocacy position, the provision should require the secured party to send notice to consumers after it takes possession of the consumer database upon the debtor’s default. The consumer should at least have the choice to opt-out.

III. Intellectual Property and Taxation: The Tale of an IP Holding Company

The collapse of WorldCom, Inc. exposed a complex web of accounting irregularities. Within that web, recent filings by Dick Thornburgh, WorldCom’s Bankruptcy Court Examiner, reveal a different type of scheme that involves the holding of intellectual property. Further scrutinizing the scheme reveals that WorldCom and its tax advisors, KPMG, devised a tax avoidance scheme through the creation of an intellectual property holding company (“IP Holding Company”). This type of scheme has been widely and quietly utilized in the last twenty years by many corporations with substantial intellectual property.

A. EXAMPLES OF TAX AVOIDANCE SCHEMES: IP HOLDING COMPANIES

The Limited Stores, Inc., an Ohio corporation, owns numerous retailing companies that operate stores in the United States. The parent company has also created wholly-owned IP holding companies in Delaware to hold well-known trademarks in the clothing industry, such as “The Limited,” “Victoria’s Secret,” “Express,” “Abercrombie & Fitch,” “Lane Bryant,” and “Lerner,” which were all once owned by the parent company, in return for stock ownership in the IP holding subsidiaries. The IP holding companies then license the trademarks to the related retail companies in exchange for royalty payments. For tax year 1994, these same IP holding companies recorded $301,067,619 in royalty income and $122,031,344 in interest income from the related retail companies. These amounts accounted for 100% of the IP holding companies’ income. These IP holding companies enjoy tax exemption status in Delaware, their state of incorporation, due to their status as passive holding entities.

KPI, another example, is the IP holding company for the well-known Kmart Corporation and its related trademarks, which are worth between $2.7 and $4.1 billion. KPI was incorporated in Michigan, which does not tax income from royalty payments that KPI receives from its exclusive license arrangement with the Kmart Corporation. Kmart Corporation created KPI and infused it with assets by transferring ownership of all its domestic trademarks in exchange for $42 million KPI’s stock. KPI’s office is one block away from the parent company’s headquarters, and all of KPI’s five employees, including two intellectual property attorneys and their respective support staff, came from the parent company.

Intellectual property tax schemes are not limited to trademarks. Indeed, such schemes include patents and other intellectual property assets. For example, Gore Enterprise Holdings, Inc. (“Holdings”) owns more than 300 patents related to the process and manufacture of Gore-Tex (“Gore”) products. The Gore parent company transferred all of its patents to Holdings in exchange for all of Holdings’ stock. The holding company and the parent company entered into a licensing arrangement for the patents. Pursuant to the assignment and license-back arrangement, the holding company manages the patent portfolio, collects royalties from the use of the patents, and invests the royalty proceeds in investment vehicles. The holding company had not had any employees or office space for some years, and its activities were conducted by employees at the parent company. The holding company later hired one paralegal, who monitored and administered the patent portfolio. The holding company also retained outside attorneys to conduct patent prosecution work. Over a three-year period, the holding company received about $120 million in royalty payments from the parent company. The subsidiary filed no state income tax returns, but filed information returns with Delaware, the subsidiary’s state of incorporation. Delaware does not tax royalty payments.

Essentially, under the intellectual property tax scheme,
companies with large intellectual property portfolios can legitimately avoid paying state taxes on income derived from royalties. Some states have attempted to reach and tax this income based on the licensing of intellectual property assets. These states face constitutional obstacles in light of the U.S. Supreme Court decision in Quill v. North Dakota which requires a nexus physical presence requirement on states that impose use tax burden on out-of-state companies.

B. POST-QUILL CHAOS FOR INTELLECTUAL PROPERTY

Since Quill directly limits state power to impose sales and use taxes for out-of-state companies, a major question in the post-Quill era is whether the physical presence requirement of the Commerce Clause extends to state power to tax income received from out-of-state companies. Some commentators asserted that the physical presence constitutional standard is a myth with respect to limiting state power to tax income received by out-of-state companies. Further, the assertion suggests that Quill permits state taxation of such income “by virtue of an intentional exploitation of the state’s market without physical presence in the state.”

Others, however, interpreted Quill as dictating a bright line approach not only for sales and use taxes, but also for state income taxation for out-of-state companies, which requires physical presence for substantial nexus in order to satisfy the Commercial Clause mandate. To read Quill otherwise would render an incongruity: out-of-state companies would not have a sufficient nexus with the taxing state for sales and use tax purposes, but would have a substantial nexus with the taxing state for income tax purposes.

As a result, a number of states tried taxing the income received by out-of-state IP holding companies that are separate entities, have no tangible assets, and hire no employees in the taxing state. Meanwhile, other states have failed to reach IP holding companies for lack of physical presence in the taxing state, even though the IP holding companies license their intellectual property assets to affiliates or parent companies for use within that state.

C. PROBLEMS WITH BUSINESS SITUS FOR INTELLECTUAL PROPERTY

In desperate attempts to reach income generated by the licensing of intellectual property assets, states will flex their taxing power in order to subject out-of-state IP holding companies to state income taxation. These states circumvent Quill by adopting an approach centered on the belief that intellectual property has a business situs where the goods associated with the intellectual property rights are offered for sale at locales within the state.

A state’s desire to reach royalty payments received by foreign IP holding companies is understandable since foreign IP holding companies are not subject to any state taxation because their royalty payments are “nowhere” income. They enjoy the state tax-free status due to the resultant shifting of intellectual property asset ownership within the corporate structure. The “nowhere” income has become a frustration to states hastily trying to extend their reach to tax such income. However, categorically assigning intellectual property such as patents, copyrights, trade secrets, and trademarks a business situs wherever the products associated with such intellectual property right are offered for sale is overreaching.

Indeed, under the business situs theory, national book authors have much to fear from a state’s taxation reach. For example, John Grisham, a national author of legal thrillers, has his books sold in major bookstores across the United States. In order for the legitimate sale of his books to occur, both the John Grisham name and the associated bundle of copyrights—such as derivative reproduction, distribution, public display, and performance rights—have already been the subject of a license arrangement between the book publisher and the author. Like many national authors, Grisham has appeared on book tours in order to promote his novels. Thus, he may be deemed actively involved at the macro level in the local business of selling books. Book authors generally receive their royalty payments based on the number of copies sold. National authors most likely receive their income from the royalty payments, whether in the form of an advance, lump sum, or periodic installments. Since the copyrights and author’s name are integral to the business of selling books at the local level, state taxing authorities would argue that Grisham’s intellectual property has acquired business situs in each state where the books are sold. Therefore,

Meanwhile, other states have failed to reach IP holding companies for lack of physical presence in the taxing state, even though the IP holding companies license their intellectual property assets to affiliates or parent companies for use within that state.
The efficiency of having centralized control of intellectual property assets is paramount.

According to the business *situs* rule, a state may tax Grisham on the royalty income that he receives from his publisher. Grisham potentially faces such taxation in all states, except those few states that do not impose a tax on royalty income, such as Michigan and Delaware. That certainly leads to multiple taxation problems as well as an administrative impossibility for authors as taxpayers.

Moreover, copyrights and other intellectual property do not exist in perpetuity and Grisham's intellectual property rights in connection with his books may expire before all the physical copies of the books are sold. This means Grisham may still receive royalty payments for the books in print while his intellectual property rights may have already terminated. Could states continue to assert that there is a substantial nexus between the state and Grisham, even though Grisham's intellectual property rights no longer exist? The link between Grisham and the state vis-à-vis the intellectual property rights previously used in the sale of Grisham books at various locations within a state vanishes, as there are no longer intangible rights to form the business *situs*.

Constitutionally, the business *situs* theory has additional problems. Courts applying and commentators advocating the business *situs* rule often prematurely limit the business *situs* to the due process analysis. They ignore the Commerce Clause nexus analysis. This is in direct conflict with the established requirement that states may impose taxation to the extent constitutionally permissible, which ensures both Due Process and Commerce Clause requirements are satisfied. Since the *Quill* court interpreted the Commerce Clause to require tangible property or physical presence within a state for the establishment of a substantial nexus, using the business *situs* of intellectual property as the required link between a state and the foreign holder of intellectual property rights cannot withstand constitutional muster.

In addition, the business *situs* theory is incongruous, as illustrated in the next hypothetical. Imagine that Grisham decides to offer a few autographed copies of his books for sale via telephone. Now, Grisham has become a remote seller of those limited copies. Under the *Quill* mandate, a state cannot impose sale or use taxes on Grisham—the remote seller—due to the lack of a substantial nexus between the state and Grisham. If there is no substantial nexus under the Commerce Clause for use and sales taxes, how could a substantial nexus under the Commerce Clause be present for state income taxes? It would be incongruous to assert that there is nevertheless a substantial nexus between the state and Grisham for state taxation of royalty payments that Grisham receives based on the volume of his books sold across the state and yet no substantial nexus between the state and Grisham for sales or use taxes.

D. HOLDING INTELLECTUAL PROPERTY OR A QUEST FOR TAX AVOIDANCE?

Companies with large intellectual property assets in their portfolios have business as well as tax reasons to establish subsidiaries for holding intellectual property assets. The business reasons have compelling rationales that should not be ignored by taxing authorities and courts. The efficiency of having centralized control of intellectual property assets is paramount. The corporation with such control gains knowledge about the current value of its intellectual property assets, can decide which direction the corporation should chart with those assets, may expand its market through the licensing of certain intellectual property rights, and may develop new alliances or partnerships by using its intellectual property assets in joint-venture or co-branding arrangements. With centralized management of intellectual property assets, the corporation has the information necessary to decide whether it should increase holdings in a certain area of intellectual property rights. It also understands which intellectual property assets are valuable, and subsequently invests or divests in certain intellectual property assets over others. Moreover, the centralized management of intellectual property assets provides a platform for comprehensive monitoring, protection and enforcement of intellectual property rights. This minimizes the risks of having those rights expire due to administrative errors, such as failing to renew intellectual property registrations or paying fees to appropriate governmental agencies. Also, it allows the corporation to initiate timely and appropriate action to deter the infringement of intellectual property assets and to prevent losses of certain intellectual property rights through abandonment or through genericide via unpolicing use by a third party. Further, the IP holding company has control over royalty payments and discretion to invest them for future earnings and significant additional income. These business reasons should not be disregarded by states that think all IP holding companies are formed solely for tax avoidance purposes.

Even if the formation of an IP holding company is for tax avoidance purposes, such goals are not illegal. Utilizing legitimate means to minimize taxation is the prerogative of any entity is allowed by the taxing laws. Flex their corporate structures to minimize the administrative errors, such as failing to renew intellectual property registrations or paying fees to appropriate governmental agencies. Also, it allows the corporation to initiate timely and appropriate action to deter the infringement of intellectual property assets and to prevent losses of certain intellectual property rights through abandonment or through genericide via unpolicing use by a third party. Further, the IP holding company has control over royalty payments and discretion to invest them for future earnings and significant additional income. These business reasons should not be disregarded by states that think all IP holding companies are formed solely for tax avoidance purposes.
entity that is doing business and facing competition in the marketplace. As long as there are jurisdictions that do not tax royalty income, individuals or corporations will form wholly-owned subsidiary companies to hold intellectual property assets in such jurisdictions. As long as there are non-uniform tax laws and regulations among the states, the search for a better jurisdiction to minimize the state tax burden will continue. Each state has its own power to decide how it can reach the royalty income received by IP holding companies, as long as that reach is within constitutional confines.

Instead of zealously pursuing IP holding companies and encountering a myriad of problems, states may consider different approaches that could strike a balance between the states' interests and those of the intellectual property holders. For example, instead of seeking out IP holding companies, states should determine whether to allow in-state operating companies that use the intellectual property rights pursuant to the license arrangement to deduct the royalty amounts paid to IP holding companies. If there is no direct relationship—such as parent-subsidiary—between the operating company and the IP holding company, the deduction is permissible because the license arrangement is for business reasons, as long as the ratio is at arm's length. If the arrangement between the IP holding company and the operating company is a sham because it lacks business and economic substance, the deduction is impermissible. Evidence of a sham arrangement may include the parent company holding majority control of the stock in an IP holding company, the relatively unchanged status of the intellectual property rights management and control before and after the transfer and license-back relationship, and the lack of a coherent business purpose behind the establishment of the IP holding company.

Furthermore, instead of the deduction allowance approach, states may require combined reporting by all corporate components of an enterprise engaged in a unitary business conducted in part within the taxing state. Under the combined reporting approach, states must establish that there is a unitary business between the parent company and its subsidiaries, including the IP holding company. The taxing authority reaches the apportioned royalty income by directing its attention to the operating company within the state. This is possible because the transactions between the operating company and the IP holding company should not be acknowledged since they have no economic substance, serve no legitimate business purpose, fail to reflect an arm's length charge, and were formed solely as a means to avoid taxation.

In the proposed approaches, though the taxing authority does not directly pursue the out-of-state IP holding company, the result is the same: Apportioned royalty income is subject to state taxation. These approaches, however, limit a state's reach to royalty income when the relationship between the operating company and the IP holding company is not a sham. States cannot tax the royalty income when the IP holding company is a legitimately separate business entity.

IV. Conclusion

A good friend of mine told me that there will be nothing left because everything is intellectual property. Don't worry! There is plenty of room left for all of us keen students of the law to learn that intellectual property is just the beginning of our increasingly knowledge-based economy.

Notes

1. This paper is based on my published works, forthcoming articles, and works in progress. Titling the New Intellectual Property Right, 55 Hastings Law Journal 1 (2004); Bankruptcy Trademarks, 37 Duke Law Journal 1267 (2004); Collateralizing Internet Property, 73 Tulane Law Review 555 (2004); Commercial Law Collides with Cyberspace: The Trouble with Perfection—Insecurity Interests in the New Corporate Asset, 59 Washington and Lee Law Review 37 (2002); Cyber Property and Judicial Dissonance: The Trouble with Domain Name Classification, 10 George Mason Law Review 183 (Spring 2002); Holding Intellectual Property... Georgia Law Review... (Forfeiting 2005).


3. The frustration at "nowhere" income has been forcefully expressed in a dissenting opinion in Acme Royalty Co. v. Director of Revenue, 96 S.W.3d 72, 78 (Missouri 2003):

   ... IT]hese corporations shifted income taxable in Missouri to Delaware, where income from patents and trademarks is tax-free... A bare corporate change can make income that is taxable today not taxable tomorrow. The result is the creation of so-called nowhere income—income that is taxed in no state. Nowhere income, it might be noted, is not just affecting individual states. ... Companies set up offshore subsidiaries so they can transfer royalties from sales of products made outside of the United States to places like Bermuda... By moving their profits to places where such income is not taxable, companies are avoiding taxation in places such as Missouri where those profits were derived.

4. See Sherrin-Williams Co. v. Comm'r of Revenue, 778 N.E.2d 504, 511 (Mass. 2002) (holding that the evidence supported the transfer and license-back intellectual property between parent and wholly-owned subsidiary were for economic substance and business purposes).
Nguyen Granted Tenure and Promoted to Professor of Law

SMU Dedman School of Law faculty member Xuan-Thao Nguyen recently was promoted from Associate Professor of Law to Professor of Law.

"It is a great privilege and honor to become a professor of law," Professor Nguyen said. "I feel very fortunate to be recognized and promoted by the Law School and the University. It is wonderful to be a member of this great institution." Professor Nguyen is nationally known in the fields of intellectual property, Internet/e-commerce, and commercial law.

"Professor Nguyen is a brilliant young scholar and an excellent teacher who is much loved by the students," said Dean John B. Attanasio. "She is a prolific author. She has four books and 15 articles on intellectual property. She has also spoken at major intellectual property conferences around the world."


"Her Wake Forest Law Review published last year has recently been chosen by West Publishers as one of the best law review articles and will be republished in West's IP Anthology," Dean Attanasio said.

"I was very surprised when the lawyer for West contacted me about the recognition," Professor Nguyen said. "I write every day because I feel so passionate about the law, my job as a teacher and my responsibilities as a legal scholar. I do not think about being recognized for what I write, but it is certainly very nice to receive recognition."

Professor Nguyen co-authored a treatise and a casebook on Intellectual Property Taxation. The treatise was published by BNA in 2003 and the casebook was published by Carolina Academic Press in 2004.

Her articles have been cited by the courts in Interstellar Starship Services, Ltd. v. Epix, Inc., 304 B.3d 936 (9th Cir. 2002); Times Mirror Magazines, Inc. v. Las Vegas Sports News, 212 B.3d 167 (3d Cir. 1999); and Pharmacia Corp. v. Alcon Lab., Inc., 201 F. Supp. 2d 335 (D.N.J. 2002).

Professor Nguyen is a frequent speaker at international and national symposia and conferences. She is currently advising the Vietnamese government on intellectual property and e-commerce legislation.

She is a registered patent attorney with the U.S. Patent and Trademark Office. She received her J.D. from Northeastern University School of Law and her B.A. with a triple major from Oberlin College. Prior to entering academia, she practiced intellectual property law at Fried, Frank, Harris, Shriver & Jacobson (New York City) and Pryor, Cashman, Sherman & Flynn (New York City).

As to her future, she plans to write a definitive treatise and a new casebook on Intellectual Property Licensing law that includes the intersection of intellectual property licenses with secured transactions, bankruptcy, taxation, government procurements, antitrust, e-commerce, and international trade.

"Our world is both big and small. Globalization has a special meaning to me as I plan to devote more time working with legal scholars and high level government officials in developing and emerging countries, particularly Vietnam and China, on commercial law, securitization, payment systems, IP and e-commerce legislations," said Professor Nguyen. "Essentially, I want to see my scholarship and work on legal reform at home and abroad enhance the strength of the Dedman School of Law as one of the top law schools."
The SMU Dedman School of Law Welcomes Its Visiting Faculty

PROFESSOR BERNHARD GROSSFELD
Professor of Law at the Muenster University in Muenster, Germany

Distinguished Visiting Professor Grossfeld is Professor of Law at the Muenster University in Muenster, Germany. At Muenster, he also serves as the Director of the Institute for International Business Law as well as the Director of the Institute for Cooperative Research. Professor Grossfeld received his J.D. degree from Muenster University and his Master of Law degree from Yale University. He is recognized as one of the leading European law scholars in comparative and international business law. Professor Grossfeld has previously taught as a visiting professor at SMU, Michigan, Texas, Chicago, and NYU (where he is a permanent member of its Global Law School Faculty). Professor Grossfeld taught Comparative Law I and Comparative Law II: Transnational Business Organizations.

THE HONORABLE PATRICK E. HIGGINBOTHAM
Judge for the United States Court of Appeals for the Fifth Circuit

Distinguished Visiting Professor Judge Patrick E. Higginbotham was appointed to the United States District Court, Northern District of Texas in 1975 and to the United States Court of Appeals for the Fifth Circuit in 1982. Judge Higginbotham received his B.A. and LL.B. degrees from the University of Alabama and an honorary Doctorate of Laws from Southern Methodist University. He is a member of the American Law Institute and advisor to its project on Complex Litigation and Chairman of the Board of Trustees of The Center for American and International Law (formerly The Southwestern Legal Foundation). Judge Higginbotham is President of the American Inns of Court Foundation; Fellow, American Bar Foundation; and member of the Committee on Ethics 2000, ABA. He has previously taught as a visiting law professor at Southern Methodist University, The University of Alabama, The University of Texas, and Texas Tech University. He taught Constitutional Structure & Federalism.

PROFESSOR ROBIN W. LOVIN
Carey Maguire University Professor of Ethics at SMU

Distinguished Visiting Professor Robin W. Lovin is the Carey Maguire University Professor of Ethics at Southern Methodist University and is former Dean of the SMU Perkins School of Theology. He has been a member of the Perkins faculty since 1994 and was named to the Maguire chair in 2001. Professor Lovin earned his B.A. from Northwestern University and his B.D. and Ph.D from Harvard University. His teaching specialties include social ethics, protestant theological ethics, comparative religious ethics, religion and political thought, and the history of ethics. His research interests include Reinhold Niebuhr and Christian Realism, racial justice, and church and state issues. Dean Lovin co-taught an edited writing seminar on Religion, Law and Society with SMU Dedman School of Law Dean John Attanasio.
THE HONORABLE THOMAS PHILLIPS
Former Chief Justice of the Texas Supreme Court

Distinguished Visiting Professor Thomas Phillips was appointed Chief Justice of the Texas Supreme Court in 1987 by Governor Bill Clements and served until 2004. Prior to his Supreme Court service, he was a federal district judge in Harris County from 1981 to 1987. He received his B.A. from Baylor University, summa cum laude, and his J.D. from Harvard Law School. After graduating from law school, Justice Phillips was an attorney with Baker & Botts in Houston for six years. He served a term as President of the National Conference of Chief Justices from 1997-1998 and served seven years as a member of the Committee on Federal-State Relations of the Judicial Conference of the U.S. He serves on the ABA's Commission on the 21st Century Judiciary. He is also the chair of the Texas Judicial Districts Board and the Texas Judicial Council. Justice Phillips taught a Supreme Court Seminar.

THE HONORABLE LINDA THOMAS
Chief Justice of Texas's Fifth District Court of Appeals

The Honorable Linda Thomas is Chief Justice of the Fifth District Court of Appeals, the State's largest intermediate appellate court. Chief Justice Thomas received her B.A. from University of Texas at Arlington and her J.D. from SMU in 1973. She served eight years as a family court judge and has been on the appellate court since 1987. She is board certified in family law and has been awarded the prestigious Sam Emison Award by the Texas Academy of Family Law Specialists for meritorious contributions to family law. In 2005, the Fellows of the Dallas Bar Foundation honored her for her legal and civic contributions. Chief Justice Thomas is a nationally-recognized leader in legal and judicial education. She taught Family Law.

THE HONORABLE BARBARA J. HOUSER
U.S. Bankruptcy Judge for the Northern District of Texas

Judge Barbara J. Houser is a United States Bankruptcy Judge for the Northern District of Texas. She received her undergraduate degree from the University of Nebraska and J.D. from SMU School of Law in 1978 where she was editor of the SMU Law Review. After law school, Judge Houser joined Locke, Purnell, Boren, Laney & Neely in Dallas and later practiced with Sheinfeld, Maley & Kay, P.C. until she was sworn in as United States Bankruptcy Judge in January 2000. Judge Houser lectures and publishes frequently on corporate restructuring and insolvency law. She is a past chairman of the Dallas Bar Association Committee on Bankruptcy and Corporate Reorganization. She is a contributing author of Collier on Bankruptcy (15th Ed) and the Collier Bankruptcy Manual (3rd Ed). She taught Creditors' Rights.

THE HONORABLE D. MICHAEL LYNN
U.S. Bankruptcy Judge for the Northern District of Texas

Judge D. Michael Lynn is a United States Bankruptcy Judge for the Northern District of Texas. He received his B.A. cum laude from Lawrence University and his J.D. from Columbia Law School where he was a Harlan Fiske Stone Scholar. Prior to his appointment to the bench, Judge Lynn was of counsel with Stutzman & Bromberg. He is co-author of Collier Handbook for Trustees and Debtors in Possession and Creditors' Rights Handbook (1995). He is a contributing author of Collier on Bankruptcy and Collier Bankruptcy Practice Guide. He taught Advanced Bankruptcy.
THE HONORABLE DON BUSH
U.S. Magistrate Judge for the Eastern District of Texas


PROFESSOR LIZABETH MOODY
Dean Emeritus and Distinguished University Professor at Stetson College of Law

Professor Moody is Dean Emeritus and Distinguished University Professor at Stetson College of Law in Gulfport, Florida where she served as Dean from 1994 until 1999. She previously was a Professor of Law and Interim Dean at Cleveland State University College of Law. Professor Moody received her J.D. from Yale University. She served as President and C.E.O. of Law Schools Admission Services and Executive Director of the Law School Admission Council. Professor Moody taught Business Enterprise and Securities Regulation.

PROFESSOR SHUBHA GHOSH
Associate Professor for the University at Buffalo Law School, SUNY

Professor Ghosh has a B.A., cum laude, from Amherst College, a Ph.D. (in Economics) from The University of Michigan, and a J.D., with distinction, from Stanford. At Stanford Professor Ghosh was an articles editor for the Stanford Journal of International Law and for the Stanford Law and Policy Review. Prior to law school, Professor Ghosh was Assistant Professor of Economics at The University of Texas at Austin from 1988-1991. Recently, Professor Ghosh was at The University at Buffalo Law School, SUNY. He has previously taught at Georgia State College of Law and Oklahoma City University School of Law and as a visitor at Mercer Law School, and the National Law School of India University in Bangalore. Professor Ghosh taught Patent Law and Torts.

PROFESSOR SHIAO-MING SHEN
International Legal Consultant to Mackenzie & Albritton

Professor Shiao-Ming Shen is an International Legal Consultant to the San Francisco law firm of Mackenzie & Albritton where she advises American companies in China. Professor Shen received her B.A. in Law from the Peking Institute of Political Science and Law, her M.C.L. from SMU Dedman School of Law, her LLM from Harvard Law School, and her J.S.D. from the University of California-Berkeley School of Law. She taught Comparative Law II: Doing Business in China.

PROFESSOR ELLEN TAYLOR
Associate Professor at Georgia State University Law School

Professor Ellen Taylor has a B.Mus. from Manhattan School of Music and a J.D., with distinction, from Emory University. Professor Taylor was an attorney with Trotter Smith and Jacobs in Atlanta prior to entering academia. Currently, she is on the faculty at Georgia State University School of Law as an Associate Professor of Law where she teaches contracts, corporate finance, business planning, and mergers & acquisitions. Professor Taylor taught Business Enterprise in the summer 2003 session.
Crespi Honored With 2005 Distinguished University Citizen Award and Don M. Smart Award For Excellence in Teaching

SMU Professor of Law Gregory Crespi was honored with both the 2005 Distinguished University Citizen Award and the Don M. Smart Award for Excellence in Teaching. The Distinguished University Citizen Award is a SMU-wide honor.

"Those faculty and donors who have established the Distinguished University Citizen Award recognize that true faculty governance of a university requires upon occasion that faculty members step forward and shoulder substantial burdens as well as obligations whose difficulty and time commitments require some personal sacrifice if those faculty members are to also maintain their teaching and scholarship responsibilities," Professor Crespi said. "My chairmanship of the Athletic Council over the past several years has involved organizing and chairing many meetings and regularly working with faculty, administrators, students and alumni on numerous academic, personnel and budgetary issues, and also managing the work of several important sub-committees. I am very gratified that my efforts and those of the faculty who have made similar contributions to the University through their committee work and other service have been so recognized in a public manner."

The Don M. Smart award was presented at the 2005 graduation to both Christopher H. Hanna, Professor of Law & University Distinguished Teaching Professor and Professor Crespi. Professor Crespi was previously honored with the Don M. Smart Award in 1994 and 1998.

"The Don Smart Award is very meaningful to me because it reflects the graduating students' own honest assessment of which professor has been the most helpful to them in learning the material," Professor Crespi said. He adds that "this particular award is based entirely upon a 'what have you done for us lately' evaluation of our teaching efforts by the graduating students. It really means that you have been of service to them."

Daly Appointed to National Museum Board

President George W. Bush appointed Gail M. Daly to a 20-member board of museum and library professionals that advises the Institute of Museum and Library Services, an independent federal agency which allocates more than $200 million in grants to a wide array of museums, libraries, archives, historical societies, and institutions of higher education.

Daly is Associate Dean for Library and Technology and Associate Professor of Law at the SMU Dedman School of Law. She was "surprised and honored" at the nomination.

"The call from White House Personnel came out of the blue on a quiet Friday afternoon," she said. "I thought perhaps it was a prank, at first. Then they interviewed me for over an hour and notified me that I would be nominated." After interviews with the FBI and teams of paperwork, she was confirmed by the Senate and sworn in by U.S. Supreme Court Justice Sandra Day O'Connor on February 16, 2005.

"The major role of the Board is to advise the Institute of Museum and Library Services on policy," Daly said. "Our mission is to foster leadership, innovation, and a lifetime of learning by supporting the nation's museums and libraries."

"I've been pleased to reconnect with the larger library and cultural community after spending my career in the more confined area of legal education and legal research," she said. "It's exciting to deal with issues that are unique to museums and learn how they operate, and it's gratifying to work with an agency and a group of people who are really trying to help our community libraries and museums make a difference."
Tom Mayo Named Head of SMU’s Ethics Center

Associate Professor of Law Thomas Mayo became the new director of the SMU Maguire Center for Ethics and Public Responsibility in June 2005. Professor Mayo holds dual appointments at the SMU Dedman School of Law and UT Southwestern Medical School. He also co-chairs the institutional ethics committees at Parkland Memorial Hospital and Children’s Medical Center of Dallas. The Maguire Center is in its tenth year of reaching out to the faculty and students at SMU and “trying to foster a culture where ethics is important,” Professor Mayo said.

“The Center is a continuation of work that I’ve been doing and others in the law school faculty have been doing for years. I think it’s an important adjunct to what the law school is all about,” he said. The Maguire Center hosts conferences and activities and also makes summer grants to students who work in public service. According to Professor Mayo, law students have probably received more public service grants than any other school group at SMU.

Professor Mayo says the Center needs more resources so that there can be a visiting scholar program and endowments for the director’s position and major programs. He also hopes to increase cooperation with all of SMU’s schools and increase partnerships with business institutions.

Professor Eads Receives Don M. Smart Award

The graduating class of 2004 honored Associate Professor of Law Linda S. Eads as the recipient of the annual Don M. Smart Award for Excellence in Teaching. Professor Eads first won the Don M. Smart Award in 1989. She has also been a SMU University Scholar and Teacher of the Year.

Professor Eads joined the law faculty at Southern Methodist University in 2000 after previously teaching at SMU from 1986-1999. Professor Eads served as Deputy Attorney General for Texas from 1999 to 2000. She participated in the appeal to the 5th Circuit of the decision in Hopwood and in the landmark agreement between Aetna and Texas regarding HMO practices in Texas.

Professor Hanna Receives Teaching Excellence Award

The graduating class of 2005 elected Christopher H. Hanna, Professor of Law & University Distinguished Teaching Professor for the Don M. Smart Award for Excellence in Teaching. This year’s award was shared by Gregory S. Crespi, Professor of Law. Professor Hanna was named University Distinguished Teaching Professor at Southern Methodist University in 2002 and has received the Don M. Smart Award on six other occasions. He joined the SMU Law School faculty in 1990.

“Winning the teaching award ONE time is an incredible honor. We have a great teaching faculty at SMU and to be selected for the award by the students out of the entire faculty is a great honor and incredibly flattering,” Hanna said.
Professor Joe McKnight Honored Through Research Endowment

A reception was held on April 7, 2005 to celebrate Professor Joseph W. McKnight and an endowment named in his honor. The recently established Professor Joseph W. McKnight Endowment Fund in Family Law, set up to support faculty research, was created by the generosity of many former students of Professor McKnight.

"Professor Joseph McKnight is a treasure, not only to our law school, but to the entire family law community," Dean John B. Attanasio said. "I want to express appreciation to Charlie Hodge for all his efforts in making this endowment possible, and special thanks to Brian Webb, a partner in the firm of Webb & Ackels, and former chair of the Family Law Section of the State Bar of Texas, for his leadership in making this idea become reality."

Prof. Moss Receives Honorable Prentice Marshall Faculty Award

Fred Moss, Associate Professor of Law at SMU, was awarded the 2004 Honorable Prentice H. Marshall Faculty Award which is given each year by the National Institute for Trial Advocacy (NITA). The citation recognizes Professor Moss as a "NITA pioneer" and leader at the Institute for over 25 years. The recognition also praises him as a teacher, program administrator, and colleague noting, "NITA would not be the strong, growing, and vibrant institution that it is today without your extraordinary contributions and for that we are forever in your debt."

Professor Moss began working with NITA in 1979 at their first Southern Regional Building Trial Skills program for lawyers in Austin, Texas. He was director of that program from 1981 until 1990 when it was housed at SMU. As director, he was instrumental in the development of the NITA trial skills program. Since 1991, he has developed and run the NITA Southern "Taking and Defending" Depositions program every spring at SMU. This summer he was on the faculty at NITA's "Advocacy Skills for Criminal Cases in Tribal Courts" program in Colorado, one of several "pro bono" programs NITA holds each year where no tuition is charged.

"I am very proud that NITA has recognized my contributions to its mission of training better trial lawyers in America by awarding me the Honorable Prentice Marshall Faculty Award," Professor Moss said.
Faculty Scholarship

ROY RYDEN ANDERSON
Visiting & Ekins Distinguished Teaching Fellow and Professor of Law

Publications: Annual supplement to DAMAGES UNDER THE UNIFORM COMMERCIAL CODE (2004); TEXAS UNIFORM CODE: ANNOTATED (with Buell & Fast (2004 revision))

Presentations: "Five Themes of American Constitutional Law" to Peking University; Peking, China (November, 2004); "Constitutional Theory and Practice" to Tsinghua University Law School, Peking, China (November, 2004); Panelist, "Seven Revolutions Looking out to the Year 2025 and the Major Forces Shaping the World" presented by the Center for Strategic and International Studies and Sponsored by the Society of International Business Fellows, Dallas (September 2004); "American Constitutional Law" to the 2004 Academy of American and International Law, Dallas (May 2004); "Five Themes of American Constitutional Law to delegations from China, Oman, and Bahrain (May, September & October 2004); Interview on the future of legal education-KERA Radio, Dallas (April 2004).


JOHN ATTANASIO
Dean and William Hawley Ayrell Professor of Constitutional Law


Presentations: "Recent Developments in Federal Evidence" to the Dallas Chapter of the Federal Bar Association (February 2005); "Basics of Evidence" to the Trial Skills Section of the Dallas Bar Association (November 2004); Panelist, "Medical and Legal Ethics of the Schiavo Case", Foggia/botham Inn of Court (October 2004).

WILLIAM BRIDGE
Associate Professor of Law

Publications: 2004 supplements to IACOMMERCIAL LAW AND UNDERSTANDING COMMODITIES AND FUTURES (with Lowenfels); 2001-2 and 2005-1 Supplements to STRATEGIST ON PARTNERSHIPS (with Ribstein); 2005 Supplement to BROMBERG & RIBSTEIN ON LIMITED LIABILITY PARTNERSHIPS WITH RIBSTEIN; IMPLIED PRIVATE ACTIONS UNDER SARBANES-OXLEY, 34 SETON HALL L. REV. 775 (2004)(with Lowenfels).

REGIS W. CAMPFIELD
Marilyn F. Mead Johnson Distinguished Law Faculty Fellow & Professor of Law


GREGORY CRESPI
Professor of Law

Publications: Measuring 'Actual Harm' for the Purpose of Determining the Enforceability of
GAIL DALY

Associate Dean for Library and Technology
Director of the Underwood Law Library, and
Associate Professor of Law

Appointments: Member, National Museum
and Library Services Board.

WILLIAM V. DORSANEO III

Chief Justice John and Lula Hickman
Distinguished Faculty Fellow & Professor of Law

Publications: Releases 72, 73, 74, 75 and 76 of
Texas Litigation Guides; Monthly articles in
Texas Tort's Update (June 2004 – October
2004); Dorsaneo & Soules' Texas Codes
and Rules - Civil Litigation; 2004-2005
Edition; 2004 Supplement to Cases and
Materials on Civil Procedure (with Crump
& Pochelbacher); 2004 Supplement to Texas
Civil Procedure; Pretrial Litigation (with
Thornburg); Release 12 of Texas Civil Trial
Guide (with Johnson).

Presentations: "Standards of Sufficiency
Review" to the Dallas Bar Association Appellate
Section (October 2004); "Analysis of a
Successful Petition for Review" to the State Bar
of Texas CLE, 16th Annual Civil Appellate
Practice Course (September 2004); "Insurance
Litigation - Discovery Compendium" to the
State Bar of Texas CLE (June 2004); "Changing
The Balance of Power: Juries, The Courts, And
the Legislature" to the State Bar of Texas CLE,
"Practice Before the Supreme Court" (April
2004).

Appointments: Chairman, Subcommittee on
Appellate Rules, Advisory Committee to the
Texas Supreme Court.

MAURICE DYSON

Associate Professor of Law

Publications: Safe Rules or Gay Schools? The
Dilemma of Sexual Orientation Segregation in
Public Education, Univ. of Penn. J. of
Constitutional Law 183 (2004); The
Death of Robin Hood? Proposals to Overhaul
Public School Finance, 11 Geo. J. on Poverty
L. & Pol'y 1 (2004); Multiracial Identity,
Monoracial Authenticity & Racial Privacy:
Towards an Adequate Theory of Multiracial

LINDA EADS

Associate Professor of Law

Publications: Corporate America and its Ethical
Choices for the SMU-McGuire Center for
Ethics and Public Responsibility, paper no. 19
(2004).

Presentations: "Can Lawyers Achieve Civil
Responsibility While Still Maximizing Wealth?"

Linda Eads, "Insurance Litigation and You: The Impact of Insurance
Litigation - Discovery Compendium" to the
State Bar of Texas CLE (June 2004); "Changing
The Balance of Power: Juries, The Courts, And
the Legislature" to the State Bar of Texas CLE,
"Practice Before the Supreme Court" (April
2004).

Appointments: Chairman, Subcommittee on
Appellate Rules, Advisory Committee to the
Texas Supreme Court.

DAVID EPSTEIN

Professor of Law

Presentations: CLE Lectures U.S. Court of
Appeals for the Tenth Circuit Conference;
National Conference of Bankruptcy Judges
Annual Meeting, NYU Bankruptcy Workshop;
Practicing Law Institutes California and New
York bankruptcy programs.

Awards: King Award from the Commercial Law
League.

JULIE P. FORRESTER

Associate Professor of Law

Presentations: Panelist for a program on
"Eminent Domain" for the McGuire
Program, KERA TV, Dallas (January 2004).

Appointments: UT Longhorn Women Leader.

JEFFREY M. GABA

Professor of Law

Publications: Environmental Law (Thomson
West Black Letter Series 3d Ed. 2005); 2004
Update to Gaba's Texas Environmental
Law Statutes Annotated; New Sources, New
"Insurance Litigation and You: The Impact of Insurance
Litigation - Discovery Compendium" to the
State Bar of Texas CLE (June 2004); "Changing
The Balance of Power: Juries, The Courts, And
the Legislature" to the State Bar of Texas CLE,
"Practice Before the Supreme Court" (April
2004).

Appointments: Chairman, Subcommittee on
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Professor of Law

Publications: Environmental Law (Thomson
West Black Letter Series 3d Ed. 2005); 2004
Update to Gaba's Texas Environmental
Law Statutes Annotated; New Sources, New

**CHRISTOPHER HANNA**

*Professor of Law*


**Appointments:** Visiting Professor of Law, The University of Tokyo School of Law (July-August 2004); Director, The Academy of International Taxation 2004; Taipei, Taiwan.

**NDIVA KOFELE-KALE**

*Professor of Law*

**Presentations:** Participant, Supreme Court Summit, Oxford University, Oxford England (July 2004); “The New Version of Hernandez v. Texas: The Exclusion of Minorities from the Class Action Device” at a symposium at the University of Houston Law Center on the “Golden Anniversary of Hernandez v. Texas,” Houston (November 2004); “Race Discrimination and Human Rights Class Actions” at the Joint Program on Race and Civil Procedure: Teaching and Scholarship, annual meeting of AALS, San Francisco, California (January 2005).

**HENRY J. LISCHER, JR.**

*Professor of Law*


**JOHN S. LOWE**

*George W. Hutchinson Professor of Energy Law*


**Presentations:** Presented a one-week short course on International Oil and Gas Contracts (Honorary Lecturer and Principal Research Fellow) at the University of Dundee, Scotland (May, 2004); “The Implicated Covenant to Market” to the national convention of the National Association of Royalty Owners, Denver, CO (September 2004); “The Implicated Covenant to Market” to the Dallas Fort Worth Association of Lease and Title Analysts, Dallas (October 2004); taught a short course in Oil and Gas Law sponsored by the Rocky Mountain Mineral Law Foundation, the Energy Law Institute and the Energy and Mineral Law Foundation, Houston, TX (October 2004); presented analysis of U.S.-International Gas Trade at a delegation of judges and government officials from Oman, Washington, D.C. (May 2004).

**Appointments:** President, Rocky Mountain Mineral Law Foundation (2003-2004).

**GEORGE A. MARTINEZ**

*Professor of Law*

**Publications:** *The Supreme Court to Decide Whether HMOs Can Be Sued for Negligent Treatment Decisions, 8 MEALY’S MANAGED CARE LIABILITY REP’T* 14 (Mar 2004).

**Presentations:** “Ethics and the Trauma Patient,” Keynote Address, General Opening Session, National Trauma Conference, Association of Operating Room Nurses (October 2004); “End-of-Life-Care: What Every Physician Needs to Know,” Diagnostic Radiology Update, University of Texas - Southwestern Medical Center, Dallas (October 2004); “Advance Directives, Problems and Solutions,” Tarrant County Academy of Medicine, Fort Worth, TX (October 2004); “Brain Dead, Medically Dead, Legally Dead, or Really Dead?” 2003-2004 Medicine and the City Series, UT Southwestern/Dallas Institute of Humanities and Culture, Dallas (May 2004); “Ethics in Pediatrics,” 5th Annual “Making a World of Difference” Conference, Children’s Medical Center, Dallas (May 2004); “Three Problems in Contemporary Bio-ethics,” SMU Godkey Lecture Series, Dallas (March, April 2004). “Brain Dead, Medically Dead, Legally Dead, or Really Dead?” Glenn Mitchell
Show, KERA-FM (NPR) Dallas (received Dallas Bar Association’s 2004 Philbin Award for best radio reporting of the year) Dallas.

JOSEPH MCKNIGHT
Larry and Jane Harlan Faculty Fellow and Professor of Law


Presentations: Chair Commentator, “History of the Supreme Court of Texas” to the American Society for Legal History, Austin (October 2004); “Implications of Some Decisions with New Problems and Recent Developments” to the National Lawyers Association Regional Meeting, Dallas (March 2004).

CHARLES J. MORRIS
Professor Emeritus of Law


FREDRICK C. MOSS
Associate Professor of Law

Presentations: Conducted seminar on “Examining Witnesses at Trial,” co-sponsored by the Legal Society of Ireland and the National Institute for Trial Advocacy, Kilkenny, Ireland (November 2004); “A Lawyer’s Duties to Prospective Clients” to the Dallas Bar Association, Dallas (October 2004); directed the National Institute for Trial Advocacy’s Southern Regional Deposition Program, Dallas (May 2004).

JOHN J. MYLAN
Professor of Law


XUAN-THAO NGUYEN
Professor of Law


JOSEPH J. NORTON
James I. Walsh Distinguished Faculty Fellow in Financial Institutions and Professor of Law

Publications: MULTILATERALISM V. UNILATERALISM (Co-editor & author of one chapter) (British Institute 2004); The UK Unitary Megaregulator Model - A Critical Evaluation of the UK FSA, INT'L LAWYER (Spring 2005); Flows and Viable Dispute Settlement Frameworks, 10 JBRA 65 (2004).

Presentations: Taught two-week course on "Integrating Faith and Law Practice" at Pepperdine's Institute of Law, Religion and Ethics, Malibu, CA (July 2005); "Ethical Issues in the Tripartite Relationship", Dallas (Spring 2005); participated in a Christian Legal Society Conference on "The Lawyer's Role in Representing the Marginalized, University of Oklahoma Law Center, Norman, OK (April 2005); Presentation to Independent School Counselors on "The Obligations of Independent Private Schools Under the ADA and the IDEA, Dallas (February 2005); Moderated SMU Town Hall Forum on "Psychological and Theological Implications of Dehumanization and Torture, Dallas (October 2004).

Appointments: Nomura Visiting Professor in Financial Systems, Harvard Law School, (Spring 2005); Advisor, IMF/World Bank on their Global Bank Insolvency Initiative and the International Association of Deposit Insurers.

ELLEN PRYOR
Homer R. Mitchell Professor in Insurance and Commercial Law


Presentations: Taught two-week course on "Integrating Faith and Law Practice" at Pepperdine's Institute of Law, Religion and Ethics, Malibu, CA (July 2005); "Ethical Issues in the Tripartite Relationship", Dallas (Spring 2005); participated in a Christian Legal Society Conference on "The Lawyer's Role in Representing the Marginalized, University of Oklahoma Law Center, Norman, OK (April 2005); Presentation to Independent School Counselors on "The Obligations of Independent Private Schools Under the ADA and the IDEA, Dallas (February 2005); Moderated SMU Town Hall Forum on "Psychological and Theological Implications of Dehumanization and Torture, Dallas (October 2004).

Appointments: Nomura Visiting Professor in Financial Systems, Harvard Law School, (Spring 2005); Advisor, IMF/World Bank on their Global Bank Insolvency Initiative and the International Association of Deposit Insurers.

C. PAUL ROGERS III
Professor of Law


Presentations: Table host and discussion leader, "Tables of Content" sponsored by the Friends of the SMU Libraries, Dallas (April 2005); Spoke to the Dallas Bar Association's Sports and Entertainment Law Section, Dallas (March 2005); "The Quest for Number One in College Football: Should Antitrust Laws Sack the Bowl Championship Series", Southern University Law Center, Distinguished Speaker Series, Baton Rouge, Louisiana (February 2005); Panelist, Acoustics and Athletics Roundtable, sponsored by the Center for Teaching Excellence, Dallas (February 2005); Moderator, Tate Book Club for Michael Lewis' MONEYBALL, sponsored by the Center for Teaching Excellence, Dallas (October 2004).
Mary Spector
Associate Professor of Law


Marc I. Steinberg
Rupert and Lifland Radford Professor of Law


Presentations: Spoke to Securities Section of the Dallas Bar Association, Dallas (January 2005); "Corporate Securities Lawyer Liability", South Texas College of Law, Corporate Compliance Center, Houston, TX (November 2004); Conducted training seminar for Securities and Futures Commission (SFC), Hong Kong (October 2004); "Recent Developments in U.S. and European Securities Regulations", University of Hong Kong, Hong Kong (October 2004); Moderator, SMU Corporate Counsel Symposium, Dallas (October 2004).

Appointments: Paul Hastings Visiting Professor, Faculty of Law, University of Hong Kong (October 2004).

Elizabeth Thornburg
Professor of Law


Presentations: "Comparative Pre-trial Procedure" to a conference sponsored by the Law Society of Scotland, Scotland (May 2004).

Jenia Iontcheva Turner
Assistant Professor of Law


Major Donor Reception

Bill Callejo '66, Kathy Attanasio, Adelfa Botello Callejo '61, and Dean John B. Attanasio.

Betty Ellsworth Ungerman '90, Margaret Keliher '90, and Kim Askew.

Lon Williams, James Cleo Thompson (honorary alumnus '02), and Dorothy Thompson.

John McElhaney '58, John Biggers '55 and Jack Kinnebrew '67.

Lisa Barger and Ron Barger '81.

Patty Clifford '91 and Martin Samuelsohn '41.
Brad Whitlock '88, Kathaleen Bauer, and Jim Griffin '86.

Professor Peter Winship, Jesse B. Heath Jr. '66, and Hetta Heath.

Professor Regis Campfield, Mary Campfield, Kathy Boyett '75, and David Boyett.

Adelfa Botello Callejo '61 and Marshall P. Cloyd.

Kitty Burge Wilson and Dorothy Smith.

Eugene Mason '56 and Ann Mason.
As the houselights dim at Greer Garson Theater, musicians queue up and local lawyers search for their marks on the stage. It's the annual Bar None performance!

This is the 20th year of the Dallas Bar Association's Bar None show fundraiser for the Dallas Bar Foundation and the Sarah T. Hughes Diversity Scholarship at the Dedman School of Law. Over the show's history, it has raised money through ticket sales and sponsorships. One of the goals this year was to reach a cumulative $1 million mark, an extraordinary achievement that the group made happen.

"All the profit we make through Bar None is channeled through the Dallas Bar Foundation to those scholarships," said Martha Hardwick Hofmeister, director of Bar None since its inception.

This year's theme was the "Best of Bar None," staging 30 of the best and most popular songs and skits of the past nine years. (The 10th year featured the best of the first nine years.) There are 55 cast members participating in this twentieth anniversary, with Hofmeister saying, "I cast everybody who auditioned!"

The audience was entertained by Judge Egregious on "Who Wants to Sue a Millionaire?" an advertisement for the new Trystuene with active ingredient Goforitall, and perennial Bar None favorite Mo Mosowitz with his latest lightning-fast shill.

While a lot of the bar and judiciary may enjoy putting on a show and hamming it up just for the fun of it, the fundraising aspect is also a big draw. The Scholarship provides full tuition for the first year of law school and is renewed the second and third years with satisfactory academic performance.

"I do think that there is a very real commitment to the scholarship and the idea of helping fund a scholarship that will bring extraordinarily talented minority students both to the SMU campus and to the Dallas legal community," Hardwick Hofmeister said. "We have a reception every October where the proceeds are presented and we get to meet the scholarship recipients at that time. We have a great cast turn-out for that reception because the people in the cast really do feel a kinship and bond to these law students."

The goal of the Scholarship is to increase minority involvement in the legal profession and attract minority law students to Dallas in the hope that they will remain in Dallas to practice law and become leaders in the community.
One of the recipients of the scholarship for 2004 was Elisabeth Wilson, now a 2L at SMU. Just being the first college graduate in her family was a huge achievement, but after working around lawyers, she found herself thinking that being a lawyer would be something she could do and even enjoy.

"For me, the Hughes Scholarship is proof that the Dallas legal community cares about the diversity of students entering law school and the legal profession," Wilson said. "I have experienced such an outpouring of kindness and support from the members of Bar None, the Dallas Bar Association and Dallas Bar Foundation."

While Wilson's first choice was SMU, her high scores meant she was recruited by several other prestigious schools. However, she said "I kept coming back to SMU because of the tremendous support of the school and the Dallas Bar. I think the support of Bar None and the Dallas legal community is going to help make some very talented and committed lawyers who are ready to give back."

Many of the people involved in Bar None are SMU law alumni, including Rhonda Hunter '80, choreographer of Bar None and immediate past president of the Dallas Bar Association.

"When I first began Law School, I was one of five African-Americans in the school," she said. "Years later, the Dallas Bar Foundation came up with a plan to help diversify the legal community by funding the Sarah T. Hughes Fellowships. I was delighted that I could use the dance background that had helped put me through law school to fund this scholarship."

"It is amazing to look at the list of scholars," Hunter said. "They were the cream of the crop in order to get this highly competitive fellowship, and viewing their accomplishments since graduating from law school, I think the support of Bar None and the Dallas legal community is going to help make some very talented and committed lawyers who are ready to give back."

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Another 2004 scholarship recipient, Gabrielle Loveless, said that SMU was already her top choice because of its location and reputation, but the cost was a major concern.

"The Hughes Scholarship practically eliminated the financial variable for me when choosing a law school," she said. Loveless also thanked the Dallas Bar Association and Scholarship Foundation. "Knowing that so much effort goes into Bar None and that so many attorneys have invested in the future of the Hughes Scholars makes me give my all in law school and to work as hard as I can to reach my goals," she said.
George R. Moorman was recently honored at a reception celebrating the 50th anniversary of Moorman, Tate, Moorman, Urankart and Haley, the law firm he founded in Brenham, Texas, and was honored by the Naval Reserve Association as a founder at its 50th anniversary conference in San Antonio.

Justice Barbara Culver Clack received the Outstanding Fifty-Year Lawyer Award from the Texas Bar Foundation, which honors attorneys whose practice spans a half century or more and who adhere to the highest principles and traditions of the legal profession and provide service to the public.

Charles W. Hall is now included in the "The Best Lawyers in America."

Marshall J. Doyle, Jr. was named head of the government contracts group at Gardere Wynne Seawell in Dallas, and to the Acquisition Advisory Panel, which will make recommendations on improving existing federal contracting laws and policies.

Justice Barbara Culver Clack received the Lifetime Achievement Award from Chambers, the British publishers. The Chambers awards, presented annually in London, are a benchmark for law firms around the world.

Richard M. Hull joined Godwin Grubel in Dallas as Of Counsel in the securities practice.

Darrell E. Jordan was named managing partner and senior member of the executive committee of Godwin Grubel L.L.P.

H. Mack Barnhart was appointed to the Texas Bar Foundation Board of Trustees.

James P. Brashear recently retired and is spending the summer months in the mountains in New Mexico.

**Stahl Receives Award For Professionalism**

Sidney Stahl '56 was named the 2004 recipient of the Morris Harrell Professionalism Award by the Texas Center for Legal Ethics and Professionalism and the Dallas Bar Association. Stahl is an attorney-mediator who has mediated more than 1,600 civil cases with an 80 percent settlement rate.

Not only active in the legal community, Stahl has served on the Dallas City Council and on the Board of Directors of St. Paul and Zale Lipsky University Hospitals. He also served as an adjunct professor at the law school teaching dispute resolution for 12 years. Stahl received the SMU Dedman School of Law Distinguished Alumni Award in 1991.
Tom Luce was awarded the Erk Janson Ethics Award in 2004 by the Cary M. Maguire Center for Ethics and Public Responsibility.

David T. Norton joined Shackelford, Melton & McKinley as a Partner.

1967

A.J. Harper II is now included in The Best Lawyers in America.

1968

Steven C. Saleh is now included in The Best Lawyers in America.

1969

Rhodes R. Bobbitt was elected to the board of directors of First Acceptance Corporation.

Frank L. Branson is the most recent recipient of the Professor W. McKinley Smiley Jr. Lighthouse Award, honoring the country’s most outstanding lawyer in the areas of advocacy, coaching, training and legal scholarship.

Hugh Hackney has joined Greenberg Traurig, LLP as a shareholder in Dallas.

Elmer Murphey III was recently installed as Grand Master of the Texas Masons.

Bruce Stickler has joined Gardner Carrow & Douglas LLP in their Chicago office.

Bush Appoints Luce To Education Post

The United States Senate has confirmed Tom Luce ’66 as Assistant Secretary for the Office of Planning, Evaluation and Policy Development at the U.S. Department of Education. Luce joins the Department after serving as chairman of Just for the Kids, a Texas non-profit organization he founded in 1995, and as chairman of the National Center for Educational Accountability, a joint venture of the Education Commission of the States, the University of Texas and Just for the Kids.

In his new role, Luce will focus on developing and coordinating K-12 and higher education policy at the Department, including the No Child Left Behind Act, the President’s school reform initiative and special education.

In addition to serving as chairman of Just for the Kids and the National Center for Educational Accountability, Luce was a founding and managing partner of Hughes & Luce, LLP and previously served as chief of staff of the Texas Select Committee of Public Education. Luce has served on the boards of, and as a guest lecturer at, several schools of higher education and has been an active member of many community organizations. An author of two books on public education, Luce has received many awards for his service and leadership. Luce earned his bachelor and Juris Doctor degrees from Southern Methodist University.

Ken Fuller Awarded Frank Scurlock Award

Kenneth D. Fuller ’62 was awarded The Frank J Scurlock award from The State Bar of Texas for outstanding services to the poor. Fuller is Board Certified in Family Law by the Texas Board of Legal Specialization and is a partner in the Dallas firm of Koons, Fuller, Vanden Eykel & Robertson. He has been inducted into the Hall of Legends by the Family Law Section of the State Bar of Texas. In 2003, he was selected by Law and Politics magazine as a Texas Super Lawyer. Previously, Fuller was named Dallas Pro Bono Lawyer of the Year for his service to the Dallas Volunteer Attorney Program. He is a past chairman of the Texas Family Law Council. He received the Sam Emison Award for Meritorious Contribution to Family Law in 1982.
Two Law Alumni Honored
As SMU Distinguished Alumni

James A. Baker '58 received the SMU Distinguished Alumni Award in 2004. Baker earned his LL.B. from the School of Law and practiced private civil law for 28 years. He was elected judge of the Fifth District Court of Appeals in Dallas in 1986 and served nine years there. Baker was appointed to the Supreme Court of Texas in 1995 by then Governor George W. Bush. He was subsequently re-elected and served on the Supreme Court until August 2002.

He is now a partner and co-chair of the Appellate Law Section of Hughes & Luce, L.L.P. in Dallas. Baker has been a guest lecturer for the SMU Dedman School of Law, he is president-elect of the Texas Supreme Court Historical Society and serves on the Supreme Court Gender Bias Reform Implementation Committee.

Nancy McMillan Dedman (honorary alumnus '04) received the SMU Distinguished Alumni Award in 2004. Nancy Dedman and her late husband Robert H. Dedman have supported SMU and a number of other civic and philanthropic causes.

She graduated in 1950 as a Phi Beta Kappa member with a B.A. in history and political science. The Dedmans have been very generous to the campus in the Dedman School of Law, Dedman College of Humanities and Sciences, Dedman Life Sciences Building, Dedman Professorships in Economics and History, Dedman Center for Lifetime Sports and SMU Dedman Scholars program with North Dallas High School.

She currently serves on the boards of Dedman College and the Willis M. Tate Distinguished Lecture Series. She previously served on the Dedman College Committee of The Campaign for SMU, which raised $542 million for scholarships, faculty positions, programs and facilities.

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1971

Al Ellis was selected for inclusion in The Best Lawyers in America, was elected to membership of the International Academy of Trial Lawyers, and received the 2nd Annual Award of Excellence from the Dallas Association of Young Lawyers.

Alon Head was named Chair of the Best Worth Chamber of Commerce and is now included in The Best Lawyers in America.

1972

W. Frank Carroll was elected secretary of the Dallas Bar Association's antitrust and trade regulations section.

Philip J. Pfeiffer is now included in The Best Lawyers in America.

1973

F. Evelyn H. Bixby is now included in The Best Lawyers in America.

A.L. Dent III is now included in The Best Lawyers in America.

1974

Ken Buechner was sworn in as Chief Judge of the Oklahoma Court of Civil Appeals on January 11, 2005. He is also serving as president of the Oklahoma Judicial Conference this year.

1975

William R. Bowers is now included in The Best Lawyers in America.
Alumnus Sits On Japanese Supreme Court

Yukio Horigome '71 was appointed a Justice of the Supreme Court of Japan in 2005. He has worked in the Tokyo District Court, Naha Branch of Fukuoka High Court, Tokyo High Court, a number of divisions of the General Secretariat of the Supreme Court, and as Counselor and Executive Secretary of the Cabinet Legislation Bureau.

In 1998 he was appointed Vice Secretary General of the Supreme Court. He became Secretary General of the Supreme Court in 2000, and in 2002 he was named president of the Osaka High Court. "The Supreme Court renders judgments as the last resort, and therefore I feel somewhat tense when I think about the weight of my responsibility as a justice of such a court," Horigome said. "The ultimate mission of the court is to make judgments appropriately and speedily. I will strive to accomplish this mission."

State Bar Honors Alumni With Pioneer Awards

The Pioneer Breakfast at the State Bar of Texas Annual Meeting honored three SMU Dedman School of Law graduates. The June 24, 2004 event was sponsored by the State Bar of Texas Racial Diversity in the Profession Committee, the State Bar of Texas Office of Minority Affairs, and the Texas Bar Foundation. The honorees were selected as racial minority pioneers of their schools through being the first to attend (post Brown), first to matriculate, or first to make a significant impact on their law school and/or the community at large.

Adelfa Botello Callejo '61 was the first Hispanic woman to practice law in Dallas. She is the co-founder and past-president of the Mexican-American Bar Association of Texas and a past regional president of the Hispanic National Bar Association. She is a civic leader who, along with her husband, is a partner in Callejo & Callejo in Dallas. She received the SMU law Distinguished Alumni Award in 2001.

Rhonda Hunter '80 was the first minority president of the Dallas Bar Association. She launched a program to increase the number of minority lawyers in Dallas by convincing larger law firms to recruit more minority lawyers. She spearheaded the DBA's Brown commemorative events. She received the SMU law Distinguished Alumni Award in 2001.

Earldene Robbins '61 was the first African-American woman to graduate from the SMU School of Law. After receiving her LL.B., she worked with the National Labor Relations Board, eventually becoming an attorney in the Division of Appeals in Washington D.C. Robbins then rose to deputy chief administrative law judge in charge of the San Francisco Office of the Division of Judges, a position she held until her retirement in 1997. She received the SMU law Distinguished Alumni Award in 2001.
Dallas Bar Foundation Fellows Honor Justice Thomas

The Fellows of the Dallas Bar Foundation honored Linda Thomas '73, Chief Justice of the Fifth District Court of Appeals in Dallas, for her legal and civic contributions to the Dallas community at its annual luncheon at the Belo Mansion on April 13, 2005.

Justice Thomas worked previously as associate director of the Dedman School of Law Legal Clinics; in the California Office of Regional Counsel for the Bureau of Alcohol, Tobacco and Firearms; as a family lawyer in private practice; then as a judge since 1979. Her passion has always been family law and championing women and children. In honor of her accomplishments and this award, the Dallas Bar Foundation granted $10,000 to the Dallas Women's Advocacy Center.

Miers Appointed Counsel to President and Honored With Sandra Day O'Connor Award

Harriet Miers '70 was appointed Counsel to President Bush to fill the position vacated by Alberto Gonzales upon his Senate Confirmation as U.S. Attorney General. Prior to her appointment, Miers served the Bush Administration as Assistant to the President and Deputy Chief of Staff.

Additionally, Harriet Miers received the Sandra Day O'Connor Award for Professional Excellence. The award was conferred on May 13, 2005 by the Texas Center for Legal Ethics and Professionalism.

Miers clerked for U.S. District Judge Joe E. Estes after law school and before joining the Dallas Firm of Locke, Purnell, Boren, Laney & Neely as a trial lawyer. When the firm merged to become Locke Liddell & Sapp, L.L.P., Miers became co-managing partner. In 1992, she became the first woman president of the State Bar of Texas. Miers was honored in 1997 as an SMU Distinguished Alumnus and in 2003 as an SMU Distinguished Alumnus.

Miers served as President of the State Bar of Texas in 1997 and 1998. She is a member of the American Law and Business Institute and the American Bar Association. She is also a member of the Texas Bar Foundation and the Dallas Bar Foundation.

Miers has been involved in many civic and charitable organizations. She is a member of the Board of Directors of the Dallas Women's Advocacy Center and the Houston-based Children's Defense Fund. She is also a member of the Texas Bar Foundation and the Dallas Bar Foundation.

Edward C. Hertzenstein is now included in The Best Lawyers in America.

Graham Hill elected to his second term on the Board of Governors of the International Society of Barristers.

Douglas W. Becker was elected Chair of the more than 6,500 member real estate, probate and trust law section of the State Bar of Texas for the 2005-2006 year.

Douglas B. Egberg has joined Gundur Wynne, Swell in Houston as a partner in the corporate and energy services groups.

James L. Bayless Jr. joined Winquest & Sneed of Minick P.C. as a shareholder and member of its Government Relations Practice.

Mark Hollingsworth was awarded Lawyer, Best General Counsel with Legal Staff of 2-10, by the Dallas Business Journal for their 2003 Best General Counsel Awards.

James Bryant was named associate to the Dean/External Relations at the Yale School of Business at Dauphine College. The junior Of Counsel to Drew, Edwards and Alberson in Washington, D.C.

Les Weisbrodt was elected president of the Association of Trial Lawyers of America and has become a member of the American Board of Trial Advocates.
Guy Kerr Receives Robert H. Dedman Award For Ethics and Law

Guy H. Kerr '78 was awarded the Robert H. Dedman Award for Ethics and Law on October 14, 2004. The award honors a corporate attorney who has demonstrated the highest ethical standards during his or her career. It was presented by the Texas General Counsel Forum.

Kerr is a Senior Vice President & serves as Secretary of Belo Corp.

Jane Boyle Appointed Federal Judge

Jane Boyle '81 was nominated by President George W. Bush to be U.S. District Court Judge for the Northern District of Texas. Judge Boyle was confirmed by the Senate and received her commission on June 29, 2004.

She worked for the Dallas County District Attorney's Office as a misdemeanor and felony prosecutor from 1981 to 1985. Boyle also served as an Assistant U.S. Attorney for the Northern District of Texas from 1985 to 1990. From 1990 to 2002, Judge Boyle served as U.S. Magistrate Judge for the U.S. District Court for the Northern District of Texas. Most recently, she was the United States Attorney for the Northern District of Texas from 2002 to 2004.
M.L.K. Justice Award
Presented to Judge Creuzot

Judge John Creuzot ’82 was honored by the Dallas Bar Association with the Martin Luther King Jr. Justice Award. The Award celebrates an attorney whose life and practice uphold the principles of Dr. King. Judge Creuzot has presided over Criminal District Court No. 4 since 1991 when he was appointed by Governor Ann Richards. As judge, he established the Dallas Initiative for Expedited Rehabilitation and Treatment (DIVERT) program to help non-violent offenders with drug and/or alcohol problems.

Mark A. Todd was named partner by Shackelford, Melton & McKinley L.L.P.

Dan Watson was named director of retail investments for the Southwest Region with Archimedes Group.

Ambassador Antonio Garza Gives SMU Commencement Address

In a speech quoting Churchill, Longfellow, a Chinese proverb, a friend’s mom, and Ferris Bueller, U.S. Ambassador to Mexico Antonio O. Garza, Jr. ’83 gave SMU’s 89th commencement address on May 15, 2004. After receiving his J.D. from SMU, Garza practiced law with Braceywell & Patterson, LLP, was elected Cameron County judge in 1988, and was later appointed Texas Secretary of State in 1995. In 1998, he was elected Texas Railroad Commissioner. He was appointed Ambassador to Mexico in July 2002.

Garza spoke about the achievements of SMU’s graduating class of 2004 and commented on the lives of students after receiving their diploma.

“Keep smiling when the [graduation] parties are over, because they will end, but your life is just beginning,” he said. “There are so many paths in front of you that choosing the right one may often seem beyond your control.”

While recounting his own desire to serve his community and travel, he encouraged graduates to explore life outside of “the Bubble” and learn about others.

“Sometimes those ‘others’ are a world away, sometimes they are just across town, and sometimes getting out may mean leaving the comfort of a current job and setting off on your own,” Garza said. “Get out, explore a little, and get a better sense of what you believe in and why. You’ll meet people who will confront you on things you’d previously taken for granted and perhaps even the way you look at the world and others.”

Garza’s final message was this: “Life passes much more quickly than you would ever imagine and you can’t hit replay. So live it, live it hard, and live it in a way that allows you to find your purpose.”

Julie M. McCoy is President Elect of the 6,800 member Orange County (California) Bar Association.

Barbara J. Mobley is the newest member of the DeKalb County, Georgia State Court bench. She is the first African American female dental to that post. Prior to her election, she served in the Georgia House of Representatives for twelve years.

Roger L. Hurlbut was presented with a resolution for his demonstrated commitment to access to justice for all citizens by the Texas State Bar.

Mary R. Korb was chosen by the YWCA of the City of New York for induction into the YWCA’s Academy of Women Achievers.
1985

Charla Aldous joined Dallas-based Baron & Budd as special counsel.

Robert O'Boyle was recently honored with the 2004 "President's Award" by the Austin Bar Association.

Eric Peterson was awarded "Best Up and Coming" by the Dallas Business Journal for their 2004 Best General Counsel Awards.

David A. Springetti joined Munzah Hardt Kohf & Harr as a shareholder in Houston.

1986

Michele Wong was elected to the Board of Directors of the State Bar of Texas, the Texas Equal Access to Justice Foundation, and the Dallas Bar Association.

Alex Lau was nominated by the Hong Kong Baptist University as its 2003 recipient of the Award for Innovative Teaching and became secretary of the Harvard Club of Hong Kong in the summer of 2004. He also received his Ph.D. in law from the University of Aberdeen in Scotland.

Robert Anthony Michael recently became a member of the American Board of Trial Advocates.

Joel A. Stiner serves as the Director of the United States Small Business Administration's Commercial Loan Service Center located in Fresno, California.

Amy Brooks Ganci was named shareholder in the business litigation section at Cowles & Thompson PC.

Robert R. Kirby was named a shareholder in the corporate and securities area at Munzah Hardt Kohf & Harr PC.

1987

Todd P. Kelly is now included in The Best Lawyers in America.

Paul Myers was appointed partner-in-charge of the Collin County office of Strasburger & Price LLP.

Leonard J. Padilla accepted a job as Administrative Law Judge with the New Mexico state personnel office in Santa Fe.

Dan Butcher was elected as firm-wide Managing Partner of Strasburger & Price, LLP.

Alan D. Lathrom joined Brown & Hofmeister as an associate in Dallas.

1988

Lisa Dohn received the "Graduate Faculty of the Year" award from the University of Phoenix.

Barbara Van Duyne was elected director of the Family Law Section of the Dallas Bar Association.

Michael Shore joined the Dallas office of O'Mega Gump Strauss Hauer & Feid as a partner.

1989

Dan Butcher was appointed by the President of Volunteer Legal Services of Central Texas. VLS is the primary non-profit agency in Austin providing pro bono legal services to persons living in poverty.

1990

Michele Baird Thatcher was recently promoted to Senior Vice President - Human Resources at Frito-Lay, Inc.

Cynthia Figueroa Callihoun was elected Dallas County Clerk.

John Wither, Jr. was elected a director of the Family Law Section of the Dallas Bar Association.

Lisa Dohn received the "Graduate Faculty of the Year" award from the University of Phoenix.

Barbara Van Duyne was elected director of the Family Law Section of the Dallas Bar Association.

Michael Shore joined the Dallas office of O'Mega Gump Strauss Hauer & Feid as a partner.

John Steide, Collin County Assistant District Attorney, published Confessions, a book on confessions law in Texas which explains the law regarding statements a criminal suspect makes at the different stages of an investigation and the legal implications at each stage.

Cheryl Hammond Raper had a daughter, Rachel Elizabeth Raper, born on October 15, 2004.

1991

Patty Logsdon Clifford and Andy Clifford had a daughter, Katherine (Katie), born on March 26, 2005.

Abigail G. Kampmann was elected President of Volunteer Legal Services of Central Texas. VLS is the primary non-profit agency in Austin providing pro bono legal services to persons living in poverty.

Patty Logsdon Clifford and Andy Clifford had a daughter, Katherine (Katie), born on March 26, 2005.

Ahijail G. Kampmann received the 2004 JState University's Williams Leadership Award from the State Bar of Texas.

1992

Miriam Ackels was elected secretary of the Family Law Section of the Dallas Bar Association.

Bruce A. Cheatham became chairman of Winston & Strawn & Minick's corporate and securities practice in the Dallas office.

Christopher Fischer took the position Of Counsel in Western Union's EMF.A-S.A (Europe, Middle East, Africa, South Asia) headquarters where he will be responsible for supporting Western Union's activities in German speaking countries as well as supporting Western Union's newly established bank that will eventually provide financial services throughout the European Union.

Claire Babineaux Fontenot joined Wal-Mart Stores, Inc. as Vice President of Audit and Tax Policy.

Wade Cressmore, a partner in the Dallas office of Thompson, Coe, Citrin & Shere, moved to the Austin office to oversee expansion of the firm's appellate practice there.

John Gerhart married Amy Knitter Roberts on February 6, 2005.

1993

Lauryn Kalesnik joined Fulbright & Jaworski as a partner.
Pamela B. Stein joined the Dallas office of Greenberg Traurig as counsel in the real estate practice.

James M. Welch joined the Dallas office of Brown McCarroll as a partner.

Eric N. Whitney joined Greenberg Traurig as Of Counsel with the litigation practice.

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Eric N. Whitney joined Greenberg Traurig as Of Counsel with the litigation practice.

1994

Julie Rosenthal recently joined her husband Burke in his investment advisory firm, Rosenthal Retirement Planning, LP, which specializes in the financial issues facing clients who are retired or very near retirement.

Albert Tan was elected to the board of directors of the Asia Society of Texas, which fosters understanding and communication between Americans and people in the Asia-Pacific region.

Alan Tompkins was a finalist for the Best Solo General Counsel Award given by the Dallas Business Journal in November 2004.

1995

Perry L. Butler joined Shelford, Melton & McKinney to establish an aviation law section.

Ron Chapman, Jr. was named Chairman-Elect of the North Dallas Chamber of Commerce. Chapman is the youngest person American Bar Association SMU Law Alumni Reception Brings In Alumni From Across The Nation

Fellow SMU Dedman School of Law alumni and other guests gathered in Atlanta, Georgia, at an alumni reception in connection with the American Bar Association Annual Meeting on Aug. 5, 2004. Those attending included (Picture L-R): Dean John B. Attanasio; Rhonda Hunter ’80, President of the Dallas Bar Association; Kent S. Hofmeister ’76, Immediate Past President of the Federal Bar Association; Blake Tartt ’59, ABA Board of Governors Member; Dale W. Lee ’74, President of the State Bar of Hawaii; Kent “Rocky” Robinson ’78, President of the Houston Bar Association; Joe B. Whisler ’72, President-Elect of the State Bar of Missouri. Betsy Whitaker ’80, Immediate Past President of the State Bar of Texas, also attended.
appointed to this position in the 51-year history of the organization.

Jonathan H. Clark recently joined the law firm of Hoover Sloaneck in real estate and commercial litigation.

Jenny B. Davis is an assistant Managing Editor of the ABA Journal in Chicago.

Christi D. Feeney was promoted to partner in the Dallas office of Godwin Gruber L.L.P.

Todd A. Fisher was named partner by Hughes & Luce L.L.P. in outsourcing and technology transactions.

Sara Keough was named a senior attorney at the law firm of Barnett, Long in Detroit, Michigan.

Todd W. Shadle has been promoted to partner in the Dallas office of Godwin Gruber L.L.P.

Thomas Stoner and Matthew Nowak recently formed Nowak & Stoner, L.L.P. They specialize in commercial litigation with an emphasis on construction and real estate matters, as well as insurance defense.

1996

Brock Bailey was recently elected partner in the firm of Bracewell & Patterson L.L.P.

David W. Buckner, reorganization/corporate finance, rejoined Munich Haas Kof & Har at as associate.

Jeffrey R. Erel, senior associate, commercial and bankruptcy litigation, has joined Warner Stevens in Fort Worth.

Ashley Warren Jordaan and Hendrik Jordaan '97 had a daughter, Anna Elizabeth Jordaan, born on October 20, 2005.

Joseph L. Motto III was promoted to partner in the Dallas office of Akin Gump Strauss Hauer & Feld L.L.P.

David Norton joined Shackleford, Melton & McKnelly to establish an aviation law section.

Mark G. Valencia recently joined the staff of Hawaii Governor Linda Lingle.

Tracey R. Wallace joined White & Wiggins L.L.P. as a partner.

1997

Laura Benitez Geisler was elected as secretary of the Dallas Association of Young Lawyers for the 2005 calendar year and has formed a new firm with Ralph C. "Red Dog" Jones '73, Jones Gieisler, L.L.P.

John Hagan, a member of the Referral Fee Task Force, received a Presidential Citation from the Texas State Bar.

James W. Hanel was promoted to partner in the Dallas office of Godwin Gruber L.L.P.

Hansjoerg Heppe became an associate in the capital markets practice group of Sidley Austin Brown & Wood L.L.P. in New York City and received his L.L.D. from the University of Hamburg cum laude.

Hendrik Jordaan and Ashley Warren Jordaan '96 had a daugher, Anna Elizabeth Jordaan, born on February 24, 2005.

David E. Littman joined the civil litigation practice group of Law, Shulman & Gamblin in Fort Worth as an associate.

Raymond D. Martinez was promoted to participating associate in the Dallas office of the Godwin Gruber L.L.P.

William C. Murley became a labor and employment shareholder in Littler Mendelson in Dallas.

Aimee Fagan joined Bullrich & Jaworski in Dallas.

1998

Melinda Y. Balli joined the Dallas office of Kirkpatrick & Lockhart as an associate.

Edward Chin joined the patent litigation group of Weil, Gotshal & Manges, LLP in Houston.

Amy R. Curtis was elected partner at Thompson & Knight L.L.P.

Robert F. Friedman joined the Dallas office of labor and employment firm Littler Mendelson as a shareholder.

Jeff J. Horn, Jr. maintains offices in Dallas and New York and specializes in representing U.S. subsidiaries of Japanese companies.

Tonya Parker became a partner in Dallas' White & Wiggins. She also was awarded an American Marshall Memorial Fellowship and invited to participate in a 23-day educational program in Europe. The Marshall Memorial Fellowship program provides a unique opportunity for young policy and opinion leaders from Europe and the U.S. to gain an in-depth understanding of political, economic and social issues in Europe.

Heather E. Reser recently relocated from Tulsa to Dallas to take a Counsel position with the in-house legal department of TXU.

Kimberly Ann Garshon Swartz and husband Jonathan Swartz had a daughter, Madeline Elizabeth Swartz, born on December 31, 2004.

Wes E. Wadle joined Godwin Gruber L.L.P. as an associate in the mass tort litigation section.

Richard J. Wallace III is a shareholder in the law firm of Feeney & Jones. He and his wife Beth House Wallace '02 had a daughter, Lillian Grace Wallace, born on May 17, 2004.
Michael S. Wilson was promoted to partner in the Dallas office of Godwin Grubers LLP.

Kevin Yusan joined the offices of Querey & Harrow in Chicago.

Alfonso Garcia Chan joined Akin Gump Strauss Hauer & Feld LLP as a partner.

Anthony Anderson, LLP, in Dallas joined McDermott, Owens, and guardians.

Collier, Reed, Cousin & David M. Eaker Alfonso Garcia Chao opened the Eaker Law Firm where he is partner.

joined Akin Gump Strauss offices of Querrey & Gruber LLP.

Kevin Yusman Michael S. Wilson is practicing tax in Chicago.

Haw in Chicago.

Hauser & Feld LLP as an associate in the Dallas office of Godwin Grubers LLP.

Kevin Yusman was promoted to partner in the Dallas office of Godwin Grubers LLP.

Hilaree A. Cassada was promoted to participating associate at Godwin Grubers LLP.

Jeffrey McPhaul joined Godwin Grubers, LLP as an associate in the securities section.

Eric S. Teutford was promoted to participating associate at Godwin Grubers LLP.

Tom M. Dees III recently formed Thomas & Dees in Dallas.

Alexis N. Johnson joined Carrington, Coleman, Sloman & Blumenthal, LLP as an associate.

Anthony D. Ludlow began working for Affiliated Computer Services, Inc. as a Controller over their SOX compliance program.


Travis Oliver IV joined the law firm of McGlinchey Stafford as an associate in Metairie, Louisiana.

Christopher Paris joined Hinson, Kirmaz & Herron, PLLC as an associate in Houston.

James O. Wyss joined Haynes and Boone in Fort Worth as Of Counsel.

John J. Tucker joined Godwin Grubers LLP as an associate in the real estate section of its Dallas office.


Sharon Reese married Matthew Nicholas on May 1, 2004.

2002

A. Ashley Bracken, Jr., associate for commercial litigation, joined Warner Stevens in Fort Worth.

Jessica Brown joined Hermes Singant Bets as an associate.

Neil R. Burger joined Carrington, Coleman, Sloman & Blumenthal, LLP as an associate.

The SMU Dedman School of Law once again has the highest percentage of the "Best Lawyers in Dallas" according to D Magazine's May 2005 issue. Out of 188 lawyers, 35.64 percent have a degree from this law school. A distant U.T. was second with 19.68 percent. Sixty-three have a J.D. and four have their LL.M. degrees from SMU. More than 2,000 Dallas attorneys were solicited for nominations for the magazine's list. Voters were required to nominate only those attorneys whose work they had knowledge of firsthand. An outside firm tabulated the ballots with an executive panel finalizing the list.
Cynthia Casey joined Cozen O'Connor.

Susan Chao recently started her PepsiCo career as an attorney at Frito-Lay, where she is working on the company's environmental and operational issues.

Patricia H. Davis joined Jackson Walker L.L.P. as an associate in the litigation section.

Eduardo A. Guevara returned as an associate with Estudio Echecopar in Lima, Peru, where he is working in natural gas matters related to the Camisea natural gas fields.

Jennifer Garman joined the staff of Career Services at the SMU Dedman School of Law as Associate Director.

Claire Miranda joined Hermes Sargent Bates in Dallas as an associate and practices transportation and civil defense litigation.

Tim Mueller was added as an associate to the Law Offices of Richard A. Gump, Jr. in Dallas.

Joseph P. Regan recently joined Winstead Sechrest & Minick, P.C. as an associate in the firm's dispute resolution and litigation groups.

David Schulte coached an SMU Dedman School of Law moot court team to the national championship in the Hispanic National Bar Association Moot Court Competition. This year's team — consisting of SMU law students Alex Caravaca, Yesenia Cardenas, and Soledad Valenciano — won the national championship after winning all five arguments over the course of the two-day competition. The team also earned a trophy for second-place best brief, and Soledad Valenciano was named the competition's Best Oralist.

Douglas W. Sweet was added as a real estate attorney for Winstead, Sechrest & Minick P.C.


2003

John P. Baker recently joined Dallas' Burford & Ryburn, L.L.P. as an associate in the firm's eminent domain and premises liability practice groups.

Christy L. Fields recently joined Crow & Ramey, L.L.P. in Dallas as a Real Estate Associate.

Stephen M. Geidel joined the Dallas office of Thompson, Coe, Cousins & Irons as an associate.

Wendy Gerwick Couture joined Carrington, Coleman, Sloman & Blumenthal L.L.P. as an associate.

Habech "Hobs" Gnaim joined the taxation and corporate law sections of Chamberlain Hrdlicka.


Sarah E. Newmann joined Godwin Gruber, LLP as an associate in the commercial litigation section.

Jill Nikirk was named Associate Director of Admissions at the SMU Dedman School of Law.

Denise M. Starkey was hired as a corporate attorney at Dinsmore & Shohl in Cincinnati.

Heather L. Stobaugh joined Carrington, Coleman, Sloman & Blumenthal, L.L.P. as an associate.

Ashlie L. Thomas joined Webb & Ackels, P.C. in Dallas.

2004

Michael Aguilar joined the Dallas office of Winstead Sechrest & Minick P.C. in the corporate, securities and taxation section.

Rebekah Steenbrook joined Passman & Jones as an associate.

Agatha Callidie joined Fulbright & Jaworski in Dallas.

Jeanne Caruselle joined the real estate and real estate finance section of Winstead Sechrest & Minick P.C. in Dallas.

Jennifer R. Cassidy joined Thompson & Knight as an associate in Dallas in the trial section.

Christopher Cross joined Carrington, Coleman, Sloman & Blumenthal L.L.P. as an associate.

Jason Cross joined Carrington, Coleman, Sloman & Blumenthal L.L.P. as an associate.

Lindsay Germano was named an associate for Weil Gotshal & Manges LLP.

Christopher R. Howard joined Blackwell Sanders.

Kathryn Kraft joined Carrington, Coleman, Sloman & Blumenthal LLP as an associate.

John Lowry joined the Dallas office of Strasburger & Price in the healthcare practice unit.

Thomas E. Ludwig joined McGinty Stafford in Houston as an associate with the commercial litigation section.

Dr. Richard Martin was named an associate for Fulbright & Jaworski.

Matthew J. Morrison joined Thompson & Knight as an associate in Dallas in corporate and securities.

Joseph L. Parks joined Bell Nunnally and Martin LLP as an associate.

Katharine Battaia Richter joined Thompson & Knight as an associate in Dallas in the trial section.

Jenny Lynn Rogers joined Thompson & Knight as an associate in Dallas in real estate and banking.

Stephen Romero joined Fulbright & Jaworski LLP in labor and employment and litigation in San Antonio.

Tracey Stoggin joined the Dallas office of Weir, Conover, Sechrest & Minick PC in the real estate and real estate finance section.

Alison Semrau joined the Dallas office of Strasburger and Price as an associate in Dallas.

Candice Shindala joined Strasburger and Price as an associate in Dallas.

Joshua M. Weaver joined Vial, Hamilton, Koch & Knox, LLP as an associate.

The Honorable Max N. Osborn ’53


He then joined the firm of Turpin, Kerr and Smith in Midland, Texas. Osborn practiced law in Midland for 18 years until he was appointed an Associate Justice on the Eighth Court of Appeals in El Paso by Governor Dolph Briscoe in Aug. 1973. He was made Chief Justice of the Eighth Court of Appeals in 1986 and served in that position until he retired in 1993.

Osborn also is the former chair of the Council of Chief Justices, the Appellate Judges’ Division of the Judicial Section, and the Committee on Judicial Ethics. In 1966 Osborn was named the Outstanding Young Lawyer in Texas. He was also named the Outstanding Jurist of El Paso in 1992.

In 1997 he was recognized as a distinguished alumnus of the SMU Dedman School of Law. Osborn exemplified a balance between career, family life and civic involvement. He advised young lawyers to treat the law “as a profession, not as a business, and as a way to do a service to their clients and to their community.”
The SMU Dedman School of Law expresses sympathy to the families and friends of the following law school alumni:

Donald G. Gay, '37  
October 20, 2004

William B. Henley, Jr., '42  
January 15, 2005

Kenneth D. Benson, '46  
January 13, 2005

Spencer Carver, Jr., '46  
September 20, 2004

Dwight J. Nance, '47  
May 5, 2002

Jack S. Berry, '48  
July 23, 2004

William B. Handley, Jr., '48  
September 19, 2004

Reo C. Knowles, '48  
January 13, 2005

Rayburn Marion Null, '48  
March 27, 2005

Roy Halliburton, '49  
September 22, 2005

David W. Howell, '49  
December 11, 2004

Buren T. Morgan, '49  
November 12, 2004

Geraldine B. Tennant, '49  
November 24, 2004

George L. Watson, Jr., '49  
October 6, 2003

Alfred W. Davis, Jr., '50  
January 13, 2005

James J. Hulgren, '50  
October 27, 2004

James D. Bozenian, Jr., '51  
December 6, 2004

C. Wayne Holder, '51  
January 7, 2005

Vardie R. Dol, '53  
September 14, 2004

Max N. Osborn, '53  
December 31, 2004

Thomas W. Gamblin, '54  
July 1, 2004

William W. Garrison, '55  
November 1, 2004

Leonard A. Duffy, '57  
August 12, 2004

James K. Rashing, '57  
October 23, 2004

John C. Kimbrough, '58  
March 26, 2005

Fred S. Strode, '59  
March 4, 2005

James W. Ross, '60  
December 21, 2004

Herbert M. Flemming, '62  
August 16, 2004

Margaret Page Buckingham, '62  
March 30, 2005

William M. Bayman, '64  
November 23, 2004

Robert D. Franklin, '64  
August 7, 2004

Fred D. Moore, '65  
December 29, 2004

Stephen F. Heiken, '67  
April 19, 2004

Noble L. Runo, '69  
January 21, 2005

P. Mike Allison, '70  
January 8, 2005

Donald L. Swatett, '71  
November 9, 2004

James B. Halsted, '73  
November 20, 2005

Daniel K. Perchman, '75  
March 23, 2005

Katherine Elise Moss, '76  
April 26, 2005

Marsha S. Goodfriend, '81  
October 1, 2004

Robert Norman Brown, '89  
March 31, 2005

* as of June 30, 2005
Alumni, faculty, law students, friends and families gathered before each of last season’s home football games to enjoy free food, drink and fellowship at the law school’s tent on the northern curve of Bishop Boulevard.

Plan to join us at the same location this fall two hours before game time, every home game! The tailgates include a hot food buffet, with a different featured entree each game ranging from bratwurst to gumbo to hamburgers. Guests are always welcome. A good time will be had by all!

2005 HOME FOOTBALL SCHEDULE

September 3, 2005  
SMU vs. Baylor  
Tailgate at 5:00 - 7:00

September 10, 2005  
SMU vs. TCU  
Tailgate at 6:30 - 8:30

September 24, 2005 (Family Weekend)  
SMU vs. Tulane  
Tailgate at 5:00 - 7:00

October 15, 2005  
SMU vs. East Carolina  
Tailgate at 12:00 - 2:00

November 5, 2005 (Homecoming)  
SMU vs. Rice  
Tailgate at 12:00 - 2:00

November 26, 2005  
SMU vs. UTEP  
Tailgate at 12:00 - 2:00

* Times subject to change
The Class of 1954 reunited at the Park Cities Club in Dallas, Texas, April 26, 2004.

Cooper Blankenship '54, Benton Muskewhite '54, and James V. Blas '54.

Logan Henry Stollenwerk Jr. '54 and Joe B. Brown, Jr. '54.

The Class of 1955 reunited at the Dallas Petroleum Club in downtown Dallas, Texas, April 16, 2005.

Jane Akin Brelsford '55, Elmo Brelsford, Gloria Akin, and Ted Akin '55.

Pat Gentry, Jess Flay '55, Macy Cawley, and William Cawley '55.
**Class of 1959**

The Class of 1959 met at Newport’s Seafood and Steaks in downtown Dallas, Texas, April 24, 2004.

*Webber Beall ’59 and Tricia Beall.*

*Nancy Saleup and Joe Saleup ’59.*

**Class of 1960**

The Class of 1960 reunion was held at the Park Cities Hilton in Dallas, Texas, April 16, 2005.

*Tony Matthews ’60, Paul Kontt ’60, and Robert Meyers ’60.*

*Alan Feld ’60, Anne Feld, Kathy Arronson, and Don Swanson ’60.*
Class of 1964

The Class of 1964 reunited at the SMU Meadows Museum in Dallas, Texas, April 24, 2004.

Darrell Jordan '64 and James Bowen '64.

Scott Bradley '64 and Howard Tygreen '64.

Class of 1965

The Class of 1965 met at the home of Robin and David Fair in Plano, Texas, April 16, 2005.

Robin Fair, Winfield Scott '65, David Fair '65, and Rush Scott.

Lee Schoppa '65, Mitch Hart, Linda Hart '65, and Dean John B. Armanio.
Class of 1969

The Class of 1969 held their reunion at the Radisson Hotel in Dallas, Texas, April 24, 2001.

Jack Myers '69 and Jim Nelson '69.

Judy Meyers, Bill Warren '69, Audie Long '69, Sharon Warren, and Josie Fuller.

Class of 1970

The Class of 1970 reunion was held at Margaux's in Dallas, Texas, April 16, 2005.

Kim Thorpe '70, Leroy Street '70, Bill McGowan '70, John Jackson '70, and Alvin Badger '70.

Bill Burdick '70 and Michael Alexander '70.
The Class of 1974 reunion was held at Kuehner Auditorium in the SMU Dedman School of Law, April 24, 2004.

The Class of 1975 met at the Meadows Museum at SMU, April 16, 2005.
Class of 1979

The Class of 1979 met at the home of Terry and Bob Rowling '79 in Dallas, Texas, April 24, 2004. Pictured L-R: Judy Carter, Tom Carter ’79, Terry Rowling, and Bob Rowling ’79.

Barry Knight ’79, Chany Knight, Jean Mattak, and David Mattak ’79.

Michael Kreager ’78, Emilie Kreager, Diane Broocks, and Ben Broocks ’79.

Class of 1980

The Class of 1980 reunited at the Park Cities Club in Dallas, Texas, April 16, 2005.

Tennessee Nielsen ’80, Bill Betts ’80, and Lucy Johnson ’80.

Ken Burdine and Brian Melton ’80.
The Class of 1984 reunited at the Crescent Club in downtown Dallas, Texas, April 24, 2004.

Steven Smith '84, Patti Smith, Gregory Lones '84, Rebecca Lones, Jim Adams '84, and Kathy Adams.

Michael Eaton '84, Cynthia Eaton, Sandra Skrepnek, and Barry Skrepnek '84.

The Class of 1985 held their reunion at the Crescent Club in downtown Dallas, Texas, April 16, 2005.

Shelby Pease-Adams, Herbert Adams '85, Denise Truncale, Michael Truncale '85, Martha Shouliz '85, Nelson Arroyo.

Jill Stogall '85, Alexis Gabay '85, and Elizabeth Dalton Tyrrell '85.
The Class of 1989 met at MartiJo's Cafe Mexicano in Dallas, Texas, April 24, 2004.

The Class of 1990 reunited at the Magnolia Lounge in Fair Park near downtown Dallas, Texas, on April 16, 2005.
The Class of 1994 reunion was held at the Slinie Mesa Grill in Dallas, Texas, April 24, 2004.

Class of 1994

Jerred Anderson and Melanie Spratt-Anderson '94.

Doug Hahn, Vicky Hafer '94, Diane Barlow Hornquist '94, and Bill Hornquist.

The Class of 1995 held their reunion at Maitre's Cafe Mexican in Dallas, Texas, April 16, 2005.

Class of 1995

Christine Gonzalez, Steve Gonzalez '95, Brett Stocklein '95, and Jim Henry '95.

Sidney Smith Addison '95, Marlon Henry, and Christi Irish Szeck '95.
The Class of 1999 reunited at Marc's Rancho Martine in Dallas, Texas, April 24, 2004.


Class of 2000 met at Sammy's Bar-B-Q in Dallas, Texas, April 16, 2005.

Catherine Paulson '00, Anne Turcchi Guidry '00, Leslie Woodworth '00, Jennifer Murphy '00, Debra Simpson '00.

John Howie '00, Gwenda Bennett '00, Daniel Alexander '00, and Karen Howie.
SMU Dedman School of Law Students
Hosts Black History Month Heritage Museum

On Feb. 28 and March 1, 2005, the Black Law Students Association (BLSA) hosted the Black History Month Heritage Museum in the “Pit” of Underwood Law Library. Yodi Hailemariam ’05, president of BLSA, said that the idea of a museum came up at a BLSA’s officer meeting. The exhibitions included Africa, civil rights in the 1960s, sports, inventions, entertainment (writers, artists, and actors), slavery, Jim Crow, and the 1950s era and Brown v. Board of Education.

The goal of the museum was to “enlighten and educate the SMU community, both the law school and community at large,” Hailemariam said. “We didn’t know how big it was going to be when we started. It took us a lot more work than we expected, but we all took it very seriously.”

More than 20 BLSA students worked on setting up the museum. She credits the extraordinary teamwork and effort that went into putting it all together. Hailemariam added that she did not know how people were going to react to the exhibitions at first, but she was surprised at how seriously people took it.

“We were just going to have it up for one day, but there was so much interest in it and people saying keep it up that we decided to have it for another day,” said Hailemariam.

“We had no idea the impact we were going to have. It turned into this large undertaking and we didn’t realize what effect it was going to have on the community.”

“Starting a museum in the Pit that we never had felt before,” she said. The students and faculty made an active effort to see the museum with many professors letting their students out early to view it.

Hailemariam thinks that the “incoming BLSA executive board feels strongly about the Black History Month Heritage Museum and will carry it on and create a tradition.” The SMU chapter of BLSA was named National Chapter of the Year with this showcase event contributing to that award.

Students “Race For the Cure” in Honor of Professor

Fifty-three students from the SMU Dedman School of Law participated in the 2004 Susan G. Komen Race for the Cure and raised $1,695. The group ran in support of Professor Elizabeth Thornburg. Professor Thornburg was tremendously touched by the participation in her honor.

“Seeing my name on their official t-shirts made me so happy it was better than drug therapy! When I think back on this year, the Race is definitely one of my fondest memories,” she said.

One of the coordinators of the event, Kara Grimes ’05, said “The race was a huge success. Students, professors, and administrative personnel all came together and participated by either walking in the race or donating money to the cause in honor of Professor Thornburg. She is such an inspiration to all of us and knowing her made the event all the more meaningful.”
The Howie Sweeney Moot Court Competition:
Giving law students another reason to argue, but this time for money

During their spring break, a number of SMU law students spent their vacation from school running numerous searches on Westlaw and Lexis-Nexis, composing both a written and an oral argument, and preparing to present their side against an intimidating panel of judges. All of this was due to the annual Howie Sweeney Moot Court Competition, an on-campus, SMU-only competition that carries with it a tempting cash prize.

The fictitious issue for the 2005 Howie Sweeney Moot Court Competition was whether a law school can exclude the Armed Forces, specifically the Judge Advocate General Corps (JAG), from recruiting on campus because of their policy to exclude gay and lesbian citizens from military service. The fictitious South Central University Law School was following the 2002 Knopwood Act, also fictional, prohibiting access to career services' student data to organizations who discriminate because of sexual orientation. JAG was following the Solomon Amendment where government funding of grants and contracts is prohibited to schools that have a policy or practice of denying military personnel access to campuses or student information.

This conflict reaches the moot court when a law student petitions requesting that the court order the University to respond to government officials asking for clarification of its policy. The University decided not to respond to the government and wait for the law school to file a suit challenging the constitutionality of the Solomon Amendment.

Finalists were the team of Jonathan Koury '05 and T. Nguyen '05 against Jocelyn Loftus-Williams '06 (who was competing on her own after her partner dropped out). Koury and Nguyen argued on the side of the University, Loftus-Williams on the side of the petitioner. "The hardest part is motivating yourself to write the brief in almost no amount of time," Koury said. "It's coming right before finals," he added.

Nguyen, an experienced competitor who was part of the team that won National Champion and Best Brief awards in 2004, had at first decided to "retire" from competitions in her final semester as a law student. But, after a disappointing performance in the fall, she decided the Howie Sweeney competition was a perfect opportunity to try again.

"I certainly did not want to leave law school on a personal low note," she said. "So I decided to give it one more try anyway to see if I really had the 'goods' in advocacy. She did not disappoint herself in this competition, making it to the final round and winning Best Oralist.

Loftus-Williams could not be reached for comment as she is currently working in Germany this summer as a civilian intern with JAG, coincidentally enough. Even though she was arguing by herself against a team, she was well prepared and won the overall competition.

Koury and Nguyen spoke highly of the judges who participated in this competition. The final round was judged by James A. Baker '53, former Texas Supreme Court Justice; Judge Diana E. Murphy, U.S. Court of Appeals for the 8th Circuit; and Rosemary Shaw Sackett, Chief Justice of the Iowa Court of Appeals.

"I'm dealing with judges of a caliber that I had not yet experienced," Koury said. "They were so well informed and they knew every difficult issue. There was no dancing around, there was no smoke and mirrors with them because they knew the issues so well. They went right to the heart of the conflict."

After each round, the judges gave their opinions on how the teams succeeded in their argument and the areas which needed improvement.
Who are the Graduates of the Class of 2005

Congratulations to the 246 J.D. Graduates and the 47 LLM. and S.J.D. Graduates of the Class of 2005. A few of our graduates discuss their experiences, dreams and words of wisdom they took to heart during their law school days at SMU.

Kristen Bell
Grand Prairie, TX

Kristen Bell was a high school English teacher until her husband Phillip asked, "What would you want to do if you could do anything you wanted?" She replied, "I think I'd go to law school."

What attracted her to SMU over other schools was the size. "I liked how open and friendly it was," she said.

Bell earned full tuition to SMU through a Hatton W. Summers Scholarship and names Professors Mayo and Dyson as her mentors. "They have done a lot to really help me grow as a thinker and as a person. They have been so supportive, Dean Attanasio as well," she said.

At SMU, Bell won the Outstanding First Year Law Student Award. She was a Law Review Staff Editor from 2003 to 2004, then became the Law Review Association President from 2004 to 2005.

"Law Review, especially acting as president, has been one of the best things I've ever done. I loved working with the people; I have learned so much from everyone around me," she said.

Bell was on the Honor Council from 2003-2005. She also participated in the Child Advocacy Clinic, where she tried a termination of parental rights case.

After graduation, Bell is working in litigation with Carrington, Coleman, Sloman and Blumenthal in Dallas.

Jessica Escobar '05
El Paso, Texas

As a child in El Paso, Jessica Escobar would often go with her grandfather to polling places, voter drives, and petition drives. Through her politically active grandfather, Escobar observed firsthand just how much one person could accomplish.

"There was so much that he did, and he wasn't even a lawyer," she said. "This inspired her to believe that "There was so much more that I can do."

Before law school, she attended the University of Texas at El Paso graduating with a B.A. in political science. Escobar says she "always had something in the back of my mind that I wanted to go into law." She chose SMU because of its great reputation, its location and its tight-knit alumni.

At SMU, Escobar served as vice president of both the Hispanic Law Student Association and the Health Law Association, and as Director of the Judges Committee for the Jackson Walker Moot Court Competition. She also worked with the law school's admissions office as a recruiter.

Of SMU faculty and staff, Escobar says "They genuinely care about the students. I think that everyone at SMU helped me to get through law school and make it to graduation. It's a wonderful place and such a wonderful experience." After graduation, Escobar is staying at SMU to help recruit for the law school.
Michelle Everson
Plano, Texas

One of Michelle Everson's recollections about law school is "I didn't sleep much." And that would probably be less than the average student since during school she worked full time as a financial analyst for Texas Instruments, took her CPA exam, raised three young children, and had a husband who was a firefighter/paramedic working 24 hours on and then 48 hours off.

"You take one day at a time, you take one thing at a time, one paper due, one assignment you learn to focus on what you're doing and the task at hand," she said. Everson said that despite the hectic schedule, her experience at SMU was great. She was on the Moot Court Board, was treasurer of the Family Law Association for three years, and participated in the tax clinic. In her personal life, athletics, traveling, and charity work were activities she shared with her husband. "We made sure to take a couple of breaks."

"I had a couple of professors that I thought were fabulous role models. One of them was Professor Elizabeth Thornburg," Everson said. "Professor Thornburg was being treated for cancer and she taught class with such a great disposition. Those are the kind of people that are wonderful to have at the law school."

Everson remains at TI as a corporate tax analyst.

Kara Dashelle Grimes
Plano, Texas

Not the typical student, Kara Grimes received her Bachelor of Business Administration in 1990 and her Master of Business Administration in 1993, and then came to law school with over ten years of experience in business operations.

"I have always wanted to go to law school and after having some experience in business just really thought about what I was passionate about," Grimes said. Grimes was heavily involved in various activities and organizations in the law school including the Journal of Air Law and Commerce where she was a staff member, author of a published casenote and Editor-in-Chief.

"What is amazing about the Journal of Air Law and Commerce is its history," Grimes said. "It goes back to 1931 and is known as the best scholarly journal devoted to aviation and space issues. And our symposium is probably the largest aviation symposium in the country."

She was a finalist in the Howie & Sweeney Advanced Appellate Competition and awarded Best Brief in her Legal Research and Writing class.

Upon graduation, Kara is going to work as a litigator for Winstead Sechrest & Minick, and she and her husband Chris are expecting their first child in August.

Yodi Hailemariam
Arlington, Texas

Out-of-the-Box and free spirit are just two of the ways one can describe Yodi Hailemariam.

"I am just a very sporadic person. I am a big believer in intuition and in believing in yourself and believing if you set your mind to it you can do anything you want to do," Hailemariam said.

She received a Bachelor of Arts in Psychology with a premedical sciences focus from Southern Methodist University in 2002. Following her undergraduate education, she enrolled at the SMU Dedman School of Law and received several scholarships during her education at the law school.

Hailemariam did more than just attain her J.D. from the law school; she kept herself deeply involved in various school organizations, primarily the Black Law Student's Association.

As president of BLSA, she led the organization to new heights including being recognized as the Chapter of Year by the national association, which has over 200 chapters across the country.

Upon graduation, Hailemariam is touring East Africa and then moving to Tokyo, Japan, where she will determine the next phase of her life.

"I have always had a global perspective on life and was raised with a very broad view of what's going on in life," Hailemariam said. "I feel like I have done a great job thus far and that I am ready to take off and change the world."
When asked why he wanted to become a lawyer, Lijie Han, who is from the People's Republic of China, said he wanted to be able to help his country.

"My family encouraged me to do something that will help the country and so they encouraged me to go to law school. Many people need a lawyer from those in the countryside to the cities," Han said.

Han graduated from Shanghai International Studies University with a LL.B. in 2002. After working several years at Jones Day in Shanghai, China, he decided to broaden his legal education by enrolling at SMU for his Master of Laws in Comparative and International Law program.

"I have known about SMU ever since my first year as an undergraduate," Han said. "Many of my friends graduated from this university. It is a very good law school and a very good university." Han was granted a full scholarship as the recipient of the covered Dr. Helmut Sohmen Scholarship.

"Mr. Sohmen is a very generous person in giving me this opportunity and without his generosity I would not be here," Han said.

In addition to his SMU degree, Lijie expects to receive an LL.M. degree from Fudan University in Shanghai December 2005. After graduation, Han plans to join the Shanghai office of Baker & McKenzie.

By 2001, Dwayne Norton had graduated with a B.S. in electrical engineering, was working as a patent agent with a law firm in Dallas, and passed the patent bar. He planned to continue in engineering but decided that if he got a chance to study law, he would.

Norton's opportunity arose when he received the Dallas Bar Foundation's Sarah T. Hughes Diversity Scholarship to attend the Dedman School of Law which covers the full cost of tuition and fees for outstanding minority students. The combination of the scholarship, SMU's location and its reputation contributed to Norton's decision to enroll.

"My circumstances were such that money was a big deal, and getting the Hughes Scholarship really was a huge part of it, but that's not all of it. I thought SMU was a really great school to come to. It's been an awesome experience," he said. "For my entire career, I'm going to appreciate that opportunity because the Dallas Bar Association and SMU helped in changing my life." Norton was a staff editor and then Executive Editor of the Computer Law Review. He was a member of the Black Law Students Association and the Intellectual Property Organization.

He now works in patent litigation with Alston & Bird in Charlotte, North Carolina.

Marc A. Hearron
Dallas, Texas

Marc Hearron has truly paved his own path through law school as he paid his way through part-time work and received scholarships for academic excellence.

Hearron graduated from Oral Roberts University in 1993 with a Bachelor of Science in Computer Science. Upon graduation, he worked as a computer programmer and manager for four years.

"Once I got into the professional world I decided that being a computer programmer is really not what I wanted to do. So I decided to go to law school," Hearron said.

Hearron was staff editor of the SMU Law Review during his second year of law school and Editor-in-Chief his third year.

"Being on the executive committee of the law review is such a different experience from anything else because so much of my time was dedicated to it," Hearron said. "It is probably the best thing I have done in law school."

Hearron finished law school summa cum laude. Upon graduation, Hearron is clerking for Judge Sidney A. Firewater of the U.S. District Court for the Northern District of Texas.

After completing his clerkship he will go to Jones Day in Washington D.C. where he hopes to specialize in appellate law.
Peter Schulte  
Plano, Texas

As the 2004-2005 President of the Student Bar Association, Peter Schulte had more controversial issues to handle than most previous SBA presidents. "The Student Bar Association President has been a hell of a ride," Schulte said. One of the primary issues Schulte dealt with was the reinstitution of the evening law program. In addition, he faced several crises throughout the year that created media frenzy.

"Being SBA president has given me a few challenges this year, but I think it will make me a better person." In addition to being SBA President, he was involved in leadership positions in Delta Theta Phi Legal Fraternity, Student Senate, the Board of Advocates, and the American Bar Association.

Schulte received a Bachelor of Business Administration from Texas A&M University. While working on his undergraduate degree, Schulte went through the local Police Academy and became a licensed Texas peace officer.

Upon graduation, Schulte is going to work for the Wilder Firm as a criminal defense attorney specializing in DWIs. In addition, he will provide training on Fourth Amendment Law and Criminal Procedure at the North Texas Council of Governments Regional Police Academy.

"I have never been more challenged than in law school," Schulte said. "In fact, law school has been the most intellectually stimulating thing I have done in my life."

Hazrat Omer Yousafzai  
Ningrahar, Afghanistan

Hazrat Yousafzai’s father had a childhood nickname for him: "Lawyer." Yousafzai says his decision to study law came from his parents as well as his own interest in the field.

Yousafzai first earned an advanced diploma in computer sciences from the SuperTech Institute of Computer Science, affiliated with the University of Cambridge, at Islamabad, Pakistan. After earning his J.D. equivalent from the International Islamic University in Islamabad, Pakistan, he came to Dallas to earn his Master of Laws in Comparative and International Law. Yousafzai had a brother living in Texas, so he chose to search for law schools in the state.

"I found SMU to be one of the best law schools in the nation, so I decided to come to Dallas." He describes his experience at SMU as a "wonderful time" with the "best faculty, and the best environment for studying."

His ability to communicate in the languages of Pashto, Farsi, Urdu, Arabic, and English helped him work as a case manager in 2003 for the Alliance for Multicultural Community Services in Houston. Yousafzai’s technological background enabled him to take a job with SRI International in 2004 developing a speech recognition program that translated from the Pashto language into English.

"I love SMU and I will try to convince others to come to SMU," he said.

Congratulations to the Class of 2005
A Day To Remember
Commencement 2005
The LL.M. Class of 2005 included 31 candidates for the Master of Laws degree in Comparative and International Law, 13 candidates for the Master of Laws Degree in Taxation, and two candidates for the Master of Laws degree. Our international LL.M. students came from across the world including Afghanistan, Argentina, Brazil, Bulgaria, China, India, Japan, Korea, Mexico, Nigeria, Saudi Arabia, Taiwan, Thailand, and Venezuela.
SMU Hosts Over 125 Judges
For Appellate Judges Education Institute Kickoff

Appellate Judges

Chief Appellate Judges