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University of Pittsburgh School of Law

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notes

SPRING 1989

Thornburgh leads Justice Department into the '90s

On November 21, 1988, President-Elect George Bush announced that he would retain former Pennsylvania Governor Richard L. Thornburgh, Law '57, as the nation's 67th attorney general, a position he had held in the Reagan administration since August. The announcement ended weeks of speculation that had grown in the aftermath of the presidential elections.

While there appeared to be little doubt that Dick Thornburgh would reenter the political arena following two terms as governor of Pennsylvania, his early years in Rosslyn Farms gave little indication of the distinguished political career ahead. Following a family tradition of careers in engineering, he graduated from Yale University's undergraduate engineering program in 1954. In a departure from tradition, however, his decision to seek a different career direction brought him to the School of Law where he graduated with high honors as an editor of the *Law Review* in 1957. From there began a successful career in corporate law with Alcoa and the Pittsburgh firm of Kirkpatrick and Lockhart.



Richard L. Thornburgh

Dick Thornburgh's political career, however, began with a rare experience — a loss in his bid to unseat incumbent Congressman William Moorhead in 1966. Undaunted, he went on to develop a reputation as an aggressive prosecutor in his role as US attorney for the Western District of Pennsylvania from 1969 to 1975. His record in winning more than 50 convictions in cases involving racketeering and

influence-peddling brought him to the attention of President Ford and led to his selection as assistant US attorney general in charge of the Justice Department's Criminal Division from 1975 to 1977.

At Justice, his continued commitment to the concept of honesty in government led to the creation of the public integrity section, dedicated to the investigation and prosecution of corrupt public officials at all levels of government. His accomplishments as a US attorney and assistant attorney general greatly enhanced the public perception of Dick Thornburgh as a calm yet decisive leader. In 1978 these qualities and a skillful campaign carried him to victory over former Pittsburgh Mayor Pete Flaherty in the race for governor of Pennsylvania. In two terms as governor he pursued economic development policies aimed at expanding and diversifying the state's economy while reducing both taxes and indebtedness. Establishing high standards for honesty and integrity, he also attacked the patronage system, in the process eliminating 15,000 positions from the state bureaucracy. His record during this extremely difficult period of economic contraction led to his being named in a 1986 *Newsweek* poll as one of the nation's most effective governors.

At the conclusion of his second term in 1986, Dick continued his 29



University of Pittsburgh

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From the dean's desk...

As I write this column, my thoughts are drawn back to our recently completed "Ed Sell Day," a celebration of Ed's 40 years of service to legal education and the legal profession. For all who had the chance to participate, it was a very memorable occasion.

The celebration began with an afternoon program presenting a range of perspectives on "Takeovers, Mergers, and Buyouts." That "kick-off event" was particularly appropriate for a number of reasons. First, it reflected Ed's own interest in and love of corporate law. Second, it brought back into the school graduates who earlier had been taught by Ed and who, in the years subsequent to that formal training, had distinguished themselves in the worlds of law and business. Finally, the program goal was to add to the understandings of Pitt law students, something that has been at the center of Ed's professional life for more than four decades.

The events of the evening had a decidedly different tone. Good natured humor was mixed generously with words of praise. Those in attendance — more than 600 in number — were treated to remembrances drawn from various stages of Ed's career. Some of the "strolls down memory lane" covered ground that Ed might have avoided had he been in control. Happily, he was not.

The testimonial dinner was sponsored by the Allegheny County Bar Association, the Pennsylvania Bar Association, the Pennsylvania Bar Institute, the Pitt Law Alumni Association, and the School of Law. The widespread desire to pay tribute to Ed is a reflection of the breadth of his own contributions over time. He has been an active participant in so many important aspects of professional life, as well as in the larger community.

However, for more than 40 years, the School of Law has been Ed's principal professional home. In that sense, and Ed would be the first to say it, the events of April 7 were more than a tribute to his own still-very-active career. They also were a testimonial to the rich tradition and continuing progress of the School of Law.

Of course, even Ed was not present at the school's founding. Classes in law first were offered at the University of Pittsburgh in 1843. The School of Law was founded in 1895. It became a charter member of the Association of American Law Schools five years later. Ed Sell, in fact, had

Anne X. Alpern, '27, appointed attorney general of Pennsylvania and to the Pennsylvania Supreme Court, and Genevieve Blatt, '37, the first woman elected to state-wide office in Pennsylvania and the first woman elected to this state's appellate bench, were far more than individual accomplish-



Ed Sell and Mark Nordenberg

nine predecessors as dean of the School of Law, and he knows a fair amount about each of them.

For some of the rest of us, it often is too easy to forget the accomplishments of those who have gone before and to overlook their institutional legacies. Ed Sell has never been that way. When Ed joined the Pitt law faculty, for example, he had only a handful of senior colleagues. Nonetheless, Ed is quick to remind people, a number of them had authored books that were used nationally, and they had reputations to match. Charles Taintor on Conflicts, Judson Crane on Partnership and Damages and Charles Nutting on Administrative Law are three examples that he cites.

In a similar fashion, he expresses special pride in the fact that many of the school's graduates had distinguished themselves in a range of important ways in the preceding decades. Some could fairly be labelled "pioneers." Achievements such as those of Sara Soffel, '16, the first woman to teach at the school and the first female judge in Pennsylvania,

They helped create opportunities for countless others.

Notwithstanding what had gone before, the date of Ed's appointment as dean — August of 1966 — does provide a benchmark for assessing the progress of the modern University of Pittsburgh School of Law. When Ed assumed that position, the school's faculty had eight members, and they served a student body of 130. The school was housed in inadequate quarters and had just received a highly critical accreditation report. There were serious questions about the University's commitment to the future of the school. That, in turn, quite naturally led alumni to be somewhat cautious in their own support.

When Ed stepped down from his deanship 11 years later, student enrollment had grown to 660, and the faculty numbered almost 30. The school had moved into a splendid new building and had received a very

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Alumnus recalls 18-hour student days

Truxall endows scholarships, writing prize

John D. S. Truxall, Law '25, says he's a private man who avoids the public eye. But from the law school's point of view, Truxall deserves publicity. Through generous gifts to the school, he has just created the John D.S. Truxall Endowed Law Scholarship Fund and the Truxall Writing Award.

The scholarship, he says, "is a gift prompted by my feeling of a debt that I owe to society, for the opportunity I had as a young man of very modest means to get an education that allowed me to go on, and has enriched my life."

Truxall's gift of \$125,000 will generate enough income to provide a

deserving law student a full-tuition scholarship each academic year. This scholarship will be awarded to students who both merit aid and need it. "It has been created for students attending or who wish to attend the law school who have both good char-



John D. S. Truxall

acter and ability, and also have a financial need," Truxall says.

When he went through law school, he shouldered the burden himself. "Financially," he says, "I was always very close to the line, and I couldn't afford to participate in many things I would like to, nor did I have the time." Throughout his school years, Truxall was busy working odd jobs to make ends meet and feels he missed out on "college life." This is why he feels it's important to aid students in need so they may take full advantage of those opportunities.

the Latin Club, a charter member of the Honorary History Society, and the sports editor of the *Pitt Weekly*. To limit his expenses, Truxall went through seven years of education in five. "I had no choice," he says. "There was no financial aid, no scholarships." But he also says, "I enjoyed everything I did. And I learned something from everything I did. Some of my jobs were pretty menial, but I got some money for it, and I learned something from it, which has been very helpful to me in my later career."

When Truxall graduated from law school, he set up practice by himself, as was customary at the time. In the early days he did a little of everything, but soon moved away from trial work.

"Looking around," he says, "the men who were not in the public eye as trial lawyers or politicians were successful. The men whose names the public seldom heard were the real lawyers, so I decided to devote myself to business law."

Truxall eventually became associated with some of the businesses he represented. While maintaining his primary interest in law, he was engaged in real estate liquidation and managing syndicates for the financing of growing businesses, and was president of the Deerfield Coal Co. for many years.

At 87 years of age he still works in his office in the Frick Building, which has been his professional home 35 years. But, he says, "I work at my own pace. I'm in the office early in the morning, five days a week, and I enjoy it."

For the past 35 years, Truxall and his wife also have enjoyed annual visits to Europe. Their favorite spots are the British Isles and Austria, Germany, and Switzerland.

"I'm a great downhill climber," Truxall says. "I like going up on any kind of conveyance, as high as I can go, then do some walking up there, then walk down, maybe four or five

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Dean's...

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favorable accreditation report. New leadership within the University had led to a more positive relationship between "the Cathedral" and the School of Law. Alumni support was at an all-time high.

The momentum of that period has been maintained in the years that have followed. Of course, as Ed's life shows, some individuals deserve more credit for that than others. The progress of the school, however, is a collective triumph. It is grounded in continuing contributions — in the many forms that they can take — of students, faculty, staff, graduates, and friends.

In a very real sense, then, Ed's celebration was not just a celebration of the past. It was a celebration of a strong and vibrant present and a very promising future. It was a personal pleasure to be among the celebrants. It also is a personal pleasure to share with you the good news about the school, and those who are an important part of it, that is included in this issue of *Law Notes*.

Mark A. Nordenberg

Between his school work and his paying jobs, Truxall worked 18-hour days. Among other jobs, he worked as an inspector of ushers at football games and as an usher himself at operas at the Syria Mosque — which he liked best because he was able to hear the operas. He tutored during his undergraduate years, and taught Latin, English, and history at the Arnold School, now part of Shady Side Academy, during law school. Even with this busy schedule he was on the debating team, a member of

act and ability, and also have a financial need," Truxall says.

When he went through law school, he shouldered the burden himself. "Financially," he says, "I was always very close to the line, and I couldn't afford to participate in many things I would like to, nor did I have the time." Throughout his school years, Truxall was busy working odd jobs to make ends meet and feels he missed out on "college life." This is why he feels it's important to aid students in need so they may take full advantage of those opportunities.

Burkoff named ABA reporter

John M. Burkoff, professor of law, is law reporter for the American Bar Association (ABA) Criminal Justice Section's Prosecution and Defense Function Standards Updating Task Force.

The ABA Task Force has been charged with the job of revising — and adding to — the ABA's Prosecution and Defense Function Standards, a voluminous set of ethical guidelines for criminal justice practitioners, prosecutors, and defense counsel.

Since their promulgation by the ABA in the late 1960s, the standards have been cited approvingly by courts more than 700 times. They have been adopted as court rules or statutory law in some jurisdictions; in other jurisdictions some standards have been adopted as controlling by judicial decision.

According to Burkoff, the Prosecution and Defense Function Standards are in dire need of revision. The ABA in 1982 adopted an entirely new code of ethics — the Model Rules of Professional Conduct — replacing the old Code of Professional Responsibility. Since then most states, including Pennsylvania, have dramatically changed their own codes of ethics. Most recently revised in 1979, the standards take some approaches to the resolution of ethical dilemmas faced by prosecutors and defense counsel that no longer represent prevailing law.

The ABA Criminal Justice Section selected Burkoff at its 1988 mid-year meeting. The National Association of Criminal Defense Lawyers and the National Association of District Attorneys, which also are participating in the revision process, had approved his nomination.

Norman Lefstein of Indiana University School of Law at Indianapolis chairs the ABA Task Force. Dean Lefstein was reporter for the 1979 revision of the standards. Members of the task force include Professor Sam Dash of Georgetown Law School, former counsel to the Senate Watergate committee and reporter for the first edition of the

standards, Justice Shirley Abrahamson of the Wisconsin Supreme Court, and other leading figures in the national prosecution and defense bar.

Burkoff is the author of a treatise, *Criminal Defense Ethics*, published in 1986. He has published two other books relating to criminal law and procedure and dozens of law review articles. Given the stature of his writings and his past chairmanship of the



John Burkoff

Association of American Law School's Criminal Justice Section, Dean Lefstein called Burkoff's appointment as reporter for the task force "the obvious choice."

The law reporter's responsibility is to propose areas for change, revision, or new coverage. After (sometimes heated) discussion at task force meetings, the reporter drafts language incorporating the changes and additions dictated by a majority of the group. Since the task force was formed last year, Burkoff has provided task force members and consultants with literally hundreds of pages of suggested changes, additions, and background materials.

The task force met twice in 1988, in Minneapolis and San Diego, and has produced a working draft of the revised standards containing nearly 200 pages of new or revised substantive rules. When the revised commentary to these rules is drafted by Burkoff later this year, more than 500 pages of new rules and explanatory text will be ready for final ABA approval.

If the current timetable holds, these revised standards will be voted on by the ABA Criminal Justice Section at its November 1989 meeting and the final draft of these standards will be presented for debate and for vote at the ABA 1990 mid-year or 1990 annual meeting. After that it will be up to the judges and legislators in each state to decide whether to adopt some or all of these standards. If past practice holds, the new Prosecution and Defense Function Standards are likely to have a dramatic effect on the changing obligations and responsibilities of prosecutors and defense counsel nationwide.

Eisenberg delivers Mellon Lecture

Melvin A. Eisenberg, Koret Professor of Law at the University of California at Berkeley, visited the Pitt law school as the 1989 Mellon Distinguished Visiting Scholar, March 22-24.

Eisenberg is a graduate of Columbia College and the Harvard Law School. His professional experience includes practice with the New York City law firm of Kaye, Scholer, Fierman, Hays & Handler and service as assistant counsel to the President's Commission on the Assassination of President Kennedy and assistant corporation counsel for the City of New York. He also has served as a visiting professor at Harvard.

He has published frequently in the country's leading law journals. He also is the author of many books, including *The Nature of Common Law, Corporations—Cases and Materials* and *An Introduction to Agency and Partnership*.

Among his other activities, Eisenberg serves as the chief reporter for the American Law Institute's Project on Corporate Governance. He drew upon that experience in presenting his lecture, "The Duty of Care in Corporate Law." During his visit to the school he also taught a Contracts class and visited with groups of faculty and students.

Pitt's San Diego connection

Vince Bartolotta and Bill Lerach, Law'70, share more than the same hometown, college, and law school. They share the same passion for the law and now pursue that passion in the same west coast neighborhood.

Bartolotta and Lerach grew up on opposite sides of Pittsburgh, Bartolotta in Monongahela and Lerach on the Northside. They didn't know each other well as undergraduates at Pitt, but belonged to the same study group at the School of Law. Lerach graduated second in the class, and Bartolotta was the class president. After graduation they went in different directions.

Seven years later, "Lo and behold," Lerach says, "he and I end up two floors from each other in the same office building in downtown San Diego. That's pretty unusual." Although they no longer share the same office building, they live in the same suburb, Rancho Santa Fe. "You can't quite throw a stone from one swimming pool to the other, but it's pretty close," Lerach says.

The similarities and coincidences don't stop there. While they practice in different substantive areas, they both are litigators, and they regard each other highly. Lerach and his firm, Milberg Weiss Bershad Specthrie & Lerach, specialize in shareholders' rights cases. It is the largest firm of its kind in the country, litigating mostly securities class actions and shareholders derivative suits. Bartolotta and his firm, Thorsnes, Bartolotta, McGuire & Padilla, represent victims in large personal injury cases.

Lerach says, "We're soul mates.

We're mutually supportive in the community, and it's a real nice thing. There is a special bond."

The law community also has high respect for them. In 1981, Bartolotta's peers voted him Outstanding Trial Lawyer. In 1982 *American Lawyer* magazine named his firm one of the nation's 20 outstanding new law



William S. Lerach

brother was maimed by shrapnel. A month later, their father died, leaving Mrs. Peake to care for three children.

Few knew that the site had once been a training center for the armed forces. The developer and the city of San Diego had neglected to tell the residents. Instead, they had wooed residents to the area by emphasizing



Vincent Bartolotta

firms, and in 1988 he and partner McGuire were included in "the best lawyers in America."

The TV magazine show "20/20" in September 1988 featured Bartolotta and one of his cases. The case began in December 1983 when eight boys, playing in a canyon by their homes in a development in Tierra Santa (which translates to holy earth) found a 57 millimeter anti-tank armor piercing round. While they passed the shell around, it blew up, killing two boys, one of whom was eight-year-old Corey Peake. Corey's 12-year-old

the beauty of the canyons and the open spaces around the new homes.

Bartolotta asserted claims against the Navy, the developer, and the city of San Diego and obtained a multi-million-dollar recovery for the Peakes, structuring it to guarantee that the children's continuing medical and educational needs will be met. It was the largest settlement in a case of this type in the history of San Diego. Bartolotta also was able to get the US Congress to appropriate between \$12 and \$20 million to "search and sweep the area electronically, the way it was supposed to have been done so that nobody else ever gets killed," he says.

Bartolotta says there are three reasons why he loves his work. The first is the gratification he receives from being able to help people like the Peakes. The second is the overall social good he does, like suing the city for a stoplight needed in a dangerous intersection. The third reason is that "my job is a one hundred percent continuing education," he says. "Every day I'm constantly learning

Also on the San Diego scene...

Vince Bartolotta and Bill Lerach are not the only Pitt law grads who call San Diego home. In fact, both John Grasberger, '76, and Anita Laing, '78, also practice in the Milberg Weiss Bershad Specthrie and Lerach firm.

Other alums now living in the area include William R. Bennett, '72, Robert E. Carroll, '49, Carl J. Depasquale, '82, Michael Dorazio, Jr., '66, Murphy Goodman, '79, Herbert Jube-

lirer, '35, Scott D. Schabacker, '84, Alex B. Scheingross, '77, William J. Schwartz, '66, Jeffrey Twersky, '83. Of course, as hard as we work at it, alumni lists are never complete. If there are additions or corrections that we should make, please send them to the Office of Alumni Affairs, University of Pittsburgh School of Law, Pittsburgh, PA 15260.

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Changes in the capital...

K. Leroy Irvis

When asked, "Who was Benjamin Franklin?" few people would respond, "A bald man who served for a short time in the Pennsylvania State Legislature."

And yet the question, "Who is K. Leroy Irvis?" might well get the response, "A black man who served for a long time in the Pennsylvania State Legislature."

Both responses are true. But they are totally inadequate portrayals of the men themselves or of their roles in the government of our commonwealth. Nothing less than a comprehensive biography could portray either one of these multi-faceted men. How many political figures have been, like Franklin, a scientist and philosopher or, like Irvis, a sculptor and a poet? And how relevant to their success as diplomats, really, were Franklin's baldness or Irvis' blackness?

Franklin, of course, wrote his own biography. And now that Irvis has retired after 30 years of public service in the Pennsylvania House of Representatives, people are urging him to do the same. For, like Franklin, Irvis is no slouch at turning a phrase.

And in a day when the art has been virtually lost, he is recognized as one of the commonwealth's greatest orators—not in mere effect, but in substance as well. It is generally acknowledged on both sides of the political fence in Harrisburg that the halls of Pennsylvania government will echo the phrases of K. Leroy Irvis for a long time to come.

A graduate of the University of Pittsburgh's School of Law (Class of '54) Irvis held leadership positions for 26 of his 30 years as a state legislator: minority and majority caucus chair, minority whip, minority and majority leader, and, for a total of eight years—the longest individual tenure since colonial times in that highest of House offices—speaker of the House of Representatives. His election to that position by his colleagues in 1977 marked the first time

that a black person had ever been chosen as speaker in any state.

This is only one of a long list of credits that could begin, "K. Leroy Irvis was the first black to" But typical of Irvis' awareness of his responsibilities was his statement to the House membership in 1977: "You have not elected a black man to be your speaker, but... a man who happens to be black."

K. Leroy Irvis was born on December 27, 1919, in the Hudson Valley town of Saugerties, New York, and was graduated at the age of 15 from Albany High School. His mother's ancestors had come to that area as free men with the Dutch settlers in the 1690s and his father, a chauffeur and self-employed handyman whose love of books young Roy eagerly adopted, had roots in the valley that went back to the early 19th century.

Unable to get a teaching job in Albany because of his color, Irvis went to Baltimore at the age of 19, with his college degree in hand, to teach in its segregated school system. "The white teachers and black teachers 'met' only once a year," he recalls. "They sat on opposite sides of the stage. The twain did not 'meet.'"

In Baltimore, Irvis first exercised his personal style of politics: talking and reasoning with people. "I assume openly that they are decent people who would not want to hurt anybody, but who just don't know what I know about the situation."

An example: "In Baltimore there was no library at the school where I taught, so I decided to take a group of children to the public library, where 'colored' people were not allowed. But first, I went to talk with the librarian, who was obviously quite distressed, but I pretended not to notice. I talked to her as one person who was interested in children to another person who was interested in children. There was very little she could do except to say, 'No, we're not interested in children.' I didn't give her a

chance to ask whether my group would be 'colored,' although she assumed that they would be. I explained that I had trained them in how to be well-behaved—how to enter the room, how to sit down, how to take care of books.

"The next week I took the children to the library, and, with the exception of a few raised eyebrows, we had no problems whatsoever. She was very gracious to my children. They never knew that any negotiations had gone on before their visit."

Irvis' distinguished career in government is impossible to sum up in a page or two. His intelligence, his wisdom, his humanism, his ability to reason calmly with persons of whatever political or social conviction have all, in the opinions of members of both parties, served Pennsylvania exceedingly well.

According to Irvis, he has always believed that his role in public life was to use his judgment in the interests of Pennsylvania and the nation, rather than in slavish adherence to his constituents' narrower interests.

Irvis provided the critical legislative leadership for the University of Pittsburgh's becoming a state-related university, and for the establishment of several progressive institutions in the commonwealth, including the community college system, the Human Rights Commission, and the Pennsylvania Higher Education Assistance Agency.

But it is perhaps most revealing of the man that, when asked about his proudest accomplishment in his legislative career, he singles out the role that he played in facilitating the diagnosis of the genetic disease, phenylketonuria.

"A doctor came to my office when I was majority leader and said, 'Mr. Leader, we could prevent mental retardation in a number of babies if we could take one drop of blood from every newborn infant.' I said, 'Why

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Christopher K. McNally

What is the ideal educational background for a state legislator?

According to one of Pennsylvania's newest — and at 28 the second youngest — it's a law school degree. And he earned his at Pitt.

On January 3, Representative Christopher K. McNally, Class of 1986, began his first term in the Pennsylvania State Legislature. He was elected after winning his party's nomination over eight other candidates in the 36th district, which includes the town in which he was born and brought up: Carrick.

Today his headquarters offices on Brownsville Road share a modest, one-story building with the Uni-Mart convenience store where, according to McNally, "I used to come for candy, when I was a kid." In this unassuming environment, the pleasantly serious young legislator now listens earnestly to the big and little problems of his neighbors-turned-constituents.

Chris McNally's law school education, he says, provided him with understanding of a wider variety of human issues, problems, and relationships than any other course of study could have done. "In studying such things as contracts, torts, and property law, you learn about a lot of the things that go on in society — things that I hadn't had a chance to see for myself. The kinds of legislation that the state deals with today, I think, are a much broader variety than ever before, and law school is therefore an outstanding preparation for being a legislator."

The more technical aspects of legislation, from a legal standpoint, are one of McNally's primary interests. There are, according to McNally, only 11 drafting attorneys in the Legislative Reference Bureau, which is charged with helping 253 members of the General Assembly — most of them not attorneys themselves — to draft thousands of bills. As a result, some bills may not be written with the highest technical precision, and

they can end up as statutes that contain troublesome ambiguities.

One of McNally's projects while in Harrisburg will be to solicit suggestions from law school faculty members and other attorneys and organizations, regarding new legislation that might be useful in "cleaning up" the technical loose ends of existing laws. A prime example of a technically confusing statute, according to McNally, is the City of Pittsburgh's zoning ordinance, which, he says, is a maze of chapters without cross-references, and is "not easily used by a person without professional training in urban planning."

Chris McNally comes from a community-conscious family of Pitt alumni. Both of his parents have bachelor's degrees from the University of Pittsburgh, where his mother, Marian McNally, went on to earn a master's degree in education ('81). His father, Regis J. McNally, became a firefighter, later returning to Pitt to earn his law degree ('77) the hard way: while still working as a battalion chief for the Pittsburgh Fire Department. McNally senior now has a general law practice, which Chris joined upon his own graduation in 1986 and in which he practiced until the election campaign of 1988.

But that wasn't Chris' first involvement in political campaigning, which he says he finds to be "an exciting exercise." He has always, it seems, been active in neighborhood, community, and student groups, and those activities inevitably led to politics. At the age of 17, while still in high school, he worked as a campaign volunteer for Mike Dawida, a 28-year-old lawyer at the time, who was attempting to unseat a long-time incumbent in the legislature. Dawida won. And ironically, Chris McNally now holds that very same seat, having won it when Dawida vacated it to run for the state Senate.

Later, as an undergraduate political science major at Penn State (In spite of his loyalty to Pitt, he remains

a defiant and unrepentant fan of that eastward institution's football team) Chris McNally was a student government leader and lobbied in Harrisburg for increased appropriations for higher education.

What surprised him most when he became a member of the Pennsylvania House of Representatives? "How the title alone provides entree to a host of organizations and information." When I was just plain old Chris McNally, I couldn't always expect to have my calls returned by government agencies. But when a secretary puts 'Representative' in front of your name, it's a whole different ball game. As a result, you have access to a great deal more information, provided not only by government agencies but by business, labor, and community organizations. Frankly, I didn't think people thought that the position was that important."

To learn how to be "Representative" Chris McNally, he went back to school for two days in December: a school for new legislators of the Commonwealth of Pennsylvania. The seminars and briefings covered such topics as the resources that are available to legislators, the nature of committee work and of constituent work, and how the legislative process operates.

Thinking back to law school, Chris jokes that he "always enjoyed being a student more than working." But what he really enjoyed most was "my classmates — an exceptional group of men and women, not only in terms of their character and personality, but also their intellect and their devotion to a legal career. I was impressed with how they took pride in becoming attorneys and wanted to excel in the practice of law. I remember how [Professor] Dick Seeburger used to say that you learn law not only from your professors but from your classmates. I certainly found that to be true."

Rep. Christopher K. McNally

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Judge Weis appointed chair

Panel to scrutinize federal courts

Just before the start of the new year, Chief Justice William H. Rehnquist announced the membership of a new 15-member federal courts study committee. The blue ribbon panel will be chaired by Judge Joseph F. Weis, Jr., '50, of the United States Court of Appeals for the Third Circuit.

The creation of the committee was authorized by the Judicial Improvements and Access to Justice Act. Its charge is to study the problems currently facing the federal courts and to develop a long-range plan for the federal judiciary. There has been no comparable undertaking in the 200-year history of the federal court system.

In announcing his appointments, the chief justice stated, "The task this committee will undertake is of enormous importance to the immediate and long-term future of the judiciary."

Not only is the task imposing, but the group's schedule is tight. Its work must be completed in 15 months. During that period it will consider a number of topics, including alternative methods of dispute resolution, the basic structure and administration of the federal court system, and means of resolving both intracircuit and intercircuit conflicts. Its final report will be formally submitted to the President, the Congress, the Judicial Conference, the Conference of Chief Justices, and the State Justice Institute.

In addition to this new appointment, Judge Weis continues to serve as chair of the committee on rules of practice and procedure of the Judicial Conference of the United States. In the months to come, then, he will be serving simultaneously as leader of two of the most important committees in the federal court system. He also is past chair of the advisory committee on civil rules, the Joint American-English Appellate Judges Conference, and the Joint American-

Canadian Appellate Judges Conference. In addition, he teaches Advocacy and Adjudication as an adjunct professor at his alma mater.

Other members of the study committee include Senators Charles E. Grassley and Howell Heflin, Congressmen Robert W. Kastenmeier and Carlos J. Moorhead, Assistant Attorney General Edward S. G. Dennis, Jr., former Solicitor General Rex E. Lee, and Judge Richard A. Posner.

Suggestions as to areas of study can be submitted to William K. Slate II, Staff Director, Federal Courts Study Committee, Room 22716, US Courthouse, 601 Market Street, Philadelphia, PA 19106.



Joseph F. Weis, Jr.

"Real Lawyers"

John C. Chelen and Richard Landis, '73 classmates, had an adventure while defending the honor of the legal profession.

Landis, a Washington, DC, attorney and political activist, sued a fellow ward council member who labeled Landis a "fake lawyer" in a primary election battle. Represented by Chelen, Landis received a letter of retraction and apology from his opponent after a two-year libel suit. Following settlement of the case, Landis said, "I believe that no person running for public office should ever have to put up with totally unfounded attacks on his or her professional credentials. In a sense, I speak for every lawyer who ever considered public service as an elected official."

Chelen commented, "This case involved critical legal issues involving the responsibilities of candidates in national and local political campaigns. Since justice has been done here, we hope that we have in some

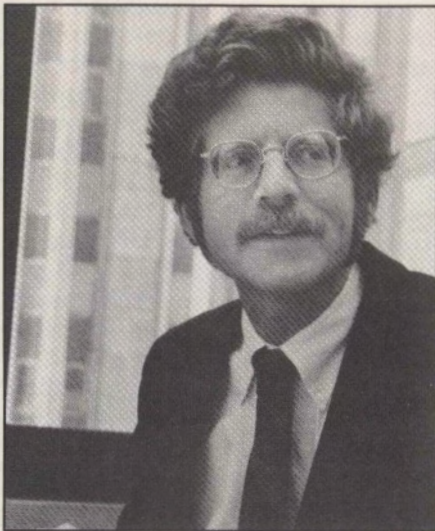
small way contributed to cleaner election campaigns."

When Chelen sent copies of pertinent newspaper articles and memos to the law school, he noted that many lawyers "should appreciate the humor of this situation where one alumnus represents another in upholding the honor of the legal profession."

Student wins prize in Baxter Competition

Anthony J. Kutsch, Law '89, won third place in the 1988 Richard R. Baxter Student Essay Competition sponsored by the ABA International Law and Practice Section.

Hellman leads study of largest US appeals court



Arthur D. Hellman

For Arthur D. Hellman, professor of law, writing about courts isn't enough; he also takes an active part in finding ways to improve their operations.

Hellman is supervising a major study of the innovations pioneered by the nation's largest appellate court, the United States Court of Appeals for the Ninth Circuit.

After being selected by the judges to direct the project, Hellman recruited a distinguished group of law professors and political scientists to examine various aspects of the Ninth Circuit's work.

This past summer Hellman and his colleagues presented preliminary reports that formed the principal agenda for the circuit's annual conference, attended by more than 400 judges and lawyers. The project had earlier spawned a major conference at Arizona State University on empirical research in judicial administration.

Final versions of the studies will be published by Cornell University Press in 1990 as a book titled *Appellate Justice for the Twenty-First Century: Learning from America's Largest Court*.

"Nothing of this kind has ever been done before," Hellman said. "Courts tend to be secretive institutions, but we've been able to talk to judges, work with staff, look at internal documents, and even get access to computerized databases. That's a great tribute to the present chief judge, Alfred T. Goodwin, and to his predecessor, James R. Browning, who inspired this project. Both of them are convinced that the court can only benefit from scrutiny by independent scholars."

Hellman added that his study has also paid dividends in the classroom. "I don't have to limit myself to speculating about how courts work and how judges decide cases. Of course, a lot of the details are shared with me in confidence, but I can give the students a sense of the kinds of things judges think about and what

really goes on when a case is taken under submission."

Hellman's work with appellate courts began when he served as deputy executive director of the influential Commission on Revision of the Federal Court Appellate System (1973-75). Later he took a leave of absence to reorganize the central legal staff of the Ninth Circuit Court of Appeals and supervise the work of its 30 young attorneys.

His concerns are not limited to federal courts. Hellman was one of two professors selected to join three state supreme court justices on a drafting committee for the Judicial Elections Project of the American Judicature Society.

As a scholar Hellman is probably best known for his studies of the United States Supreme Court. He has published numerous articles in law reviews as well as in widely circulated publications such as the *American Bar Association Journal* and *Judicature*.

Hellman has been active in the debate over the Supreme Court's caseload. His writings have been cited and quoted by members of the Court as well as by the press. The *New York Times* described him as "a longtime student of the High Court's docket" and "one of the most outspoken opponents" of a widely discussed proposal for an Intercircuit Tribunal — a new court that would decide cases "referred" to it by the Supreme Court.

He was recently elected to a fourth term as a member of the Board of Directors of the American Judicature Society. In 1988 he was elected as a Fellow of the American Bar Foundation. He is listed in *Who's Who in America* and in *Who's Who in American Law*.

A graduate of Harvard College and Yale Law School, Hellman has been teaching at the University of Pittsburgh School of Law since 1975.

School of Law Alumni Association

President, Thomas P. Lutz	'74
President elect, Jeffrey S. Blum	'73
Vice president, W. Gregg Kerr	'52
Treasurer, Diane W. Perer	'76
Secretary, P. Jerome Richey	'74
Past president, Russell J. Ober, Jr.	'73

Board of Governors

1989

John H. Bingler, Jr.	'65
Thomas L. Cooper	'62
Joseph Moran	'86
Robert S. Whitehill	'72

1990

Maureen Dunn Harvey	'78
Susan M. Lapenta	'85
Marvin S. Lieber	'58
Maryanne Linkes	'82
P. Jerome Richey	'74

1991

Robert F. Burkardt	'51
Dorothy A. Davis	'81
Stanley W. Greenfield	'59
Peter Brooks Skeel	'79

All-time highs reached in admissions and placement

Both law school applicants and legal employers are recognizing that the University of Pittsburgh School of Law has the quality and reputation to warrant their attention.

During the 1987-88 admission year, applications to the School of Law rose by 44 percent. Applications

to the Class of '92 are up by 20 percent. This dramatically larger pool of potential students includes non-resident applicants from 44 states, five other countries, and 241 undergraduate schools. Just as significant is the steady improvement in the entering credentials of both applicants and

enrolled students.

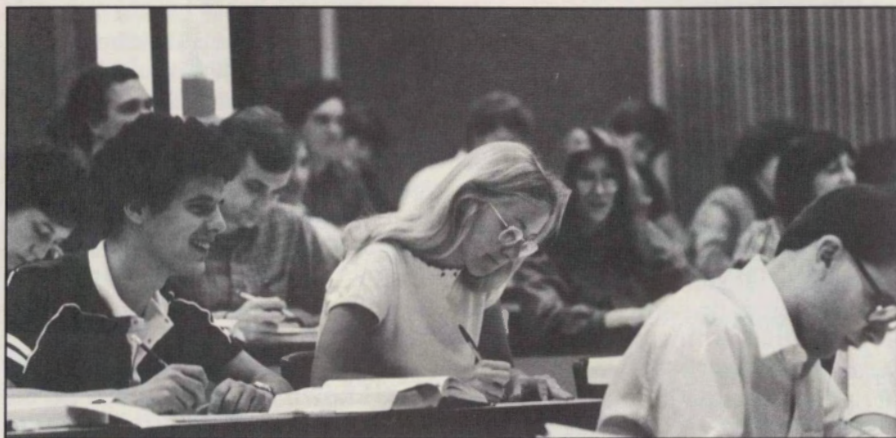
This increased level of admissions pressure has been paralleled by a dramatic expansion of placement activity. The graduating Class of 1988 found broader employment opportunities in more parts of the country than any previous class. While many of our students still begin their careers in this geographic area, 23 percent of the Class of '88 was employed elsewhere in Pennsylvania, 32 percent took positions in 22 other states, and two began their professional lives abroad.

The predominant employment opportunities? For the Class of 1988, 26 percent was employed by firms of 50 or more attorneys and 23 percent by those with two to 10 lawyers.

In the fall of 1988, 35 new on-campus recruiters were added to our recruitment program. This expands our fall interview program for both summer and permanent employment to an all-time high of 143 legal employers.

Continued improvement, however, requires alumni support. Our alumni across the United States are an invaluable source of both admissions and placement assistance. If you would like to become a part of our effort to attract top student applicants, please call Fredi Miller, director of Admissions and Financial Aid, at (412) 648-1414. To receive additional details concerning the Class of 1988 employment profile or to offer employment opportunities to Pitt law school students or alumni, please call Susan Fletcher, director of Career Planning and Placement, at (412) 648-1408.

It's your school — help us make it grow!



Alumni enhance out-of-state recruiting

This fall School of Law alumni assisted the admissions office in recruiting. The following persons represented the school at graduate and professional days at selected colleges and universities.

Richard Dreyfus '83
Rice University
Melinda Ghilardi '83
University of Scranton
Ricardo Nunez '85
New York University
Stephanie Kaminitzky '81
University of Miami
William DuPont, Jr. '82
University of Delaware
Randy Bryant '81
Lincoln University
Ronald Cirba '87
Albright College
Marvin Miller '88
Atlanta University

Kathy Miller '88
West Virginia State University
Stanley H. Leibowitz '78
Boston Forum

Their participation, combined with the efforts of the director, associate director, faculty and current students, enabled the School of Law to be represented at 54 programs throughout the country. Gaining greater national recognition continues to be a major goal of the admissions office. As a result of similar programs in 1987, more than 23 percent of our current first-year class are non-residents.

Those were the days, my friends



Class of 1928 (above) — From left those identified are: Russell J. O'Malley, Sr., Mildred Buckley Whitten, Judge Lois McBride, Ralph Demmler. Can you identify the remainder of the class?

Class of 1953 (below) — First row, from left, Leonard Price, Roy Riehl, John Feeney, Samuel Blaufeld, Lawrence Kaplan, Raymond Scarnell, Maurice Braunstein. Second row, Dean Edward Sell, James Patton, Herbert Feinberg, David Fawcett, Robert Peabody, Mary Merman Gibel, Martin Sheinman, Herbert Labbie, Francis Holahan. Third row, Professor William Schulz, Jerry Landis, Joseph Steedle, Frank Carroll, W. Parker Ruddock, Edward Kohler, Paul Obert, James Hecht, William Hart, Andrew Van Gorder, Stephen Zanolli, John Sweeney, Thomas Terputac.



Congratulations to the Classes of 1928 (see vintage photo, left) 1938, 1958, and 1968 — all holding reunions prior to the November 1989 alumni dinner.

And congratulations to the Class of 1953, which celebrated its anniversary at an October 1 reunion.

Class of 1938 (below) — Front row from left, Alexander Lindsay, Arnold Wilner, C. Bryson Schreiner, Wayne Luce. Back row, Frank Lucente, Jack Duff, Howard O. Husband, August Iurlano.



An evening

Class of 1968 — Front row from left, Ed Weingart, Grace Harris, Bob Cindrich, Bill Tighe, Paul Singer. Back row, Bert Moldovan, Ray Baum, Joe Bonistalli, Terry Jones, Judge Ralph Cappy, Chris Hague.



Russell Ober, '73



Joe Katarincic, '60, and wife, Jean, with Professor Robert Harper, '71



Judge Ralph Cappy, '68, and Ron Bua, '66



J. Lawrence McBride, '50, with Susan Lutz, Alba E. Arriaga, and David Bloom, '87

to remember...



Class of 1978 — Front row from left, William Harvey, Fred Egler, Jr., Amy Auslander Klodowski, Maureen Harvey, Phil Ehrman, Dave Lampl, Gregg Rosen, Carl Rothenberger. Back row, Kemal Mericli, David Serene, Stan Leibowitz, David Margolis, John Gismondi, Dan Mulholland, William Barker, Michael McPoland, Dom Belliasario.

More than 400 attended the annual Law Alumni Association dinner November 5, 1988 at the new Vista International Hotel. Dinner was followed by dancing to the music of the Vogues.



Class of 1958 — Front row from left, Raymond Woodard, Judge Alan Bloch, Sanford Middleman. Back row, Reed Davis, Bob Medonis, Sam Douglas, Joe Mitinger, Marvin Lieber, Jon Friedman.



Rose Stoops and Charles Stoops, '58, chat with Reed Davis, '58, and Linda Davis.

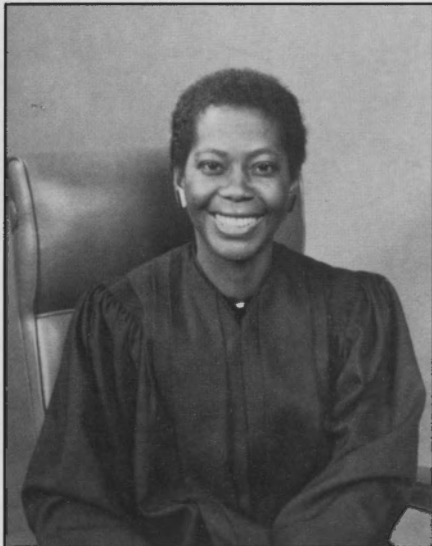


Professor Bookstaver with Jan Sargert, '80

Alums mark first anniversary on Commonwealth Court

In the 1987 statewide elections Doris A. Smith, '72, and Bernard L. McGinley, '70, were elected to the Commonwealth Court of Pennsylvania.

Smith was the top vote getter in the four-way race and is the first black woman ever to be elected to a Pennsylvania appellate court. McGinley



Doris A. Smith

won the second seat over Robert L. Byer, '77, in one of the closest statewide contests ever.

From a historical perspective, the Commonwealth Court is just a teenager, having been created only 18 years ago. However, this court plays an important and unique role in the Commonwealth's judicial system. The Commonwealth Court exercises both original and appellate jurisdiction. Depending upon the case, judges serve either as "trial" judges or as appellate judges, answering a wide range of legal questions involving governmental operations.

The issues presented and the manner in which they are resolved are the biggest differences that McGinley has noticed since being elevated to the Commonwealth Court. "It has been a big change; from

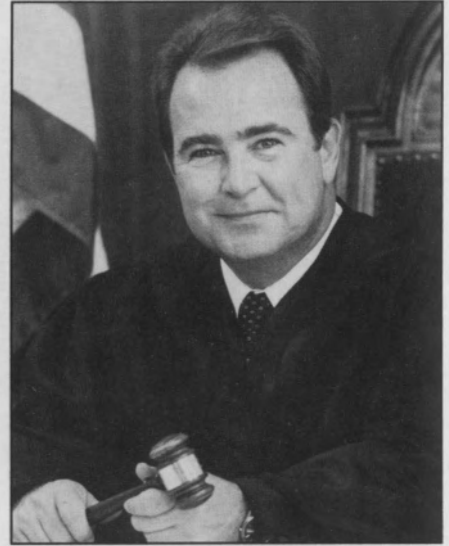
being totally in control of my own trial court room, to working with the other members of the Commonwealth Court to reach a joint opinion," McGinley said. "I enjoy the new challenges and feel privileged to be on the best, in my opinion, appellate bench in Pennsylvania."

Prior to being elected to Commonwealth Court, McGinley served on the Court of Common Pleas of Allegheny County. He was elected to that court in 1982 and served as the chair of the Board of Viewers. Before his elevation to the bench, McGinley was in private practice. He also has served as an assistant professor of criminal law at the Community College of Allegheny College.

Doris Smith was in private practice before being elected to Commonwealth Court. However, she had interrupted her practice in 1983 when Governor Richard L. Thornburgh, '57, appointed her to the Court of Common Pleas of Allegheny County. Smith served in the Family Division, Juvenile Section, until 1986.

She has also served as solicitor to the Allegheny County controller, as a

member of the Allegheny County Drug and Alcohol Council, and as a committee member of the Pennsylvania Supreme Court Disciplinary Board. She was appointed to the Pennsylvania Human Relations Commission by Governor Milton Shapp and was reappointed by Gov-



Bernard L. McGinley

ernor Thornburgh. Smith is an active member of the National Association of Women Judges.

McNally...

continued from page 7

appears to be off to a flying start. Within three weeks of beginning his term, he had been assigned to the judiciary committee, the local government committee, and the urban affairs committee, and had signed up to co-sponsor several bills, including one that would establish the Pennsylvania Industrial Development Finance Corp., a kind of venture capital fund for the industrial development of economically distressed areas. In his legislative agenda, he plans to

devote particular attention to a number of other issues that are of concern to his constituents: the costs of higher education and health care, insurance reform, the problems of the elderly, and — as the son of a firefighter — the needs of public safety departments.

There's little doubt that Chris McNally will have a lot to report to his constituents in the cable television program that he's planning.

Stay tuned.

Robert L. Wolke

It was a Sell-a-bration...

Photo of 1950 School of Law faculty



Professor W. Edward Sell



In the summer of 1947, W. Edward Sell moved to Pittsburgh to assume a faculty position at the University of Pittsburgh School of Law. In certain respects, he was out of place — a 23 year-old graduate of Yale Law School joining a faculty of much older men and teaching a student body that consisted largely of impatient World War II veterans.

Fortunately, as he describes it, Ed soon was joined by two other young instructors — Herbert L. Sherman, Jr., and William F. Schulz, Jr. When Professors Sherman and Schulz retired several years ago, this “young trio” had logged more than 100 combined years of Pitt faculty service.

Ed Sell’s personal record of service now spans 40 years. During that period, he has served the school as professor, associate dean, dean, and distinguished service professor of law. During his tenure as dean, the new law building was constructed and a plan to upgrade the school in a range of important ways was implemented. It is accurate to say that much of the foundation for the school’s current successes was created then.

ED SELL DAY

...honoring 40 years...

Pictured, (l-r), are Joseph A. Katarincic, W. Edward Sell, Joseph S. Schuchert, Jr., Richard L. Fischer, Current Dean Mark A. Nordenberg, and William H. Knoell.



In his 40 years of faculty service, Ed Sell has taught a wide variety of courses. Although he is intrigued by other subjects, his first love always has been the law of corporations, and he has made many contributions to that body of law.

He recently played a major role in the revision of Pennsylvania's business corporation law. His involvement has spanned many years, and the critical nature of his tireless efforts has been recognized by public officials and professional leaders throughout the state.

During his years as a professor Ed Sell has taught close to 3,500 students. "His graduates" have distinguished themselves in countless ways. On "Ed Sell Day" in April, four of his former students — leaders from the worlds of law and business — returned to the School to pay their respects and to discuss one of the most important topics facing the American marketplace today.

"The Changing Face of Corporations: Takeovers, Mergers, Buyouts"

Richard L. Fischer, Esquire
Senior Vice President and General Counsel, Alcoa

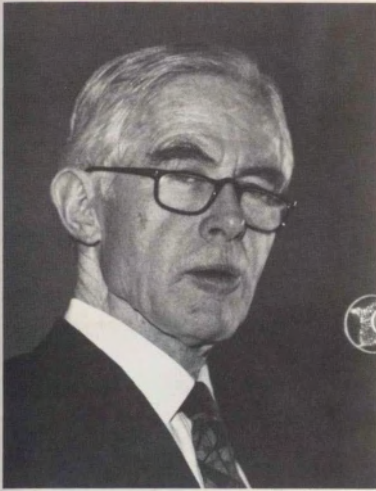
Joseph A. Katarincic, Esquire
Partner — Katarincic, Salmon and Steele

William H. Knoell, Esquire
President and CEO, Cyclops Corporation

Joseph S. Schuchert, Jr.
Managing Partner, Kelso and Company

...of dedicated service...

Dennis C. Harrington, Esq.



Franklyn E. Conflenti, Esq.



Dawne S. Hickton, Esq.



Though the School of Law has been his professional home, Ed Sell's energies have never been confined to the Pitt campus. He always has believed that there should be a strong bridge between a quality legal education and a

quality law practice. Over the years, he has consistently demonstrated his conviction that those holding academic positions should be committed to public and professional service.

To describe all of Ed Sell's involvements is impossible. Some examples are informative, however. He is a past president of the Pennsylvania Bar Institute. He is a member of the House of Delegates of the Pennsylvania Bar Association, is a council member of the PBA Corporation, Banking and Business Law Section, co-edits the section newsletter, and chairs its corporation committee and special committee on the revision of Title 15. Following what has become a regular pattern, he serves on four

different committees of the Allegheny County Bar Association.

On the evening of April 7, 1989, the ABCA, the PBA, the PBI, the Pitt Law Alumni Association, and the School of Law sponsored a testimonial dinner for Ed Sell. The evening included both humorous remembrances and salutes to his achievements.

The Testimonial Dinner

Ed Sell — The Young Professor

Remembrance: Dennis C. Harrington, Esquire

A Salute: Professor Herbert L. Sherman, Jr.

Ed Sell — Building a Law School

Remembrance: Duquesne University President John E. Murray, Jr.

A Salute: Franklyn E. Conflenti, Esquire

Ed Sell — At the Top of His Game

Remembrance: Dawne S. Hickton, Esquire

A Salute: Professor William F. Schulz, Jr.

THE PITTSBURGH HILTON — GATEWAY CENTER

...with a lasting tribute.

James J. Flaherty, Esq., with Professor Sell



Despite its growing national reputation, the University of Pittsburgh School of Law at present has no endowed chairs or professorships. This is highly unusual for a school of its stature.

A high point of the evening, for Ed and his many friends, came when an effort to create the W. Edward Sell Professorship was announced. Jim Flaherty, chair of the professorship committee, reported that during the initial phase of this special campaign 31 pledges and gifts totalling \$290,250 had been made to the Ed Sell

Fund. He underscored his committee's determination to achieve a minimum \$500,000 goal and advised those in attendance that everyone would have the opportunity to contribute to this lasting tribute.

The W. Edward Sell Professorship Committee

James J. Flaherty, Chair

Richard DiSalle

David B. Fawcett, Jr.

Ted K. Jacob

J. Bruce Johnston

Joseph A. Katarincic

John H. Morgan

Arthur J. Murphy, Jr.

Arnold B. Silverman

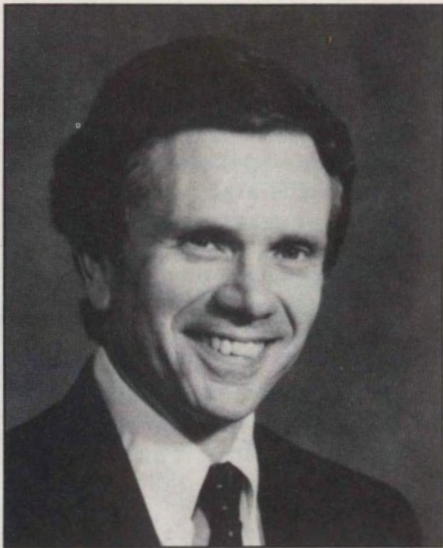
Edward L. Symons, Jr.

APRIL 7, 1989

Grogan and Bingler lead County Bar Association

When Tom Hollander, '61, completed his term as president of the Allegheny County Bar Association at the end of the calendar year, the group did not lose its "Pitt Law flavor." Instead, the organization's 1989 leadership team is headed by Vincent J. Grogan, '60, and John H. Bingler, Jr., '65.

Vince Grogan took office as presi-



Vincent Grogan

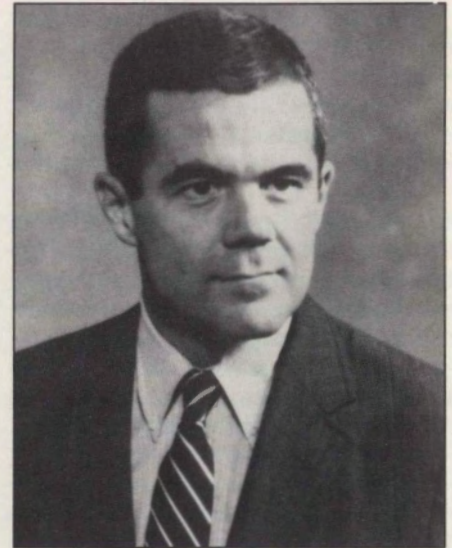
dent of the Association on January 1. The group, now numbering more than

6,000 members, already has achieved a national reputation for the range and quality of its continuing legal education offerings and other programs. The association has 67 committees and 15 substantive law sections covering virtually every facet of the law. It also publishes a daily newspaper, monthly magazine, monthly newsletter, and various other publications. Recent initiatives of the association have targeted opportunities for minority group members and women in the profession and the general issue of professionalism.

Vince Grogan is a shareholder and practicing attorney in the Pittsburgh firm of Grogan, Graffam, McGinley & Lucchino, PC. He has been an active member of the County Bar Association since 1962. He is past chair of the insurance committee, the Young Lawyers Section, and professional liability insurance committee, and is a former member of the association's Board of Governors. He has served as treasurer of the County Bar Association as well and is a member of the Pennsylvania Bar Association's House of Delegates. Vince is a past member of Thornburg

Borough Council and is a member of the Crafton, Rosslyn Farms and Thornburg Joint Planning Commission. He has also been an active member of the School of Law's capital campaign committee.

Installed as president elect was John H. Bingler, Jr. John will automatically succeed to the top post at



John H. Bingler, Jr.

the conclusion of President Grogan's term in 1990. He is a partner in the Pittsburgh firm of Thorp, Reed & Armstrong.

After law school, John served as a trial lawyer in the Civil Rights Division of the US Department of Justice. He also served as an assistant US attorney in Pittsburgh under Richard L. Thornburgh, '57, and was director of public safety for the city of Pittsburgh. John is past chair of Pittsburgh's Elected Government Study Commission and of numerous ACBA committees and has been a leader in many other civic and community organizations. John also is a board member of the School of Law Alumni Association, serves as his class representative for the Annual Giving Fund, and is an active member of the capital campaign committee.

Who is this person?

Vince Bartolotta, '70, is featured in the Law section of Time magazine's August 1, 1988 issue. Although not identified, Bartolotta is reviewing his videotape presentation with a professional actor teaching acting skills to trial lawyers during a workshop to perfect their courtroom techniques.



Photo: Rocky Thies, ©1988, Rocky Thies Photography

Pitt prosecutors — north and south

Picture the crime scene in Miami. Chances are you envision drug dealers and the fast life.

It's unlikely you'd associate such scenes with Erie, Pennsylvania. But, Rusty (William Russell) Cunningham, Law '81, and district attorney of Erie County, says the crime problems are similar in these rather distant and different cities.

"The problems of prosecution in the North are not that different from the South," he says. "In Miami they're more on the front lines, but they're exporting their problems to us."

Rusty believes that drug-related crimes surpass all others handled by his staff, which includes 12 other attorneys.

Kevin DiGregory, Law '79, is chief of felony litigation in the Office of the State's Attorney in Miami, where he and two other attorneys supervise a staff of 210 lawyers.

Unlike most northerners, he was not lured to Miami by warm weather but because "It had a good crime rate. I felt that in Pittsburgh there wasn't enough action to go around, and I wouldn't have had opportunities to present many cases."

Like Rusty, Kevin shies away from generalizing about north/south differences in the work of prosecutors. "But, based on my experience in Pittsburgh and in Miami, drugs aside, crime and criminals here are more violent." Although Kevin feels the basic difference in prosecution between Rusty and himself is volume, he cites an additional challenge.

"We have a peculiar problem in Florida that's not found in about 43 or 44 other states," Kevin claims. "The criminal defendant has the right to take depositions from witnesses. We have to provide attorneys with the names of anyone who knows anything about the case." He blames this legal mechanism for delays in bringing cases to speedy trial, and for terrible inconvenience to victims and witnesses.

Some of Rusty's professional concern is focused on the media. "Sometimes media people report too

many of the facts and jeopardize the case," he complains. "If all the information is presented before the case comes to trial, we are faced with a prejudiced jury, and we have to ask for a change of venue. I'd really like reporters to show some sense of responsibility."

Both men were attracted to their jobs by a love of trial work, which they agree is the heart of being a lawyer. For Rusty the first challenge was winning an election to become district attorney. "I felt we had a lot of problems in Erie, and that they were drug-related. When no one stepped forward to challenge the two-term incumbent, I decided to run myself," he says.

After his election Rusty appointed a specialized unit to handle all drug-related cases, established a drug informer hotline, and began to aggressively pursue forfeitures from drug dealers.

Rusty and Kevin both balance administrative duties with trial work. During his first year in office Rusty has devoted some 60 percent of his time to preparing and presenting cases. Kevin estimates he spends 40

to 50 percent of his time on trial-related work.

"Surprisingly, the forfeitures seem to create more disincentive for these criminals than a prison sentence," he says with a laugh. "They don't care about doing time, but they don't want to lose their possessions. Money from the forfeitures is then placed into a special account to fight drug crimes — we are effectively recycling drug monies to fight the drug war."

Rusty credits Erie judges with being "very interested in seeing that justice is served." Kevin praises the jury system for dispensing justice. "Most of these people have no experience with the law other than a speeding ticket or some minor infraction," he says. "They come anyway and use common sense to find the facts. They always do a good job."

Kevin and Rusty focus on a common goal and share a common understanding. They believe the role of a prosecutor — North or South — is to do justice. In Erie and in Miami that role appears well filled.

Regina Reitmeyer

Miami vice, too

Ed Nucci, Law, '79, traded northern cold for southern sunshine when he moved from Pittsburgh to Miami. Ed, a law school classmate of Kevin DiGregory's, is the deputy chief of the Major Crimes Section of the US Attorney's Office for the Southern District of Florida. In that position, he approves investigations, complaints, and indictments as well as trains new US attorneys.

Ed, who earlier had served in the US Attorney's Office in Pittsburgh, disagrees that crime problems are similar between north and south. He believes that southern Florida, particularly Miami, has special circumstances that few other locations meet. Because of Miami's location on the rim of the Caribbean, it serves as the port of entry for approximately 80

percent of the cocaine entering the US. Floridians deal in "wholesale, not retail, amounts" — a small case in southern Florida deals with several kilos, whereas a large case in New York involves several ounces. And although the southern Florida office tries more jury cases than New York City, Chicago, and Los Angeles combined, it does so with a staff that is considerably smaller than any of these districts.

Southern Florida is beset by crimes that are rarely, if ever, seen in an area like Pittsburgh, cases dealing with alien smuggling, marriage fraud, passport fraud, violations of the Neutrality Act, gun smuggling, and currency violations.

South Florida also is the "nation's

continued on page 24

European professors optimistic on 1992

The European Economic Community, through the adoption of the Single European Act and some 300 new directives of the European Council, plans on dismantling the remaining barriers to trade within its internal market by the end of 1992. This process and its implications for US businesses and lawyers were discussed by two visitors to the law school in the fall term.

Karl Meessen, professor at the University of Augsburg and the Institute of Advanced International Studies in Geneva, visited the law school in September as a part of the three-year faculty exchange program with the University of Augsburg that is funded by the US Information Agency. His lecture on September 15

focused on the completion of the internal market and its impact on non-Europeans.

Despite what some have feared, Dr. Meessen argued that 1992 will not bring a "fortress Europe" with increased barriers to trade with outsiders. Trade within the Community will be made easier through reduction of restraints at internal borders.

Meessen sees this as a favorable development for outsiders as well as Community members. Citing banking regulations that will allow a US bank with a subsidiary in one member country to open branch offices in all member countries without obtaining separate approval in each, he said US business should benefit from freedom of establishment within the in-

ternal market. Some of this ability to benefit will require careful planning—and may require that the investor's country provide reciprocal rights to European businesses. Although such reciprocity requirements have been criticized by US commentators, Meessen sees 1992 as providing a "more open playing ground for everyone."

On October 31, Leopoldo Calvo-Sotelo of the University of Madrid also spoke on 1992. Professor Calvo-Sotelo focused on the concerns of Spain with the rapid legal and economic changes resulting from both its recent entry into the European Economic Community and the 1992 process.

Emphasizing the economic focus of the Single European Act, he commented on efforts directed at political union in Europe. Calvo-Sotelo sees the directives being prepared for the December 31, 1992 deadline as reducing physical barriers to trade within the Community. Changes are designed to prevent delays in transporting goods across borders, reduce technical barriers through the harmonization of regulations and product standards and more open processes of government procurement, and reduce fiscal barriers through the harmonization of widely divergent value added tax structures in the member countries.

Both Meessen and Calvo-Sotelo said that the reaction within the European Community to the 1992 initiative has been one of overwhelming acceptance. Europeans are optimistic that a market of more than 320 million people will create economic growth as well as increased political cooperation.

"1992" to the man in the street in Barcelona brings thoughts of the Olympic Games. But to most in Europe, and to many in business and legal circles in the US, it signals new relationships and hope for a single European market that will provide economic benefits both within and without.

"Golden" Rules anniversary observed

The birth of the Federal Rules of Civil Procedure brought dramatic change to civil practice throughout this country, first in the federal courts themselves and later in the courts of many states. The rules celebrated their 50th birthday in September 1988. This golden anniversary was noted at the School of Law through a special day-long program exploring "The Future of Federal Litigation."

The program, sponsored in cooperation with the Federal Court Section of the Allegheny County Bar Association and *The University of Pittsburgh Law Review*, examined both the strengths and the weaknesses of the Federal Rules. A distinguished panel of speakers offered not only assessments of the past but also predictions for the future. Program faculty members and their topics were:

Judge William W. Schwarzer, US District Court for the Northern District of California: "The Adversary System: Myths and Realities";

Professor Richard Marcus, University of Illinois College of Law: "Completing Equity's Conquest? The Future of Adjudication in the Federal Courts";

Judge Thomas D. Lambros, US District Court for the Northern District of Ohio: "Summary Jury Trials: The Need for Enlightened and Creative Alternatives to Litigation";

Professor Richard D. Freer, Emory University School of Law: "The Federal Joinder Rules: Getting the Act Together";

Judge Robert E. Keeton, US District Court for the District of Massachusetts: "The Function of Local Rules and the Tension with Uniformity"; and

Judge Joseph F. Weis, Jr., US Court of Appeals for the Third Circuit: "The Federal Rules and the Hague Conventions: Concerns of Conformity and Comity."

Judge Weis and Dean Mark A. Nordenberg were the principal planners for the program. Nordenberg also served as moderator. The papers presented will be published in a special issue of *The University of Pittsburgh Law Review*, which also is celebrating its Golden Anniversary dur-



Tax time: Francis V. Sabino, Marvin S. Lieber, Lawrence A. Frolik, Fred W. George, Dana L. Trier, William J. Brown, Mark A. Nordenberg, Thomas D. Arbogast at the Pittsburgh tax conference

Tax Happenings

The word TAXES often evokes unpleasant images of the annual mid-April confrontation between harried taxpayers and the always challenging IRS forms. However, for the School of Law, "tax time" meant October 1988 and January 1989—the dates of the Pittsburgh Tax Conference and National Tax Moot Court competition.

Pitt law school continued its active role in keeping members of the practicing bar apprised of recent federal tax law developments by hosting the Sixth Annual Pittsburgh Tax Conference on October 21 and 22, 1988.

The program was co-sponsored with Duquesne Law School and the Allegheny County Bar Association, with Professor William J. Brown serving as principal course planner. The two-day conference featured Dana L. Trier, Esq., tax legislative counsel to the secretary of the Treasury, as the keynote speaker.

Speakers survey changing law

Day 1 of the conference examined significant recent developments in federal tax law, beginning with a presentation by attorneys Leroy L. Metz, '75, and Charles T. Day on the "passive activity" loss-limitation provision that squelched tax shelters. The luncheon address by Dana Trier offered a "view from within" of both pending changes in federal tax law and Treasury Department concerns about the direction of future tax reform efforts. The timeliness of Trier's comments became evident, both the

following day when pending changes in federal tax law which were discussed at the luncheon were completed and more recently with the February 6 effective date of a then-pending Treasury regulation that narrows the availability of tax-free treatment for corporate divisional distribution.

The afternoon session began with a discussion by Marvin S. Lieber, Esq., '58, and Henry Snyder, Esq., of new considerations involved in choosing the form of a business, now that corporate distributions are taxed at both the corporate and shareholder levels. In an intensive "seminar-style" question-and-answer period that followed participants delved deeper into the impact of changes in relative tax rates between corporations and individuals and examined the demise of the General Utilities doctrine.

The first day events concluded with an analysis of the Internal Revenue appeals process from the perspectives of the lawyer, accountant, and IRS agent by Thomas D. Arbogast, Esq., James Stalder, CPA, and Thomas E. Douglas, CPA.

Day 2 of the conference was devoted to estate planning, focusing in particular on the concerns aroused by the aggressive "anti-freeze" estate tax provision. Topics included "Valuation Aspects" (Fred W. George, Esq., and Mark I. Wolk, CPA), "ESOP Issues" (James E. Abraham, Esq., and Robert B. Jones, Esq., CEBS) and a critique of the freeze provision itself and its predictable impact on family businesses (K. Sidney Neuman, Esq.,

and Robert B. Williams, Esq.).

For those who were unable to attend the conference, written outlines were compiled into a two-volume set of more than 175 pages. Copies of these outline volumes are available from the Allegheny County Bar Association at a nominal cost.

Students score tax triumphs

In addition to its involvement in such practitioner-oriented programs, the School of Law is meeting with notable success in preparing our students to join their ranks.

In a national competition at Stetson Law School in January the law school's National Tax Moot Court team of Tammy Singleton, '90, and David Roussos, '89, was awarded the first runner-up prize. This competition, sponsored by the Florida Bar with participation from law schools around the country, marked the third successive year in which our team, advised by Professor Brown, captured prizes in national tax competitions.

Last year Stephen M. Rosenblatt, Esq., '88, was awarded an outstanding speaker prize in the Albert R. Mugal National Tax Moot Court Competition at Buffalo Law School. In 1987, Daniel P. Johnson, Esq., '87, and Richard D. Rose, Esq., '88, teamed up at Buffalo to win the top prize for best brief.

Judging from their student accomplishments, these recent graduates may resurface as faculty members for the Pittsburgh Tax Conference in the years ahead.

The University of Pittsburgh, as an educational institution and as an employer, does not discriminate on the basis of race, color, religion, ethnicity, national origin, age, sex, sexual orientation, or marital, veteran, or handicapped status. This is a commitment made by the University and is in accordance with federal, state, and local laws and regulations. All relevant programs are coordinated through the Office of Affirmative Action, 901 William Pitt Union, University of Pittsburgh, Pittsburgh, PA 15260. For more information, please call 412/648-7860.

Irvis...

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don't you do it?' He said, 'Because it's against the law.' I said, 'That's crazy.' I got him to spell 'phenylketonuria' for me and we got a bill passed. It went to Governor Shapp for his signature, and he called me over and asked, 'What is this?' I said, 'Don't worry about it. It's good. We need it.' He said, 'Have you talked to the doctors about it?' I said, 'It was a doctor who suggested it.' And he signed it.

"Years later, when I was speaker, a handsome, robust, blond young boy was presented to me by my chaplain. It was his grandson. After the little boy had run off to play baseball, the chaplain said to me, 'If it hadn't been for you, that boy would have been mentally retarded. They detected phenylketonuria in him when he was an infant, and he is now perfectly well and will have a normal life.' In my mind, when I see that boy — healthy, happy, energetic, and raring to go — it ranks higher than any of the other things I did."

When Irvis applied to Pitt's law school in 1951, there had been no black graduates since 1927. But he can recall no negative experiences in law school that were attributable to his color. He believes that his law school education was valuable to him, personally, as preparation for his career in the legislature. "In law school," he says, "you can learn how to think. I don't say that you will learn to think. I say that you can learn to think."

But according to Irvis, the majority of law students, not only back in his own student days but even today, have a much narrower undergraduate background than the broad and demanding liberal arts education that he himself had acquired in college and graduate school, and "studying the law seems to narrow their perspectives even further." When lawyers become legislators, he says, they are often "unable to see anyone else's point of view on an argument." He wishes that pre-law college education provided a firmer foundation in the liberal arts, in "the ideas and values of mankind." And, he says, "It

would be marvelous if we had learned something about government in law school. We learned nothing about the governance of mankind."

K. Leroy Irvis will soon have an opportunity to contribute personally to the education of today's law students. Having retired in November from the House of Representatives, where his nickname on the floor was "The Teacher," he will soon return to teaching for real — this time at both the University of Pittsburgh and Temple University.

What does The Teacher most hope to accomplish in his latter-day professorship? "In the law school, I want to talk to the young people about the importance of the law in human culture. I don't want to talk to them about how to make \$250,000 a year, or about defending prostitutes or prosecuting car thieves. I want to talk to them about the philosophy of the law and its importance to the evolution of humankind. I want to talk to them about what a good lawyer should be.

"In the Graduate School of Public and International Affairs, I want to talk to the young blacks who come from the Francophone nations. I want to continue the work of Professor David Gould (who was tragically killed in the PanAm explosion earlier this year). We shared the same dreams about the world and the same nightmares about what might happen to it. I want to teach that our species is not eternal. I'm fearful of what it can do to itself: self-destruction. I want to talk to the students about what they might do to prevent that — about where the hope lies for change. I want to talk about why you cannot ignore the starving child in Ethiopia or in Mexico City or in Armenia, in the Soviet Union. Because if you do, you do it at the cost of danger to your great-grandchildren.

"I want to talk about how Kwame Nkruma was mistreated while a student at Lincoln University in Philadelphia, and how he then became the first president of Ghana, hating the United States. I want to talk to the Chinese students, the Arab students,

the black students about the fact that there is no way to expand this world, but there is a way to contract it. I want to say bluntly to them that the world will survive, but the species may well disappear entirely. And if it does, it will have destroyed itself. No other species has been powerful enough to do that. But we have the power also to prevent it.

"I don't hope to succeed with many. I never have. I only hope to succeed with a few. But all you need is a few. I needed only that one doctor to tell me about phenylketonuria."

Robert L. Wolke

San Diego...

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something new. I'm meeting interesting people. I'm dealing with some of the best experts in the world. It's a constant challenge, and being the competitor I've always been, it just keeps my competitive juices flowing."

Lerach cites similar reasons for liking his branch of the law. "I think it's one of the few areas in the law where you can do well while you do good.... It's also challenging because the size of the cases and the nature of the institutions we sue is such that the cases are defended to the hilt with the best talent money can buy.... The litigation tends to be very challenging and interesting. And, it is very topical. Whatever is important and current in the world of corporate finance is going to be reflected very quickly in the kind of litigation I'm involved with."

Lerach is one of the lead counsels in the Washington Public Power Supply cases. Years ago the utility sold tax-free bonds to raise money to build five nuclear power plants in the Pacific Northwest. "It turned out," Lerach says, "to be one of the largest financial fiascos in the United States. Five billion dollars in bonds were sold before the projects were abandoned." The bonds on the first three plants were guaranteed by a federal government agency, but the bonds on the last two were not.

"We have obtained partial settlements in excess of \$600 million and the case is now on trial against the remaining defendants..." Lerach says. "This will be the largest securities class action settlement in history."

The case he is most proud of, however, involved seven retirement homes in California, Arizona, and Hawaii operated by an organization sponsored by the Methodist Church. "Lifetime care contracts" were sold for as much as \$150,000 per person. However, the homes were mismanaged and failed financially. A class action was brought on behalf of 2,000 elderly residents. After four years of litigation, the case was settled for more

than \$40 million and a financial reorganization of the homes was mandated. Today they are open and successful.

"This litigation," Lerach says, "generated a reported decision from the California Court of Appeals, which is viewed as a landmark opinion affirming that religious institutions do not have immunity from their commercial obligations. I think, without question, this case was the single largest contributor to my career, and, I must say, my most professionally satisfying endeavor to date."

Neither Bartolotta nor Lerach started practicing law in the arenas they currently occupy. They began their careers elsewhere and through time, circumstance, and personality ended up where they are today.

Bartolotta started as a defense attorney in the Marine Corps at Camp Pendleton. He later was switched to prosecution and was subsequently made a military judge. When he finished his active duty in 1974 after a year in Vietnam, Bartolotta began work at a large insurance defense firm in San Diego. When he was offered a partnership there in 1978 he turned it down to start his own law firm, one that would work for the plaintiff. "I like it better on this side... it fits my personality better. I like the fight for the underdog," he explains.

Lerach began work at Reed, Smith, Shaw & McClay in Pittsburgh after graduation. "I loved my years at Reed, Smith," he says. "I was very, very lucky to have worked for a firm of that quality where I was taught how to be a lawyer." While there he became involved in a large securities fraud case. "I was really turned on by the work... I wanted to do plaintiff's work. I think it was just in my background," he says. "And the next thing I knew I was in California."

Both Lerach and Bartolotta speak enthusiastically of their law school days. They are proud of their school and pleased with their education.

"I think I got a really fine legal education at Pitt," says Lerach. "And

I think I'm in a position to say this because I've litigated with lawyers all over the United States who have gone to law schools everywhere, and I have never felt that anyone had an advantage over me due to a better legal education than mine." The education went beyond book learning, Lerach says. The teachers were enthusiastic and transferred that excitement to the students.

Lerach's firm has hired many Pitt grads over the years. They also are helping one of their paralegals return to school here. "We sort of kid that we have an underground railroad out here from Pittsburgh," Lerach says. "But it is simply my belief, and it's been my experience, that people who come out of Pitt law school, who have done well at the school, have good values, are well educated, hard working, and are going to turn into successful lawyers."

"I'm proud of Pitt," says Bartolotta. "It's a great law school, with the new modern facility they have, with the quality of the staff, with the quality of education a student gets. I would be proud to have my son go to Pitt law school."

M. Morgan Baker

Ethel Burnside

Ethel B. Burnside, '24, died on October 26, 1988. Believed to be the law school's oldest graduate, Mrs. Burnside, 95, was featured in the spring 1988 issue of *Law Notes*. At a time when few women studied law, Mrs. Burnside graduated *summa cum laude* and practiced for many years in Washington County.

The article's tribute to Mrs. Burnside's determination is also a fitting memorial: "At one time Ethel Burnside was the exception. One could say she still is."

Lost alumni — Can you help us?

During the past year or two we have discovered several graduates of the law school who never were added to the alumni records or perhaps were added and inexplicably dropped. Others have become "lost" over the past few years.

We thought we should publish our complete list of lost alumni and ask your help in locating them. Even if you do not have an exact address, we would welcome whatever clues you can offer. Some graduates may be deceased. We would like to have verification — and a date of death, if possible. If you have such information, we would appreciate your sharing.

Please contact Joanne Mawe, Law School Alumni and Development Office, (412) 648-1305.

Missing Alumni

Thomas Lee Anderson	'22	Homer M. Henderson	'53	Kenneth John Spisak	'73
Howard D. Megahan	'23	Kenneth S. Johnston	'53	Stephen Douglas Sprengle	'73
Ralph U. Dame	'24	Charles W. Margolf	'53	Michael F. Krawitz	'74
Charles E. Munn	'24	William W. Thomson	'53	David Allen McVey	'74
Lavelle A. Wilson	'26	Edward A. Fatula	'54	James W. Young, Jr.	'74
William Paransky	'30	William F. Maher	'54	Jeannie Antoinette Barrett	'75
Irving D. Gordon	'32	Edward M. Barrett	'55	Cynthia Currens Berger	'75
Rose S. Rosenberg	'32	John W. Campbell	'55	Richard Carra	'75
Sylvia S. Strauss	'33	Arnold E. Dolby	'55	Alan D. Dashoff	'75
Norman G. Feldstein	'34	Donald M. Birch	'56	Douglas T. Greene	'75
Herman H. Magram	'34	Robert L. Curry	'56	Jonathan Garber Katz	'75
Jane H. McClure	'34	Allen M. Supler	'56	Alexander Cosmo Verduci	'75
John J. Schoenberger	'35	Harry D. Dingman	'58	Gerard Joseph Jackson	'76
William M. Dreher	'37	Elliott Frederick Kulick	'58	Larry N. Nelson	'76
Leroy E. Broder	'41	Gerald Robert Moran	'63	Mark Jonathan Regen	'76
William R. Duff	'41	Lawrence David Selkovitz	'64	Patricia Carson Hays	'77
Valera Grapp	'41	Norman Leslie Steinberg	'64	Thomas Robert Hays	'77
Jerome L. Black	'42	John O. D. Gallagher	'66	Pamela S. Foa	'78
William A. Coulter	'42	Gary B. Kennedy	'66	Susan Richard House	'78
Tice F. Ryan, Jr.	'42	K. Robert Stitt III	'66	Charlene C. Hunter	'78
James Leon Bowman	'47	James Francis Bagnell III	'68	B. Helen Markley	'78
Charles A. Brandt, Jr.	'48	Edward Carl Fisch	'68	William E. Papas	'78
Aaron Cohen	'48	Stephen Kenneth Wiseman	'68	Sally Spotts Rock	'78
Fred E. Logan	'48	Robert R. McBride	'69	Rebecca L. Rydle	'78
Yates Mast	'48	John Alan Toker	'69	David C. Brautigam	'79
John B. McCue	'48	Florence F. Lemmon	'70	George L. Brummer	'79
James L. McWherter	'48	James John McIntyre	'70	M. Francesca Chervenak	'79
James Francis Kennedy, Jr.	'49	Eileen Donnelly Brown	'71	Michele Edwards	'79
Gregg Higbee Lewellyn	'49	Judith A. Brown	'71	Mary T. Marshalek Enyart	'79
Theodore M. Burns, Jr.	'50	Robert J. Hartung	'71	James Huddleston	'79
Harold M. Cohen	'50	John Joseph Keller	'71	Kathleen R. Mulligan	'79
David N. Hirsch	'50	Roy Caldwell Kime	'71	David M. Weinfeld	'79
Bliss Rees Mentzer	'50	Samuel Alfred Vitaro	'71	Janet E. King	'80
William P. Kelly	'51	Pamela Isackes	'73	Katherine E. Knox	'80
John David Lyons, Jr.	'51	David Lindley Kuhns	'73	David M. McQuiston	'80
Ross Rogers	'51	Joseph McCord Miller	'73	Lynne D. Schmidt	'80
John D. Rhule	'52	Randall Bruce Miller	'73	Henry Scott	'80
				Sharon M. Smolko	'80
				Michael J. Chutz	'81
				Valerie L. Harrell	'81
				Mary E. King Kincaid	'81
				Valerie Harrell May	'81
				Anita L. Napoli	'81
				Rosemary Carroll Rizzo	'81
				Ann Lazo Shapiro	'81
				Catherine A. Szemanek	'81
				Ellen Mindy Kramer	'82
				John Anton Lubimir	'82
				Rebecca L. Peace	'82
				Gerard Thomas Schafer	'82
				Sheryl Lee Smith	'82
				Christine Denise Arrington	'83
				Victoria Marie Burgess	'83
				Vanessa E. Bell Celler	'83
				Janice Faigen	'83
				Jeffrey John Gasdick	'83
				Paul Edward Parrish	'83
				Sharon Teris Whitney	'83
				LeAnn R. Canter	'84
				Marianne A. Eddy	'84

Missing...

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Lori Karen Elliott	'84
John Thomas Gandrud	'84
Steven E. Mackey	'84
Thomas Niksa	'84
Stephen Christopher Smith	'84
Barry H. Bloch	'85
Michelle Rae Crabtree	'85
Richard Johnson, Jr.	'85
Ronald H. Walkow	'85
Gretchen Rose Babcock	'86
Jacqueline H. Canter	'86
Susan Friedberg Kalson	'86
Jacqueline Loaiza	'86
Christopher J. McCarthy	'86
Ladan Mirbagheri	'86
Kenneth Eugene Smith	'86
Nancy Ann Walla	'86
Marianne Elizabeth Barkus	'87
Gary Bisogni	'87
Susan Tyler Corney	'87
John H. Kooser	'87
Theresa M. Farwell	'88
Caroline Lindy Hyman	'88

Transcripts

Joel P. Aaronson, '78, recently was elected to partnership in the Pittsburgh firm of Reed Smith Shaw & McClay and is a member of the Corporate/Real Estate and Litigation/Environmental Groups.

Bruce Abelson, '83, an associate with the firm of Brincefield, Hartnett & Associates, Alexandria, Virginia, is attorney for the plaintiffs in a Maryland case in which the major issue is clergy malpractice. In what appears to be on its way to becoming a landmark case, Adelson's clients are also suing the Catholic Diocese of Washington, DC.

Toni-Renee Anderson, '79, has been appointed to the post of court administrator in Cambria County, Pennsylvania.

John K. Baker, '85, has joined the commercial litigation department of Griffith & Burr, PC, Philadelphia.

Michael D. Berlin, '74, has formed a partnership which is the west coast approved counsel for Dalcon Shield Associates, Atlanta. His firm, Berlin and Albert, is in Encinitas, California.

Michael J. Betts, '80, has been elected to partnership in the Pittsburgh firm of Reed Smith Shaw & McClay. He is a member of the Litigation Group concentrating in commercial and corporate litigation.

John H. Bingler, Jr., '65, has been named president elect of the 6,000-member Allegheny County Bar Association and will succeed Vincent J. Grogan, '60, at the conclusion of his one-year term in January 1990. A partner in the Pittsburgh firm of Thorp, Reed & Armstrong, Bingler serves as chair of the Allegheny County Association of Municipal and School Solicitors.

Joseph A. Bubba, '81, formerly of Butz Hudders Tallman Stevens & Johnson, has established the firm of Fitzpatrick Lentz and Bubba, Allentown, Pennsylvania.

Nicholas P. Cafardi, '75, has been named general counsel for Duquesne University. The former general counsel for the Diocese of Pittsburgh has earned a JCL degree in canon law from the University of St. Thomas, Rome, and is the author of many church and non-profit legal treatises. Cafardi is also associate counsel of Mansmann, Cindrich & Titus, Pittsburgh, and is an adjunct professor at the University of Pittsburgh Law School.

Thomas L. Cooper, '62, a partner in the Pittsburgh firm of Gilardi & Cooper, is serving as an elected member of the Pennsylvania Bar Association House of Delegates. A past governor of the State Bar Association, he is also a past president of the local bar association, a Fellow of the American College of Trial Lawyers, and a past president of the Academy of Trial Lawyers of Allegheny County.

Andrew N. Farley, '61, partner in the Pittsburgh firm of Reed Smith Shaw & McClay and a brigadier general in the US Army Reserve, has been awarded the Defense Meritorious Service Medal for "...outstanding performance of duty while service as the assistant to the executive director-supply operations, headquarters, Defense Logistics Agency." His son Mark is studying law at Pitt and is in the Class of '91.

John J. Fries, '79, a partner in the Phoenix law firm of, Evans, Kitchel & Jenckes, recently was certified by the State of Arizona in bankruptcy law.

Amy R. Hay, '82, assistant US attorney, Pittsburgh, received a special commendation award from the director of the Executive Office of US Attorneys for professionalism and excellence in complex litigation on behalf of the federal government.

School to publish alumni directory

Pitt law school is pleased to announce the publication of a comprehensive biographical reference volume, which will be available for distribution in early February 1990. The directory will list all known, living alumni alphabetically, geographically, and by class year.

The directory, our first since 1986, will include full name, occupation, business and home addresses, and business and home telephone numbers.

In late July 1989 alumni will receive a biographical update questionnaire to be completed and returned to the alumni directory publisher. Individuals wishing to reserve their personal copy will be given the opportunity to purchase either a hardbound or softbound edition. The new directory will have a limited printing — only those directories ordered in advance will be printed.

The directory will be made avail-

able only to the alumni of University of Pittsburgh School of Law. The directory will tell you what your former classmates and old friends are doing, where they work and live, and how to contact them by phone or mail. The geographical index will tell you which alumni are located in your own area, and will be a useful aid in contacting former classmates when traveling.

Frederick Wells Hill, '78, was appointed director, State and Local Government Programs, further expanding his responsibilities in government relations for Westinghouse.

Leo N. Hitt, '80, has been elected to partnership in the Pittsburgh firm of Reed Smith Shaw & McClay and is a member of the Tax & Employee Benefits and Corporate Groups.

Marshal J. Hyman, '72, recently was elected president of the Baltimore, Washington chapter of the Tax Executives Institute. Hyman is assistant vice president and director of taxes at Dyncorp in Reston, Virginia.

Paul R. Jackson, '77, partner in the Muskegon, firm of Landman, Latimer, Clink & Robb, recently was named to the Michigan Tax Council, the governing body of the Taxation Section of the State Bar of Michigan.

Joseph M. James, '73, appointed by Governor Casey to fill an unexpired term as judge in the Court of Common Pleas of Allegheny County, was subsequently elected to a full 10-year term and is serving in the Criminal Division.

Karen S. Johnson, '83, recently was appointed to the position of assistant to the vice president of student affairs at Edinboro University. In addition, she will chair the University's AIDS policy committee. Formerly practicing in the Meadville, Pennsylvania, firm of Spadafore, Vardaro, Walker and Johnson, Johnson is president of the Meadville Area Zonta.

J. Bruce Johnston, '60, executive vice president of employee relations for USX Corp., was keynote speaker and moderator for a forum on restructures and takeovers sponsored by the Pittsburgh Theological Seminary's Center for Business, Religion, and the Professions held last November.

William F. Klug, '65, vice president, properties and materials management, Roadway Services, Inc., is serving as a trustee and treasurer of the Akron Art Museum.

Harrison S. Lauer, '87, published an article in 41 *The Tax Lawyer*, No. 3 (1988) entitled "Estate Taxation of Life Insurance Transfers: The Impact of the Tax Reform Act of 1976 Still Ignored Twelve Years Later." Lauer practices with Buchanan Ingersoll PC.

Herbert L. Lenchner, '56, was awarded

the US Department of Commerce bronze medal award "for demonstrated leadership and initiative which significantly increased monies recovered for the US government through liquidation."

Robert J. Lichtenstein, '73, recently became a partner in the Philadelphia office of Morgan, Lewis & Bocius. Lichtenstein, whose practice consists of employee benefits counseling as well as general federal income tax and business transaction matters, has become a member of the firm's tax section.

Roslyn M. Litman, '52, partner in the Pittsburgh firm of Litman, Litman, Harris, Brown & Watzman, recently was elected to the Pennsylvania Bar Association House of Delegates. Litman has served as governor of the State Bar Association, secretary of the Western Pennsylvania Chapter of the Trial Lawyers Association, delegate to the American Bar Association House of Delegates, and chair of the ACBA medical legal committee.

John P. Lydon, '80, an associate of the Pittsburgh firm of Sikov and Love, is serving a two-year term on the Pennsylvania Trial Lawyers Association Board of Governors.

Patrick F. McArdle, '70, has formed a partnership, McArdle & Schmoyer, located in Sarasota, Florida. The firm specializes in personal injury, wrongful death, social security disability, and family law.

James J. McHugh, '86, has become an associate with the Philadelphia firm of Dilworth, Paxon, Kalish & Kauffman.

Christopher K. McNally, '86, was elected to the Pennsylvania State Legislature as representative from the 36th District. He has been practicing with his father, Regis J. McNally, '77, in Pittsburgh.

Brad A. Meneilly, '78, has been promoted to vice president for administration with Polyclinic Medical Center, Harrisburg. Meneilly joined the medical center in 1985 as director of legal services.

Alan Scott Miller, '62, has been named assistant general counsel and a member of the legal department of Gilbert Associates, Inc., Reading, Pennsylvania.

Victor Meceli, '52, was elected presiding judge of the Superior Court of Riverside County, California, and was designated judge of the Year-1988 by the Inland Chapter of the California Trial Lawyers Association.

Michael J. O'Malley, '48, of the Court of Common Pleas of Allegheny County, recently was appointed to the systems advisory committee of the National Center for State Courts. The committee, established to oversee selection and reporting of the country's information systems, is expected to have a nation-wide impact on development of computer systems for courts.

Stephen M. Paskoff, '75, has opened his own consulting firm, Employment Learning Innovations, Inc., Atlanta. After many years in labor relations law, most recently with the Elerbee firm in Atlanta, he now teaches law to managers in corporations and nonprofit organizations.

Robert F. Prorok, '77, has become a partner in Reed Smith Shaw & McClay, Pittsburgh, specializing in labor and employment law.

Thomas C. Roantree III, '72, after living overseas for eight years, returned to the United States in January 1989 to become general counsel for ARCO International Oil and Gas Co. Roantree will be responsible for all international oil and gas operations of Atlantic Richfield Co.

Robert Raphael, '50, has been elected a delegate to the Pennsylvania Bar Association House of Delegates.

Kurt M. Saunders, '85, is serving as an instructor at Dickinson School of Law, Carlisle, Pennsylvania, where he teaches Legal Methods, Research & Writing.

Robert A. Sedler, '59, professor of law at Wayne State University, where he teaches courses in conflict of laws and constitutional law, received the 1988 Donald H. Gordon Award for excellence in teaching.

Herbert G. Sheinberg, '52, partner in the Pittsburgh firm of Sheinberg & Hoover, has been elected chair of the Allegheny County Bar Association Probate and Trust Law Section for 1988-90. A former vice chair of the section, Sheinberg has served as chair of the local bar association Real Property Section and economics of the bar and public relations committees; member of the Corporation, Commercial and Banking Law Section; past president of the Hebrew Free Loan Association, board member of United Jewish Federation of Greater Pittsburgh, and officer of Jewish Family and Children's Service.

Charles R. Smith, '74, partner in Kirkpatrick & Lockhart's Pittsburgh office, is the

new chair of the Greater Pittsburgh Convention Bureau.

Sherry Stein, '85, has been named corporate counsel of Advanced Technology Corp. and the ATC Medical Group, Inc., in Geneva, Ohio.

Harry A. Thompson, '64, a partner in the Pittsburgh firm of Thorp, Reed & Armstrong, recently was elected vice chair of the Allegheny County Bar Association Probate and Trust Law Section for 1988-89. Thompson was a trust officer for Mellon Bank for many years.

Richard L. Thornburgh, '57, US attorney general and governor of Pennsylvania for two terms, is the 81st recipient of the Pennsylvania Society's Gold Medal for Distinguished Achievement. Presentation was made at the society's annual dinner in New York City in December.

Mary Anne Wesdock, '86, is working as a staff attorney with Hanover Brands, Inc., Hanover, Pennsylvania, where she practices corporate and international law, employee relations, and public affairs.

Vice, too...

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innkeeper for drug dealers." Many criminals seek haven in Florida where they can easily blend into the scenery. "Nobody flees to Pittsburgh," he says. But when a person is picked up on drug charges in a city like Pittsburgh, the trail usually leads to a connection or source in South Florida.

The language barrier also makes his job more difficult, both in terms of finding fugitives as well as conducting a trial where defendants, witnesses, and often half of the jury require interpreters.

Ed was lured to Florida by the warm weather, the cosmopolitan mix of Latin cultures, and the influence of a former teacher who told him that attorneys are always needed in that office. Despite frustration and the feeling of being utterly overwhelmed, job satisfaction comes from being part of the "first line of defense... actually we're behind enemy lines, and whatever is seized in South Florida never makes it to places like Pittsburgh.

"It's a prosecutor's dream... the best job I've ever had."

Terri Svidro

Thornburgh...

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year association as a partner in the firm of Kirkpatrick & Lockhart and accepted new challenges as director of Harvard University's Institute of Politics in the John F. Kennedy School of Government, an experience he found both "stimulating and invigorating."

Throughout this active transitional period, Dick Thornburgh continued to express a serious interest in returning to the political arena at the state or national level. On February 23, 1988, he presented a lecture on "Judicial Reform in Pennsylvania" at the School of Law. During the question period following the lecture, a law student asked if Dick would consider a spot on the Republican ticket as vice president. His response — "You bet your life!" — brought loud applause from the standing-room-only audience.

With President Reagan's offer to succeed Edwin Meese III as attorney general, Dick again returned to the national spotlight. Following unanimous confirmation by the US Senate, he was sworn in on August 12, 1988 by President Reagan.

Described by Senator John Heinz as "an outstanding administrator and tough prosecutor," Dick Thornburgh quickly made it clear that he did not view this appointment as a "caretaker" assignment. The man who once described the labels "liberal" and "conservative" as "substitutes for judgement" quickly began rebuilding a department that was suffering from both staffing and morale problems.

In a recent telephone interview, Attorney General Thornburgh confirmed that he had found what he expected upon his arrival at the Justice Department: "A hard core of dedicated career professionals who have and will continue to serve the department." While it was obvious to him that the personal difficulties of his predecessor regrettably had made it impossible for him to provide the type of leadership needed in the department, the new attorney general is gratified that the department has re-

sponded to his initial efforts, and he plans to continue fostering a departmental quest for excellence.

He feels both honored and privileged to have been asked to continue his service to the administration, particularly since President Bush is an old friend with whom he feels "personally and philosophically compatible."

In defining his priorities at this early stage of the appointment, he confirmed that "the president's initial priority is to sustain a major effort against the scourge of drugs in America" and that he shares with President Bush "a firm commitment in support of civil rights and environmental law."

In addition he plans to "continue emphasizing white collar crime, corruption, organized crime, serious violent crime, and pornography." Fully aware that this is a "rather broad and full agenda," he stated that he feels both comfortable and enthusiastic with these priorities.

The new US attorney general was equally candid in his assessment of the importance of his legal education in his career. He noted that his first encounter with the law began at the University of Pittsburgh School of Law and that he is extremely grateful for the experiences which it afforded. "Both the sound professional grounding which it provided as well as the personal and professional friendships which resulted from that experience have been the source of significant gratification to me. By affording me the opportunity to practice as both a business and trial attorney and to use that excellent training in the public service has been a significant benefit."

When asked if he would care to offer advice to today's law students, Dick Thornburgh found the temptation too hard to resist. Based on his strong personal belief that a firm background in the law and the experience of a practice is "really a splendid basis for a career in public life" he expressed his hope that more of today's students consider public

Truxall...

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service as a career option. He believes that today's law student must seek a "high standard of excellence" and strongly recommends that "their instincts be directed toward as broad and diversified an education and experience as possible in order to best serve the client."

While recognizing the need for career specialization, he feels that a breadth of knowledge and experience is necessary to be effective in today's complicated society: "Those who take a broader world view will be better able to serve both themselves, their clients and their profession." For those armed with this broader perspective, he sees career opportunities in the law as almost unlimited.

When asked if there were any concluding thoughts he wished to share with the students, faculty, alumni, and friends of the School of Law, there was little hesitation.

"I would like to offer a reminder of the importance of the rule of law. We in the United States sometimes forget how few countries, societies, and cultures are governed under systems which recognize civil rights and civil liberties or who incorporate such concepts as due process. The responsibility to ensure that we remain a nation governed by the rule of law falls not only to those in public life, but in the practice of law for all who are in the profession."

On February 23, 1988, Dick Thornburgh was awarded the University of Pittsburgh Bicentennial Medallion of Distinction in recognition of his many achievements throughout his distinguished career. The School of Law is proud to count Dick Thornburgh as one of its own and is appreciative of his continued encouragement and support.

While those who know Dick have little doubt in his continued future success, we do wish him the very best, both in his present and future endeavors.

Charles N. Schardong

hours." He once walked across the glacier from Zermatt, Switzerland, into Italy. It took 12 hours.

He and his wife, Aida, also share a passion for the English language. She is an editor of several articles and a book, *Respects to All*, as well as a writer for the *Opera News*. They both value well-written and well-spoken English.

To encourage law students to write better, Truxall has established a writing prize in his name at the law school.

"A carefully written contract is a work of art," he says. "And that has been a substantial part of my practice... writing contracts. The choice of a proper word becomes important in a well-written instrument. I've seen some terrible ones. And I've seen some beautiful ones. I think it's important, and also my feeling is that a person who's spent seven years in higher education ought to be distinguished and stand out as a person who can express himself.

"A law student," Truxall believes, "should be well-grounded in a variety of subjects, and today, because of the specialization, be well-prepared in one or two fields. In addition to learning what the law is, a law student also develops an appreciation for the problems of society. I think that a lawyer does not operate in a

vacuum. He is actively concerned with social problems...I would like to see law school graduates have a sense of their obligation. I believe that a job well done can be well rewarded without lawyers putting too much emphasis upon the paycheck."

Truxall's gifts are testimony to his belief in the law school. "I am interested in the law school, and the University," he says. "I think Dean Nordenberg is doing a splendid job at the school.... I think the faculty has the ability to motivate and inspire the students. They did when I was there, and more so today."

Despite the generosity of his gifts and noble reasons behind them, Truxall still says of the publicity, "much too much has been made of this."

Nonetheless, to thank him and publicly acknowledge his gifts, a luncheon was held in his honor on December 7. Approximately 40 people attended, including 11 of his classmates from Pitt Law Class of '25. Truxall was presented with a Third Century Medallion and an engraving of the law school.

Truxall says, "I have great personal satisfaction in doing this. I'm very happy to do it. I'm very happy to be able to do it."

M. Morgan Baker

DEVELOPMENT

Please return this form if you are (1) interested in joining one of these committees, or (2) would like more information.

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Here's something about me (career advancements, honors, appointments, activities, etc.) for *Law Notes*.

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Firm/organization name _____

Address _____

city

state

zip code

Please use other side to describe position(s) and indicate requirements.

_____ I am willing to talk to students about job opportunities in _____ law.

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