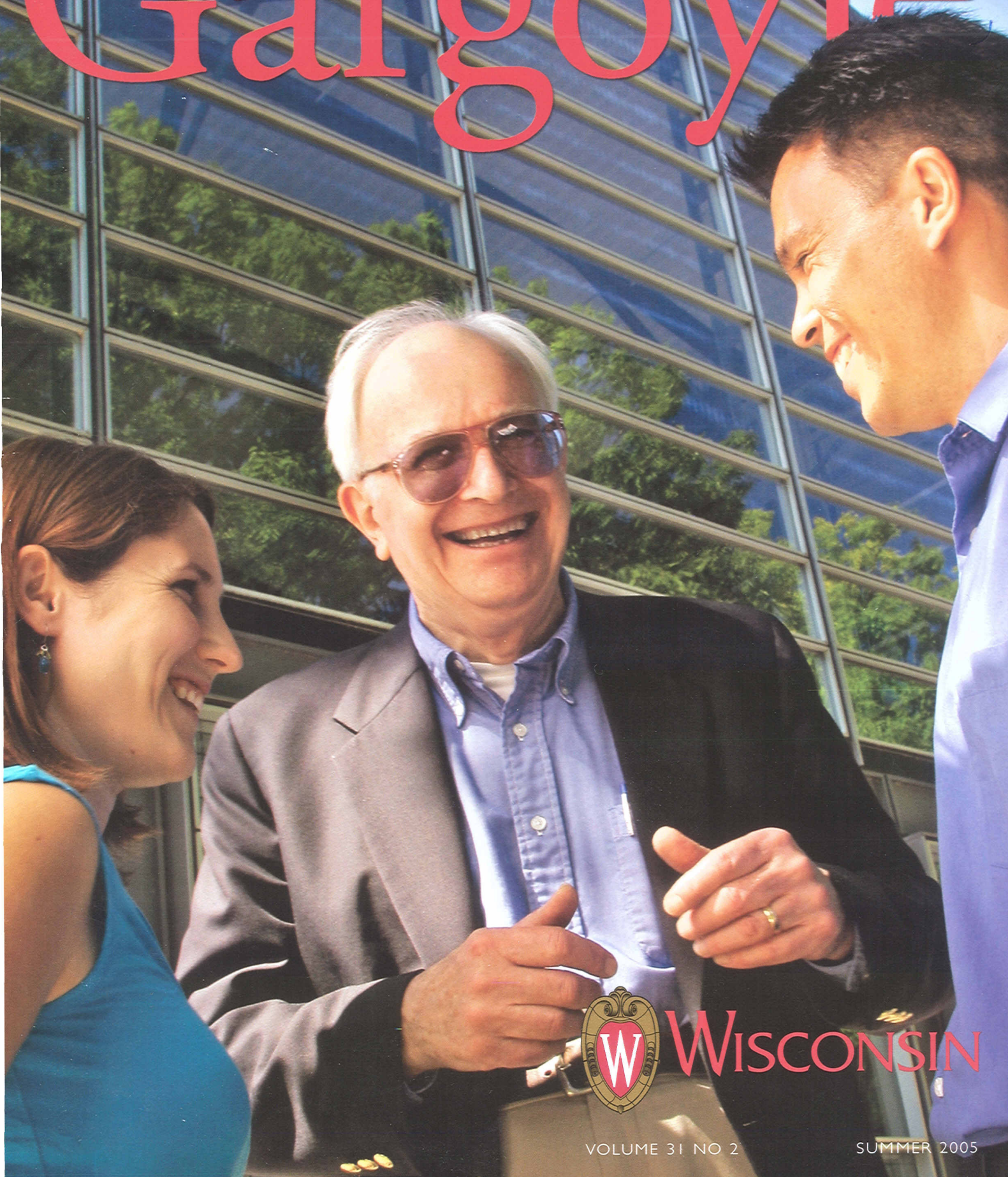


PERIODICAL

# Gargoyle



WISCONSIN

VOLUME 31 NO 2

SUMMER 2005



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## UW Law School Calendar

- New Student Orientation  
August 30–September 2
- First Day of Class  
September 6, 2005
- On-Campus Interviews Begin  
September 8, 2005
- Board of Visitors Meeting  
September 23, 2005
- Class Reunions and  
Homecoming  
October 21–22, 2005
- Kastenmeier Colloquium  
November 2005



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Several law schools wanted Nina and Ben.

# THEY CHOSE WISCONSIN.



PHOTO: BOB RASHID

Nina McIntyre was working on Wall Street in New York when she decided to apply to law school. Ben Imhoff was in his native Wisconsin, ready to combine his undergraduate degree in engineering with expertise in patent law. Both had offers from other law schools. They chose Wisconsin because of its atmosphere and the offer of scholarships.

"I came to the LEO Banquet as a prospective student," McIntyre says. "I was amazed to see how many people of color — prominent people from around the state — were supporting the students in the Law School. Then the scholarship offer sealed the deal."

For Imhoff, too, "The scholarship has been a great bonus. It gave me confidence, and I felt that

I had to set a high standard for myself because I was on scholarship from the School."

Both Imhoff and McIntyre will be third-year students this fall. Imhoff's Intellectual Property courses and summer internship have confirmed patent law as his career path; McIntyre will pursue her long-time interest in public interest law.

The Law School is committed to helping talented students like these achieve their goals. Scholarships are crucial in the competition to recruit outstanding students from around Wisconsin and around the country.

For more information on contributing to or creating a scholarship fund, call Ann Flynn at (608) 263-2202.





### Why Gargoyle?

In 1962, when the existing Law School was demolished to make way for a new building, Law School Dean George Young found and rescued a sandstone gargoyle from the rubble. This figure and its departed twin had sat on the roof of the 1893 building for almost seventy years. While one of the pair had perished in its fall, the second one had landed unscathed.

That rescued gargoyle, which is now permanently installed in the Law School's atrium, gives its name to this magazine, representing the indomitable strength and spirit of our University of Wisconsin Law School and its many graduates.

For an illustrated history of the Law School's gargoyle, see [www.law.wisc.edu/lore/gargoyle.htm](http://www.law.wisc.edu/lore/gargoyle.htm).

The *Gargoyle* is the alumni magazine of the University of Wisconsin Law School, 975 Bascom Mall, Madison, WI 53706-1399. It is funded by private donations.

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Wisconsin Alumni Association

Cover photo by Paskus Studios: Professor Stewart Macaulay has been engaging in animated discussions like this one for almost five decades at the Law School. His conversation partners here are students Kate Edwards and Rene de la Cruz. See "How I Got Here" (page 22).

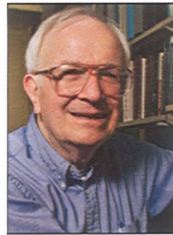
Back cover photo by Bob Rashid

# Gargoyle

Summer 2005  
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### 22 How I Got Here

Professor Stewart Macaulay, known internationally for his groundbreaking study of contracts, might have become a sports announcer instead of a legal scholar. Macaulay takes a lively look back at the influences and chance events that brought him to Wisconsin and a career in teaching.



### 28 Bioethics on the Cutting Edge

Professor Alta Charo is a world-renowned bioethicist and gifted speaker who exudes energy, intelligence, and humor when she analyzes today's most controversial issues in biotechnology.



### 36 Count the Winners

When a Law School alumnus won a large consumer class-action suit in California, everyone came out a winner. He donated a generous portion of the unclaimed proceeds to fund a position for Attorney Sarah Mervine at the Consumer Law Litigation Clinic.

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PASKUS STUDIO

We are confident that the ABA re-accreditation process will confirm and highlight our strengths and also bring us helpful suggestions on ways in which we can continue to improve the Law School.

# ACCREDITATION REDUX

— Dean Kenneth B. Davis, Jr.

This is going to be a particularly busy year for the Law School. In addition to welcoming a terrific new class and providing a quality education for continuing students, working on the goals we identified in the 2005 Strategic Plan, recruiting new faculty, and continuing our efforts to connect with alumni and involve them in the life of the Law School, we will also be preparing for the very important re-accreditation process required for us to remain an ABA-approved institution.

Since 1952, the American Bar Association (actually, the council to their Section of Legal Education and Admissions to the Bar) has been the U.S. Department of Education's recognized national agency for the accreditation of U.S. law schools. Every seven years, an accredited law school goes through an extensive evaluation in order to be re-accredited. Our seven-year evaluation will be in March 2006.

An ABA site evaluation is not something that schools necessarily look forward to. It is time-consum-

ing and requires a large investment of staff resources. Nevertheless, it is an interesting, thought-provoking experience that, like our recent strategic planning process, will give us an opportunity to review our resources, programs, services, and facilities in light of our mission and goals. It will also result in an outside view of our strengths and weaknesses, and identify opportunities for ways to improve.

For those of you who are interested in how the re-accreditation process works, here's the basic procedure.

We give in-depth answers to questions about how the Law School is meeting the ABA standards, which describe the requirements a law school must meet to obtain and retain ABA approval; complete a detailed, Web-based, statistical questionnaire similar to the annual one every law school answers each fall; and engage in a self-study that culminates in a comprehensive report addressing the current status of the law school. The self-study, like our strategic plan, covers topics ranging from faculty and students to



curriculum and the library. The report not only reviews recent progress, but also identifies institutional aspirations for future changes and issues that must be addressed. This information is given to each member of the site evaluation team approximately two months prior to the visit.

The visit itself takes three days — usually from a Sunday afternoon through a Wednesday morning. The team chairperson is always an experienced site evaluator and often a current or former law school dean. The evaluation team usually consists of one or two academic law school faculty members, a law librarian, one faculty member with expertise in professional skills instruction (clinical, simulation skills, or legal writing), one judge or practitioner, and one university administrator who is not a member of a law faculty. Nancy Rogers, dean of the Ohio State University-Moritz College of Law, will be the chair of our site visit, and the other members of the team will be named shortly.

During the visit, the team meets with the president, chancellor, and other university administrators. The team also meets with me, other leaders of the faculty, and the Law School administration. And, ideally, one member of the team meets individually with every member of the faculty. The team also visits as many classes as possible during its visit, in order to make judgments concerning the quality of instruction. It will also hold an open meeting with students and meet with student leaders. In addition, the team meets with members of the bar and judiciary who are familiar with the school.

At the end of the visit, the team meets with me and the chancellor to provide an oral report of the team's findings. Shortly after leaving the school, the team drafts

and finalizes an extensive written site evaluation report, covering all aspects of the school's operation. It includes faculty and administration, the academic program, the student body and their success on bar examinations and in placement, student services, library and information resources, financial resources, physical facilities, and technological capacities. The site evaluation team does not decide whether the school complies with the ABA standards; its role is to provide a factual report that accurately describes the situation of the school and provides a comprehensive basis for the Accreditation Committee and the council's judgments.

**Ideally, one member of the team meets individually with every member of the faculty.**

The completed site evaluation report is sent to the Law School, which is given an opportunity to provide written corrections of any factual errors. The Accreditation Committee reviews the report, and if it concludes that the school fully complies with all the standards, we receive a letter telling us we will remain on the list of approved schools. If it finds that we need to do some more work to comply with all of the standards, the committee will send an action letter specifying the standard or standards with which the school does not comply and asking us what steps we will take to comply. When the school takes those steps, it earns its re-accreditation and remains on the list of approved schools.

We are confident that the ABA re-accreditation process will confirm and highlight our strengths and also bring us helpful suggestions on ways in which we can continue to improve the Law School.

\* \* \*

As you will read elsewhere (see pages 15 and 42–43), this is a historic issue of the *Gargoyle*: it is the last time we will see Ed Reisner listed as editor. Ed is retiring this fall, after thirty years of devoted service to the Law School. He has presided over this magazine in a continuing labor of love. His regular "From the Editor" column has brought readers a series of enlightening and humorous essays, filled with knowledge of the Law School's history and its individual graduates.

When Ed was not busy with the *Gargoyle* or the myriad other projects that more than filled his work week, he was also an ambassador for the school. He and I have clocked many a mile as we paid visits to alumni throughout the country in the last several years. I have learned from Ed and enjoyed his company immensely. Nobody I know is more devoted to this Law School.

In his typically modest way, Ed has told us that he does not want a retirement party. However, if anyone would like to celebrate Ed's work at the Law School or the beginning of his next chapter, you may want to make a contribution to the scholarship fund he has established in memory of his parents. (Contact Ann Flynn, 608-263-2202 or [Ann.Flynn@uwfoundation.wisc.edu](mailto:Ann.Flynn@uwfoundation.wisc.edu).)

Ed will be missed enormously by all of us here in the law building and by the many alumni who have known him and looked forward to seeing him here or in their own home territory. I have a strong feeling, however, that we will not lose Ed from sight. I feel sure that he will continue to be a devoted alumnus (Class of '72) and an active member of the Law School family.





BOB RASHID

## KaShia Moua '07

The first member of her family to be born in the U.S., KaShia found herself cast in the role of pioneer. At age 22, she created and directed a program for Hmong youth that is now flourishing nationally. Her law degree will help her continue to educate and advocate.

**Hometown:** Eau Claire, Wisconsin

**Undergraduate Institution:** Carleton College

**Undergraduate Major:** Sociology and Anthropology

KaShia Moua has always been a pioneer, literally from birth: she was the first member of her family to be born in the United States. Her parents were among the first few Hmong families in Wisconsin and the only Hmong family in Eau Claire when they arrived in 1976.

When Moua and her two older brothers were growing up, there was no strict differentiation between family and community. "When other Hmong families arrived, they would live with us. You never drew lines or said, 'We only do things for just certain people.'"

Moua reflects, "My brothers and I have exceptionally progressive parents. They couldn't even conceptualize what skiing was, but they would sign the permission slip; they just had to trust that people would take care of their children. My parents said, in effect, 'You go out and explore this country and tell us what it's about.'"

And explore she did. She went to Carleton College in Minnesota, took "every elective possible," and majored in sociology and anthropology. "Because of my upbringing, I really liked studying how people interact in different cultures."

Moua started a senior thesis on Hmong and higher education, but the results were unexpected. "All the research I found about the Hmong in America was about gang violence, homicide, depression. At first I thought, 'This isn't my topic,' but there came a day when I realized, 'This is everyone's concern.'"

As a result, when she graduated in 1999, Moua moved to St. Paul and became a pioneer again. At the age of twenty-two, she received an internationally respected Echoing Green Fellowship for Social Innovators and created the Hmong Women's Circle. "I hadn't pictured myself graduating and starting up

a girls' program, but I realized there was a need."

The program is still flourishing in Minnesota, Wisconsin, and California. With the help of Hmong National Development, Inc., a nonprofit organization in Washington, D.C., she has been able to replicate it, now including programming for boys as well as girls. "I hire and train Hmong facilitators, in partnership with school districts. We have a set curriculum called Like a Bamboo, focusing on leadership, health, and education."

Moua had been working with the program for five years in St. Paul and Washington when a conversation with her mentor, an education professor at Carleton, sparked a new idea. "I had never ever imagined going to law school in my entire life," she says. "But after he listened to everything I was doing in D.C., he said, 'You need to go to law school.' A law degree is probably one of the most versatile degrees out there — it helps in policy, politics, and advocacy."

Advocacy is one of Moua's talents: in 2002, she was campaign manager for Senator Mee Moua, the first Hmong person in the United States to be an elected official. At the Law School this spring, she was elected president of the Asian Pacific American and South Asian Law Students Association.

This summer, she is working in Washington with the Southeast Asia Resource Action Center and the National Asian Pacific American Women's Forum on a project she designed to investigate child trafficking (mail-order brides and prostitution).

At the age of twenty-eight, Moua has accomplished an impressive amount of pioneering. With law degree in hand, she will be equipped to do even more.



Curt Clausen missed the first few classes of his law school career in August 2004, but he had an excellent excuse: he was representing the U.S. at the Olympics in Athens.

Clausen grew up in Stevens Point and still thinks of Wisconsin as home. “As a child, I tried every sport you can imagine,” he says. He learned about race walking the summer after seventh grade. By the time he was a high school senior, he was the national champion for his age group.

When he went to college, however, “Walking took a back seat. My focus was on academics.” He graduated with a B.A. in public policy from Duke University, but he did not drop race walking: he represented Duke in the Olympic trials and ranked in the top six in the nation.

After graduation, Clausen earned a master’s degree in Public Administration. “I needed a practical focus to go along with the policy work I had done as an undergrad. Then I got a job with the North Carolina Legislature — my first full-time job — doing redistricting.”

He next became an analyst for the town of Chapel Hill, North Carolina, and started thinking about law school. “I realized that if I was going to stay in government, working with the legislature, it would be a huge advantage to be an attorney.” He took the LSAT in 1994, but it would be ten years before he entered law school.

“In 1994 my grandfather died, then my father died, and it made me realize that life is really short and precious,” he says. “I decided to make the big change from government administration to focus on walking again. I remember thinking, ‘If I’m ever going to do this, I’d better do it now.’”

Clausen made a New Year’s resolution for 1995 to make the

1996 Olympic team. He met his goal and enjoyed the Olympics so much that he decided to pursue full-time training. For seven years, he trained in California, living on a shoestring. In 1999, he broke through internationally, placing third in the sport’s world championship. A prize of \$20,000 helped to keep him going.

By 2003, Clausen began to plan his next chapter: the law school degree he had put on hold. His choice of the UW Law School was not difficult to make. “My family is in Wisconsin,” he says, “and when I came to visit the school, I was sold.”

During fall semester, Clausen devoted himself to his studies, but the day after Christmas 2004, he went to Florida for training. He won the trials, qualifying for the August 2005 Olympics in Helsinki.

As focused as he is on his sport, Clausen is equally committed to combining his expertise in governmental work with his growing knowledge of the law. This summer he is working at the Boardman Law Firm in Madison. “Their work with municipal law is a good match with some of my background,” he says. “I have a broad variety of experience in the governmental setting but not in law, so I wanted to work in a firm my first summer.”

Reflecting on the ten-year delay he made in his career, Clausen expresses satisfaction that he pursued his athletic goal. “It’s a lot of fun seeing how good you can be at something,” he says. “I didn’t want to be someone who says, ‘I could have done that.’”

In signing on for his summer at the law firm, Clausen checked with his employer about competing in the Helsinki Olympics. “I told them I might have to disappear for a week in August,” he says. “They seemed pretty cool about it.”



BOB RASHID

## Curt Clausen '07

Curt was working in government in North Carolina when he resolved to win a place on the 1996 Olympic team in race walking, a sport he has excelled in since high school. That Olympics experience led to others, and in 1999 he placed third internationally. Now he’s a UW law student, combining his expertise in governmental work with a growing knowledge of the law — and still competing in the Olympics.

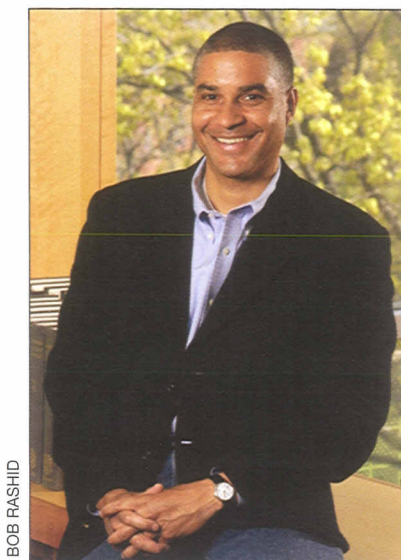
**Hometown:** Stevens Point, Wisconsin

**Undergraduate Institution:** Duke University

**Undergraduate Major:** Public Policy

**Graduate Degree:** Master’s in Public Administration, North Carolina State University





BOB RASHID

### Gary M. Smith '07

Gary's two main activities in New York City before he came to law school took place in different worlds: he worked in corporate finance and volunteered with the homeless. His firsthand observations of problems resulting from misguided public policy led him to pursue a law degree.

**Hometown:** New York City

**Undergraduate Institution:**  
Virginia Commonwealth University

**Undergraduate Major:**  
Business Administration

**Graduate Degree:** M.B.A., Finance,  
Darden Graduate School of Business,  
University of Virginia

Looking back on his childhood in Pennsylvania and Virginia, Gary Smith can detect the early signs of a business entrepreneur. "I monopolized the paper routes and lawn-mowing business in my neighborhood," he recalls.

His interest in business continued throughout college and graduate school, where he earned degrees in business administration and finance, while participating in student government and working to pay his way through school.

With his M.B.A. in hand, Smith moved to New York City, where he devoted himself both to a career in corporate finance and to volunteering with organizations that help homeless people reintegrate themselves into society. "I had always gravitated toward legal, political, and social issues," he says.

After eleven or twelve years of his business career and ongoing volunteer work, he began to think about law school. "I had reached a point in my career where I wanted a different set of challenges and to broaden my scope of expertise," he says. "Also, throughout my career, I had been politically active and had come face to face with issues and problems resulting from misguided public policy. It was the combination of those two factors that led me to law school."

He spent a year researching law schools and found himself attracted to Wisconsin because of its reputation and its Law in Action approach. A visit during Admitted Students Weekend clinched his decision. "The whole environment just felt right: the quality of the school, the quality and philosophy of the teaching, the students and administrators I met. My values were aligned with those of the school — it was a psychologically comfortable fit."

At the end of his first year at Wisconsin, Smith confirms that his decision was a good one. "A lot of schools talk about collegial environments," he says. "I was a bit skeptical before I came. But I've been surprised how friendly people are here. People all the way through the 3Ls, as well as the faculty and administration, have been very helpful, very supportive. That's something I appreciate after coming from the corporate world."

This summer, Smith is working at the Wisconsin Attorney General's Office, where he appreciates the opportunity to see the legal profession in action. "My first summer is an extension of my first-year curriculum. I'm getting the chance to observe the real-world applicability of things I learned during the year."

In the fall, he will have a judicial internship with Judge Richard Niess of the Dane County Circuit Court. "I'll be gaining hands-on experience and learning the ins and outs of the judicial system," he says. "My career objective is to synthesize these experiences, my professional background in business, and my interests and skills into a practice area."

Smith's next career decision will involve what areas of law to pursue in more depth. "The law is such a broad discipline," he says. "I've found several areas of interest. I still have an affinity for the corporate and business topics. I've had the opportunity in the past to work on deals from the corporate side, but a lot of these issues intrigue me from the legal perspective."

Constitutional issues and international law are among his new interests, Smith says. "Sometimes you don't know you're interested in something until you're exposed to it. That's what has happened to me here."



## Maguire Wins Ford Leadership Award

Sarah Maguire '05 learned just before graduation this spring that she was named the recipient of a \$10,000 Ford Leadership Award, created by the Ford Motor Company to recognize law students who demonstrate significant leadership skills and make a positive difference for the community.

Maguire served as editor-in-chief of the *Wisconsin Law Review* and was founder and chair of the newly launched Wisconsin Law Review Alumni Association, while studying for a dual degree of J.D. from the Law School and master of public affairs from the La Follette School of Public Affairs.

She has won multiple State Bar Awards for highest achievement in her law classes and has been an award-winning participant

in Moot Court competition. She has been a summer associate with Jenner & Block in Washington, D.C., a summer intern with the commercial litigation branch of the U.S. Department of Justice, and a summer associate with Foley & Lardner.

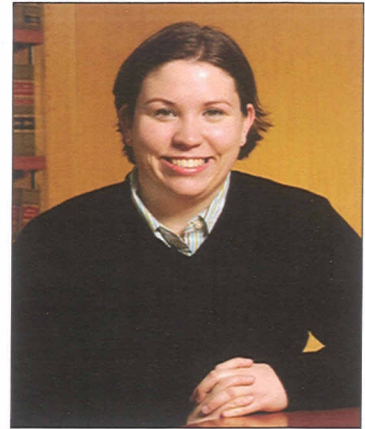
Maguire grew up in Menasha, Wisconsin, and earned a B.A. from UW-Madison in journalism and political science with comprehensive honors. Her senior honors thesis was titled "Fighting Words and the First Amendment."

"Free speech is really interesting to me," Maguire says. "In college, I really liked constitutional law and First-Amendment issues, and in law school I was able to take a lot of theoretical classes involving constitutional law.

"I loved law school," she says, smiling.

Beginning in September, Maguire will be in Chicago for a year, serving as a judicial clerk to Richard D. Cudahy of the U.S. Court of Appeals, Seventh Circuit. Given Maguire's track

record in hands-on work and theoretical subjects, it should come as no surprise that she has two ideas in mind for her future in the law: practice and possibly teaching someday.



Sarah Maguire '05

BOB RASHID

## Denzin's Environmental Advocacy Honored

Brent Denzin '05 has been named a recipient of an Equal Justice Works Fellowship. The two-year fellowship program provides financial support to lawyers working on projects that benefit traditionally under-served populations and causes in the United States.

Denzin will work with Midwest Environmental Advocates on a project that he and the organization formulated together. The project focuses on the environmental and economic impact that sprawl development has on Wisconsin communities. Denzin will work on building a coalition of affected communities, maximizing public participation in development strategies, and increasing government accountability for development decisions.

One of the exciting aspects of the project, Denzin says, is that

land development is an environmental issue that incorporates many legal areas, such as labor and land-use regulation law. "There are a lot of sub-issues that play into large corporations' impacts on local environments and economies," Denzin says. He is excited to help bring local Wisconsin environmental groups the information they need to help "save small towns in Wisconsin."

During his law school career, Denzin was a founding member of the Wisconsin Environmental Law Advocates, a nonprofit organization that works to protect water and air through citizen lawsuits and free legal research for existing environmental organizations.

Denzin gives high marks to the Law School's faculty, recalling that when he and other students began a dialogue with professors at a "Coffee and Donuts" session

regarding the racial and economic disparity that plagues Milwaukee, the following semester, Professor Arthur McEvoy offered a class on environmental justice, addressing the very issues in which the students had expressed interest.

"The faculty is willing to offer courses on topics that expand the interests of students and push them to do tangible things with their education," Denzin says.

After his two-year fellowship concludes, Denzin intends to continue his career in environmental law, specifically incorporating land-use regulation.



Brent Denzin '05



# AWARDS

## Students Garner Awards For Scholarship, Service

The Law School's 2005 Honors and Awards Brunch in May recognized an impressive array of student achievements:

**American Academy of Matrimonial Lawyers: Karen Keith**

For dedication to Family Law and exhibiting the qualities that the American Academy of Matrimonial Lawyers wishes to promote in the practice of Family Law

**American Academy of Matrimonial Lawyers Leonard Loeb Award: Jennifer Grissom**

For excellence in the study of Family Law and dedication to community service

**American Bar Association/Bureau of National Affairs Health Law Award: Rebecca Estelle, Chance Hodges**

For the highest grades in Health Law courses

**American Bar Association/Bureau of National Affairs Intellectual Property Award: Joshua Gildea, Scott Paler, Ryan Porter**

For the highest grades in Intellectual Property courses

**American Bar Association/Bureau of National Affairs Labor and Employment Award: Joshua Gildea, Nicholas Infusino, Amy Quackenbush**

For the highest grades in Labor and Employment Law courses

**American Bankruptcy Institute Award: Nicholas Infusino**

For the highest grade in Bankruptcy courses

**Association of Women Lawyers: Cecelia Klingele**

For academic excellence and outstanding service to the Law School and general community

**Gordon D. Baldwin Scholarship Award: Sydne French**

For excellence in Criminal Justice Law

**Bruce F. Beilfuss Memorial Award: Carrie Benedon, Joyce Chang, Michele Crymes, Elizabeth Herman, Amanda Lowerre, Craig Powell, Stacey Reding, Greg Renden, Anthony Rodriguez, Richard Schuster**

For outstanding service to the Law School

**Bercovici Prize for Jurisprudence/Legal Philosophy:**

**Fitzgerald Bramwell, Andrew Parrish, Scott Peitzer, Ryan Steffes**

For excellence in the study of Jurisprudence and Legal Philosophy

**Bernard Berk Memorial Award: Erin Freiberg, Sommer Spector**

For outstanding contributions to the economically disadvantaged

**Abner Brodie Award: Joshua Gildea, Maureen O'Connor**

For outstanding achievement in legal study and practical application of law

**Ray and Ethel Brown Award: David Connally, Bonnie Cosgrove, Susan Kurien, Nina McIntyre, Tony Relys**

For character, leadership, and service by first- or second-year students

**Barbara B. Crabb Award: Samantha Webb Kading**

For promoting the ideals of honesty, fairness, and equality

**Salmon Dalberg Award: Cecelia Klingele**

To an outstanding member of the graduating class

**Joseph Davies Award: Katie Mason**

For outstanding service to the *Wisconsin Law Review* by a second-year student

**Jefferson Davis Award in Constitutional Law: Bryan Cahill, Lucy Kronforst, Derek Neathery**

For excellence in the study of Constitutional Law

**Ruth B. Doyle Award: Nathan Lundby**

For student contributions to the Law School community

**Sonnet Schmidt Edmonds Award: Mark Dahlby, Gozie Onyema**

For excellence in the study of Energy Law

**Equal Justice Works Fellowship: Brent Denzin**

For outstanding work on projects that benefit traditionally underserved populations and causes in the United States

**Leon Feingold Memorial Award: Ethan Carrier**

For outstanding commitment to the Law School and greater community

**Ford Motor Company Leadership Award: Sarah Maguire**

For academic excellence, outstanding leadership, and initiative

**Melvin J. Friedman Memorial Scholarship: Shelley Fite**

For exemplary work with the Wisconsin Innocence Project

**Daniel H. Grady Award: Brian Larson**

To the top-ranking student in the graduating class



LEA ERICSSON TURPIN (3)

Commencement was a proud moment for new graduates Krista Buchholz and Nathan Lundby.





New Orleans attorney Kenya Smith '99 (right) came back to Madison for the graduation of his niece, Tanya Smith (left). Here they are joined by Professor Ralph Cagle.

**James J. & Dorothy T. Hanks Memorial Award:** Daniel Ghoca  
For excellence in the study of Corporate Law

**Symposium Editor for *Harvard Journal of Law and Public Policy*:**  
**Peter Tempelis**  
For election as Symposium editor

**Katherine Held Memorial Award:** Margaret Hillman, Jessica Levie  
For outstanding contributions to *Wisconsin Women's Law Journal*

**George Laikin Award:** Patrick Mueller  
For best article on a general topic in the *Wisconsin Law Review*

**Legal Defense Program Award:** Preston Smead  
For outstanding service to the clients of the Legal Defense Program

**Catherine Manning Memorial Award:** Jennifer Grissom, Cecelia Klingele  
For outstanding contribution to the Legal Assistance to Institutionalized Persons Program

**Mathys Memorial Award for Appellate Advocacy:** Stuart Bray, Tim Cruz, Patrick Harrigan, Tony Relys, Jacob Thrive  
To outstanding oralists in Moot Court competition

**Mathys Memorial Award for Appellate Advocacy:** Mariam Mokri  
For outstanding service to the Moot Court Board

**National Association of Women Lawyers Award:** Ann Laatsch  
For commitment to advancing issues and concerns of women

**Don A. Olson Memorial Award:** Tania Nachreiner  
For an outstanding student leader from Wisconsin

**Vicki and Brent Orrico Scholarship:** Lori Hickman  
For leadership, character, initiative, and service

**William Herbert Page Award:** Matthew White  
For best student article on a specific topic in the *Wisconsin Law Review*

**Mary Kelly Quackenbush Memorial Award:** Cara Coburn  
For the outstanding student article in the *Wisconsin International Law Journal*

**Andre Saltoun Prize:** Laura Dickman, Nathan Kipp, Jeffrey Marx, William E. Rosales  
For special contributions to the *Wisconsin Law Review*

**Abe Sigman Award:** Larry Konopacki, Brian Larson  
For scholarship, character, and contributions to the Law School

**Skadden Fellowship:** Samantha Webb Kading  
For exceptional promise in the field of Public Interest Law

**Gwynette E. Smalley Law Review Prize:** Lola Velazquez-Aguilu, Laura Schulteis  
For scholarship and service to the *Wisconsin Law Review*

**State Bar of Wisconsin Environmental Law Essay Award:**  
**Kate Davis**  
For the best student essay on Environmental Law

**Julie Strasser Scholarship:** Stephanie Caucutt, Jennifer Molina, Annie Smith  
For demonstrated concern for the needy and work to benefit society

**Frederick C. Suhr Award:** William E. Rosales  
For dedication to community service and equal access to the law

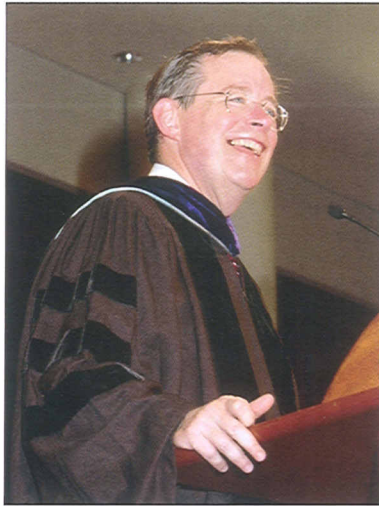
**Wisconsin Lawyers Mutual Insurance Company:** Theresa Andre  
For the top-ranking student in Professional Responsibilities

**Wisconsin Public Interest Law Foundation's Jackie Macaulay Award:**  
**Stacia Conneely**  
For demonstrating exceptional commitment to Public Interest Law



Cameras were clicking nonstop as students celebrated the completion of master's degrees as well as J.D.'s.





## Congratulations, Class of 2005!

*Photographs by Empire Photo*

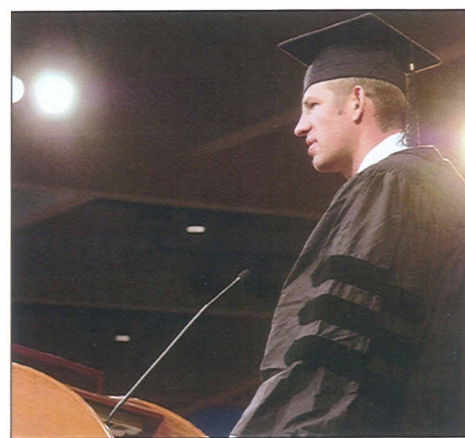
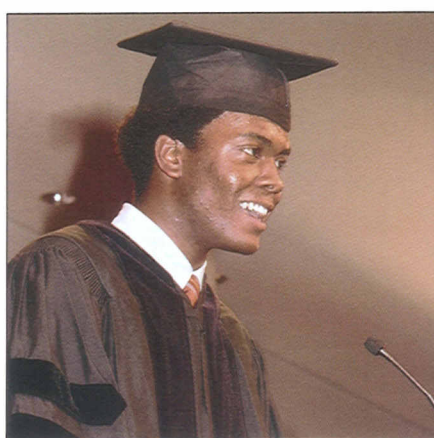
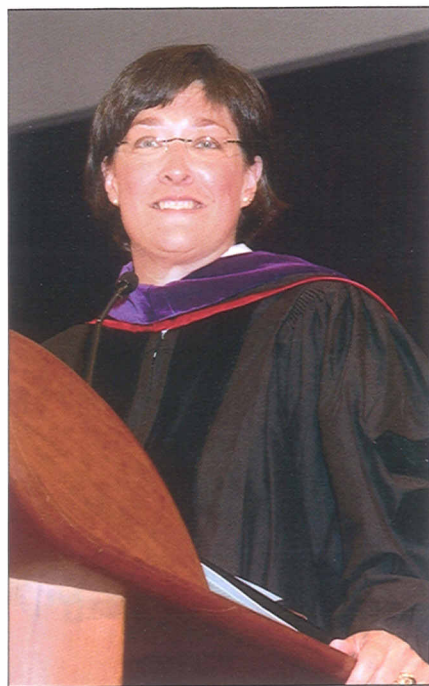
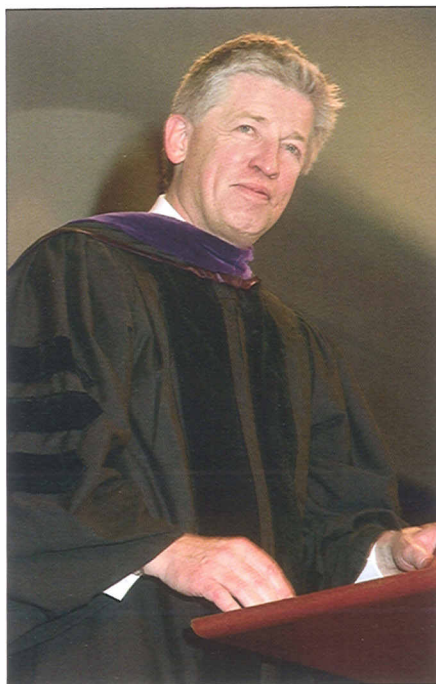
Members of the University of Wisconsin Law School Class of 2005 received their J.D. degrees on Friday, May 13, at the university's commencement exercises at the Kohl Center. The keynote speaker was U.S. Representative Tammy Baldwin, a 1989 graduate of the Law School.

By tradition, the Law School held its own Presentation of the Colors ceremony that Friday afternoon at Madison's Monona Terrace. The faculty speaker was Adjunct Professor and Madison attorney Stephen Hurley, and former Dean of Admissions Beth Kransberger was the keynote speaker. Both speakers were chosen by the graduating class.

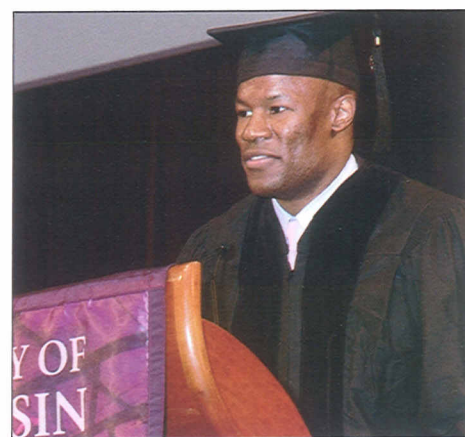
The class also elected three student speakers — Davion Ford, Nathan Lundby, and Gozie Onyema — and master of ceremonies Randolph Reliford.





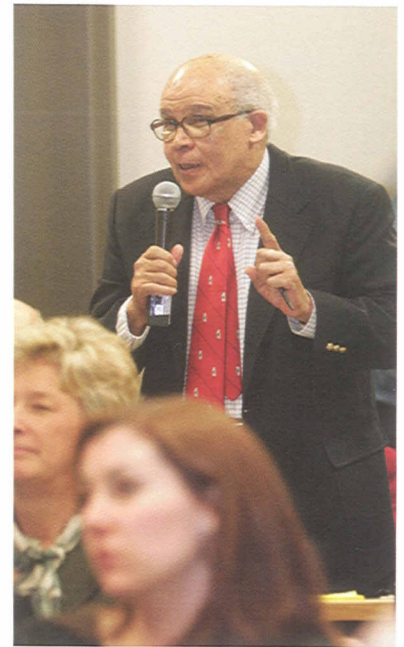


Clockwise from left: keynote speaker, former Dean of Admissions Beth Kransberger; faculty speaker, Adjunct Professor and Madison attorney Stephen Hurley; students enjoy the 2005 commencement address; student speakers Nathan Lundby, Gozie Onyema, and Davion Ford.





ANDY MANIS (3)



Senator Russ Feingold (left) gives an animated account of the unexpected challenges he faced when he cast lone dissenting votes on controversial national issues. After a rigorous series of questions from Professor James Jones (right), Feingold remarked, "Now I really feel like I'm back in law school."

## Senator Feingold: Upholding an Oath to the Constitution

U.S. Senator from Wisconsin Russ Feingold delivered the 17th Fairchild Lecture in April, speaking on a topic of great relevance to his last few years in the Senate: "Upholding an Oath to the Constitution: A Legislator's Responsibilities."

Feingold told his overflow audience, "When I was sworn in

as a U.S. senator, I took an oath to uphold the Constitution, but never could have dreamed of the ways in which that oath would challenge me and put me in conflict with people I admire."

Feingold discussed the experience of being the only Democrat to vote against dismissing the Clinton impeachment case before

all evidence had been submitted, as well as the only senator to vote against the USA Patriot Act.

"An oath

binds us in unexpected ways," he said.

Referring to the fact that he was re-elected after his controversial votes, Feingold said, "I'm deeply grateful to the people of this state. People in Wisconsin want a senator to take his job seriously and be true to his oath, even if they disagree with him."

The annual Thomas E. Fairchild Lectureship was established at the Law School in 1988 as a tribute to Judge Fairchild by his former judicial clerks. Fairchild is a 1937 graduate of the Law School and a former Justice of the Wisconsin Supreme Court.



The Fairchild Lecture always reunites Judge Fairchild with his former clerks and other colleagues. Seated in front row, from left: Eleanor Fairchild, Judge Fairchild, Jane Hazen; second row: Diane Liptak, William Conley, James Klenk, Joan Lefkowitz, Shirley Newsome, Margaret Murphy, John Skilton; back row: Michael Zimmer, Matthew Flynn, Michael Wilcox, Ann Hilton-Fisher, Renate Michaelis.



## Far-flung alumni: Can you advise students about practice in your area?

*by Assistant Dean Jane Heymann,  
Director of Career Services*



JAY SALVO

The Office of Career Services has good news to share: the legal job market is showing signs of improvement. After three years of extraordinarily competitive conditions, this upturn will make the job search easier for our current students.

If you are an alum or a friend of the school living in another part of the country or the world, you can be of critical assistance to our current students in three important ways:

### **1. Encourage your organization to interview University of Wisconsin Law School students.**

If your firm or organization hires summer law clerks, or will be hiring third-year students for entry-level positions, please let us know about those opportunities so that our students can apply for them.

We can put you in touch with our students in a variety of ways: by scheduling on-campus interviews; by collecting resumes from interested students and forwarding the group of resumes to you; or by posting a description of your position and advising students to submit

applications directly to you. All of these services are provided free of charge to employers.

### **2. Offer your knowledge and expertise to students.**

The next time you are in Madison, for business or pleasure, please let us know. Students benefit greatly from a practitioner's perspective. If you can spare a few hours while you are here, we would love to arrange for you to make a lunchtime presentation, and/or meet with students who have a particular interest in your practice area or your area of the country.

### **3. Join our Law Alumni Career Network.**

We continue to seek UW Law alumni across the country and around the world who are willing to provide information, advice, and encouragement to law students. There is a particular need for alumni in small- and medium-sized law firms, government agencies, and nonprofit organizations on the East and West Coasts. If you are willing to give a few minutes of your time to chat with a law student when

contacted, please e-mail me at [jheymann@wisc.edu](mailto:jheymann@wisc.edu) or call me at (608) 262-6413.

By the time you read this, another academic year will be beginning, and the fall recruiting season (which starts earlier and earlier in August every year) will be well under way. From early August until the end of October, many of our students will take advantage of interview opportunities offered by one or more of the ten off-campus job fairs and recruitment programs in which we participate. Many of them will also interview for summer or permanent jobs with employers who come to the Law School to participate in our fall on-campus interview program.

About 40 percent of our students will find their jobs by responding to job postings or by making self-initiated contact with employers.

For more information about the way the Office of Career Services helps match students with employers, see our Web site at [www.law.wisc.edu/career/](http://www.law.wisc.edu/career/).



## Professor Cheryl Rosen Weston Named Entrepreneurial Woman of the Year

Law School Professor and Class of 1971 alumna Cheryl Rosen Weston was named Entrepreneurial Woman of the Year in April by the Wisconsin chapter of the National Association of Women Business Owners (NAWBO). She is convinced that her law school classmates will never believe it.

"There's a great irony here," Weston says. "If my classmates read this, they'll think I would be the least likely to make any money and be involved in business."

Her law school focus was radical politics, she says. "I used to tell people I went to law school because all my friends kept getting arrested."

Nothing in Weston's childhood would have forecast her future as CEO of The Douglas Stewart Company, a provider of computer and school supplies with 130 employees and sales of \$212 million last year. Nothing, that is, except the dire financial straits that taught her the importance of work at a young age: her father died unexpectedly at age forty-three, leaving his wife with four young children to support. "That was when I learned about work," Weston says.

She took her first job at the age of fourteen to help her mother support the family. "I have worked ever since," she told her audience at the NAWBO award ceremony. "It made me feel good that I was helping out at home; I learned that I loved the recognition I got for being a hard worker."

The hard work continued when Weston came to UW-Madison as an undergraduate: "I was in Madison for three years before I realized that the campus was on a lake."

After graduating from law school, she began as a private practitioner, later choosing colleagues



**Cheryl Rosen Weston, whose career as a law student in the late 1960s focused on radical politics, enjoys the irony of being honored for her entrepreneurship. As CEO of The Douglas Stewart Company, she presides over a firm whose sales totaled more than \$200 million last year. She divides time between her company and teaching at the Law School, a balance she enjoys.**

to form the firm that is now Cullen, Weston, Pines & Bach. It was as counsel for The Douglas Stewart Company that she began her journey into the business world.

At one time married to Craig Stewart, son of the company's founder, she took over the reins after they were divorced in 1998 and her ex-husband wanted to move out of Wisconsin. They had intended to sell the company, but it was not prospering and they could not find a buyer. "To my great surprise," Weston says, "he asked me to buy him out. Nothing was further from my mind — or my wishes."

She decided to keep the business for a few years, stabilize it, then find a buyer. She planned to return to the law firm and to teaching at

the Law School, where she had begun by teaching a wide array of courses for faculty who were on leave, and subsequently became a full professor.

Just as Weston was beginning to consult with her accountants, bankers, and lawyer, she had another shock: "I stopped in one day for my annual physical and learned that I had cancer."

Plans were put on hold as she and her doctors waged a strenuous but successful battle against colorectal cancer. When she returned to Douglas Stewart, she was grateful for every day of being alive. Not only did she stabilize the company, but she put it on a course of growth and profits.

After three years, Weston was ready to sell, but she realized that by selling the business, she would jeopardize the future of her employees. "I decided I couldn't do it, and that the only way I knew to keep the company going was to make it grow. So now I am a serious entrepreneur — a risk-taker. Sales have more than doubled. We have expanded operations into Canada and Europe. The plan is not Cheryl's exit strategy, but Douglas Stewart's future."

Weston thus found herself a woman with two full-time jobs: her thriving business and Law School teaching. She has no intention of abandoning either of them. "Most people change careers," she says. "I just add them."

Teaching at the Law School is a special part of her life, Weston says. This fall, she will be teaching Civil Procedure I and II. Her repertoire also includes Family Law, Legal Ethics, Torts, Constitutional Law, and Legal Process.

"I love this place," she says. "This is my love job."



## Assistant Dean Ed Reisner Announces Retirement

Ed Reisner, who has served the Law School for thirty years in multiple capacities, will retire this September. Reisner, a graduate of the Law School's Class of 1972, has been involved in alumni relations for the entire span of his Law School service, and has been editor of the *Gargoyle* for twenty-six years. He worked in career services for all but seven of his thirty years, and served as building manager in three separate "tours of duty," totaling almost twenty years.

In an e-mail informing the Law School faculty and staff of Reisner's upcoming retirement, Dean Kenneth B. Davis, Jr., wrote, "For three decades, Ed has been the face of the University of Wisconsin Law School for students, alumni, and the bar. Walk into any law firm or courthouse in the state of Wisconsin with Ed at your side, and you will be greeted with a warm welcome."

When asked which of his many Law School projects was most challenging and fulfilling, Reisner cites the \$16.5 million remodeling and addition period from 1993 to 1996. In addition to serving as building manager during that period, Reisner helped raise the \$6 million required from donors to finance the renovations. As a way of demonstrating to others the need to adapt and be flexible during those years, Reisner moved his office ten times, reducing his baggage to one filing cabinet and his computer.

Reisner's role in alumni relations changed over time as well: Dean Orrin Helstad initiated a more aggressive outreach program early in his deanship, and Reisner started organizing trips to visit alumni at events to involve them in the Law School. Helstad, Reisner,



UW MEDIA SOLUTIONS

**For three decades, Ed has been the face of the University of Wisconsin Law School for students, alumni, and the bar.**

— Dean Kenneth B. Davis, Jr.

and various faculty members — particularly Stuart Gullickson and George Young — began crisscrossing Wisconsin to connect with Law School alumni. This pattern expanded dramatically during Daniel Bernstine's deanship. Reisner calculates that he made more than one hundred trips by plane and logged tens of thousands of miles in cars to seek out and connect with alumni.

The editorship of the *Gargoyle* was conferred upon Reisner in 1979 when his predecessor, Ruth Doyle, retired. At that time, Reisner wrote many of the articles, took many of the pictures, worked with the printer pasting up page proofs, and managed to put out four issues per year until financial resources called for a cutback in the 1990s. He continued to serve as executive editor until his retirement.

For many readers, a highlight

of each *Gargoyle* was Reisner's From the Editor column, with its accompanying Mystery Photo. (Reisner's farewell column appears on pages 42–43 of this issue; his culminating Mystery Photo is on page 44.) The columns display his encyclopedic knowledge of the school's history and its graduates.

Over the years, Reisner has also found time to serve the broader university, his profession, and his community. He was one of the founders of the Alumni Relations Council, a forum for exchanging information with his counterparts in other university departments; and he served on five State Bar committees. He has also been an arbitrator for the State of Wisconsin's Better Business Bureau's Auto-line program.

From the time he entered the Law School as a student in 1969 until his retirement, approximately two-thirds of the 13,000 living alumni graduated. Reisner helped many find their first or subsequent jobs, and many became his friends.

"It is impossible to catalog all the things that Ed quietly does each and every day to make this Law School a better, and better-functioning, place," Dean Davis wrote in his e-mail. "Without exaggeration, it is difficult to imagine the school without him."

*Ed Reisner has requested that there be no formal event held by the Law School in honor of his retirement. He has created a Law School scholarship fund in memory of his parents, Mary and Edward W. Reisner. Anyone wishing to contribute to mark this occasion may contact Ann Flynn at (608) 263-2202 or Ann.Flynn@uwfoundation.wisc.edu.*



TODD ROSENBERG (4)



## Dean Davis Delivers Keynote at UW Founders' Day in Chicago

Law School Dean Kenneth Davis, Jr., was selected to be the featured speaker at the UW's Founders' Day event in Chicago this April. Dean Davis delivered a talk entitled "Corporate Governance: Be Careful What You Wish For." The event, sponsored by the Wisconsin Alumni Association, was held at the law firm of Gardner, Carton and Douglas.

The Wisconsin Alumni Association's Founders' Day event commemorates the founding of UW-Madison. Each year, local alumni clubs, such as the one in Chicago, bring Badger grads together and feature a UW-Madison faculty member, dean, or other distinguished university personality. The very active Chicago chapter of the alumni association is one of the largest in the country.



Animated conversations abounded at UW Founders' Day this spring. Above right, from top: Dean Ken Davis always enjoys hearing what alumni are thinking. Joining him are (from left) Mike Reiter '67, Mike Boykins '90, and Vernon Francissen '95. Middle photo: Mike Rosenbaum '87 (left) and Deanna Wilson '98 catch up with Dean Ed Reisner. Bottom photo: Tonya Wilkes '01 (left) and Sue Provenzano '95 compare notes with Jeff Wendorf of the Wisconsin Alumni Association.

## Two Scholarships to Honor Frank J. Pelisek '58

Two Law School scholarships will bear the name of alumnus Frank J. Pelisek, who died in 2002 after a distinguished legal career.

The Frank J. Pelisek Memorial Scholarship, established

earlier this year, was created to help support Wisconsin residents attending the Law School. Criteria include superior academic performance in undergraduate studies, rural Wisconsin roots, and public service, with preference given to students who are members of the first generation in their family to attend college.

A second scholarship to carry Pelisek's name is the Rath

Foundation's Frank J. Pelisek Law Scholarship. The Rath Foundation originally set up the scholarship in 1998, when Pelisek himself was secretary. Rath Foundation scholarships are determined solely on the basis of academic merit, with preference given to Wisconsin residents who attended Wisconsin schools prior to the Law School.



## Gaines is YWCA Woman of Distinction

This spring, UW law professor Martha E. (Meg) Gaines '83 was named a 2005 Woman of Distinction by the YWCA, one of six women from the Madison community to receive the high-profile honor in recognition of community service, professional achievement, integrity, leadership, and dedication to the lives of others.

Gaines is Director of the Center for Patient Partnerships based at the Law School, which has received nationwide attention for the success of its innovative interdisciplinary program that assists people with cancer and other serious illnesses to advocate for their own health care.

Gaines's reason for beginning the Center in 2001 could not have been stronger: she herself is a cancer survivor whose ability to advocate for herself saved her life. In 1994, then a clinical law professor at the Remington Center, she was diagnosed with advanced ovarian cancer and subsequently told by a physician to "go home and think about the quality, rather than the quantity" of her remaining days. Instead, the



MIKE DEVRIES

strong advocate within her emerged: she plunged into research that found excellent doctors who believed that her life could be saved and worked tirelessly with her to save it.

After her recovery, supported by a generous grant from Howard and Linda B. Stern (UW '61), she and her hand-picked team of experts (including Dr. Julian Schink, her own physician) created the program that teaches future doctors, lawyers, nurses, social workers, and pharmacists to work together to become better advocates for their patients. The students are grouped in multi-disciplinary teams to work with individual

patients recently diagnosed with life-threatening illnesses.

Now, four years later, the Center has helped more than six hundred patients and their families, has taught dozens of future professionals how to advocate for patients, and has worked in partnership with community organizations such as the American Cancer Society, The Don & Marilyn Anderson Hospice Care Center, and the Leukemia & Lymphoma Society. (In 2003 the Center won a UW-Madison Chancellor's Award for University and Community Partnerships.)

"I am deeply moved to be included on the phenomenal list of women who have received this award before me," Gaines told the group gathered at the YWCA award ceremony in May. "As people have asked me how I feel about receiving this award, I notice that I feel a little guilty — because my work, helping people with life-threatening and serious chronic illness navigate the world of illness and health care, is reward enough for many lifetimes in itself."

## Elder Law Clinic Steps in to Help With Living Wills

The UW Law School's Elder Law Clinic organized an opportunity in April for students, staff, and faculty at UW-Madison to complete important health care advance directives, including living wills and health care powers of attorney.

Past and present student participants of the Elder Law Clinic set up tables in the atrium of the Law School to provide one-on-one

counseling and help with filling out forms.

The life and death of Terri Schiavo thrust the importance of documenting advance health care directives into the national spotlight.

Wisconsin does not have a "family consent" law. Therefore, if a person in Wisconsin becomes mentally incapacitated, family members and spouses do not have the automatic right to make health care decisions for loved ones.

Attorney Betsy Abramson, assistant clinical professor and

director of the Elder Law Clinic, says the initiative received a strong response from the university community. More than 120 individuals filled out power of attorney for health care forms, while 67 living wills were completed.

More information and forms can be obtained from the Wisconsin Department of Health and Family Services Web site [www.dhfs.state.wi.us/](http://www.dhfs.state.wi.us/) or at the Coalition of Wisconsin Aging Groups at [www.cwag.org](http://www.cwag.org).



## Andrew Wang Wins Steiger Fellowship for Work in Consumer Protection



Andrew Wang, who will be a third-year UW law student this fall, has been named one of the inaugural recipients of the

Janet D. Steiger Fellowship.

The fellowship is part of an effort by the American Bar Association Section of Antitrust Law and the National Association of Attorneys General to provide unique training opportunities to law students interested in a career

in public service. The fellowship is a full-time summer program that places students within the consumer protection department of state attorney general offices.

Wang says he cultivated an interest in consumer protection and antitrust issues while working as a research assistant for UW Professor Peter Carstensen. "Professor Carstensen not only teaches the law, but typifies the law-in-action approach, creating reasoned, practical applications of the law to real world situations." Wang's research for Carstensen also impressed upon Wang a concern for protecting consumers through regulation of corporate practices, he says.

Wang earned his B.A. in diplomatic history from the University of Pennsylvania before coming to law school.

## There's Still Time to Sign Up for Reunions

*Don't wait until the October 7 deadline!*

Homecoming Weekend 2005 will be the background this year for the Law School's class reunions, set for October 21-22. An all-class cocktail reception followed by individual class dinners and a free CLE ethics program are set for Friday. Saturday will feature a tailgate brunch preceding the Wisconsin vs. Purdue game.

Classes with reunions this year are those ending in -0 and -5: 1955, 1960, 1965, 1970, 1975, 1980, 1985, 1990, 1995 and 2000.

It's not too late to sign up and encourage your classmates to do the same. Football tickets are still available, although they are limited in number. For more information, or to register on-line, go to [www.law.wisc.edu/alumni/reunion](http://www.law.wisc.edu/alumni/reunion).

## Students, Adjunct Professor Share Learning, Friendships on Exchange Trip to Chile

A joint learning experience for four UW law students and their professor began in spring 2005, when the Law School's exchange program with Diego Portales University in Santiago, Chile, brought adjunct professor Charles B. Schudson to Santiago to teach introduction to the legal system of the United States. Second-year students Jamie Flather, Juan Ureta, and Kristin Bohl, along with third-year student Ben Wesson, were UW law participants in the exchange. Schudson also assists Diego Portales Professor Jaime Couso with a children's rights seminar in which UW law students Flather and Bohl are enrolled.

*Continued on page 19*



UW law students and adjunct professor Charles Schudson shared an international learning experience by participating in the Law School's exchange program in Santiago, Chile, this year. From left: Jamie Flather 2L, Juan Ureta 2L, Ben Wesson 3L, Charles Schudson, and Kristin Bohl 2L.



*Chile (continued from page 18)*

"Chile is in the process of implementing new legal codes in many areas, including family and criminal law," Schudson says. For the first time in Chilean history, divorce is available. Chile was one of only three countries in the world that had not yet legalized divorce, the other two being Malta and the Philippines. The changing legal environment in Chile has contributed to the popularity of Schudson's course, with enrollment climbing from twenty students to forty-one.

This is the third time Schudson has taught law when a post-dictatorship country looked to the U.S. legal system for a model. He also taught in Russia in 1996 and Spain in 2004. "Our system, to be sure, is far from perfect," Schudson says. "Still, it embodies so many of the ideals others seek."

The UW exchange students have assisted Schudson with his class, presenting a special session in the course this semester to help aid the Chilean students' understanding of the process of legal education in the U.S. "I am tremendously impressed with our UW students here. They are excellent, conscientious students who represent our university and our country with grace, dignity, and good humor," Schudson says. "We're all very pleased with our experiences and have become good friends with each other, and with our very, very delightful Chilean hosts."

The UW Law School has conducted student exchange programs in Latin American countries for over a decade: The Diego Portales program began in 1993, and an exchange with Catholic University in Lima, Peru, began in 1996.



PHOTOS BY RUTH ROBARTS (2)

**Above: Justice Louis Butler '77 delivers the keynote address at the LEO banquet. Also speaking was special guest Randolph N. Stone '75 (right).**

## Justice Louis Butler '77 Gives LEO Keynote

The Law School's 36th annual Legal Education Opportunities (LEO) banquet in April featured a keynote speaker who already had a strong tie to LEO: Justice Louis B. Butler, Jr., an LEO alumnus and graduate of the Law School's Class of 1977.

Butler is the first African-American justice to be named to the Wisconsin Supreme Court. He exhorted his young listeners to make the most of their talents and

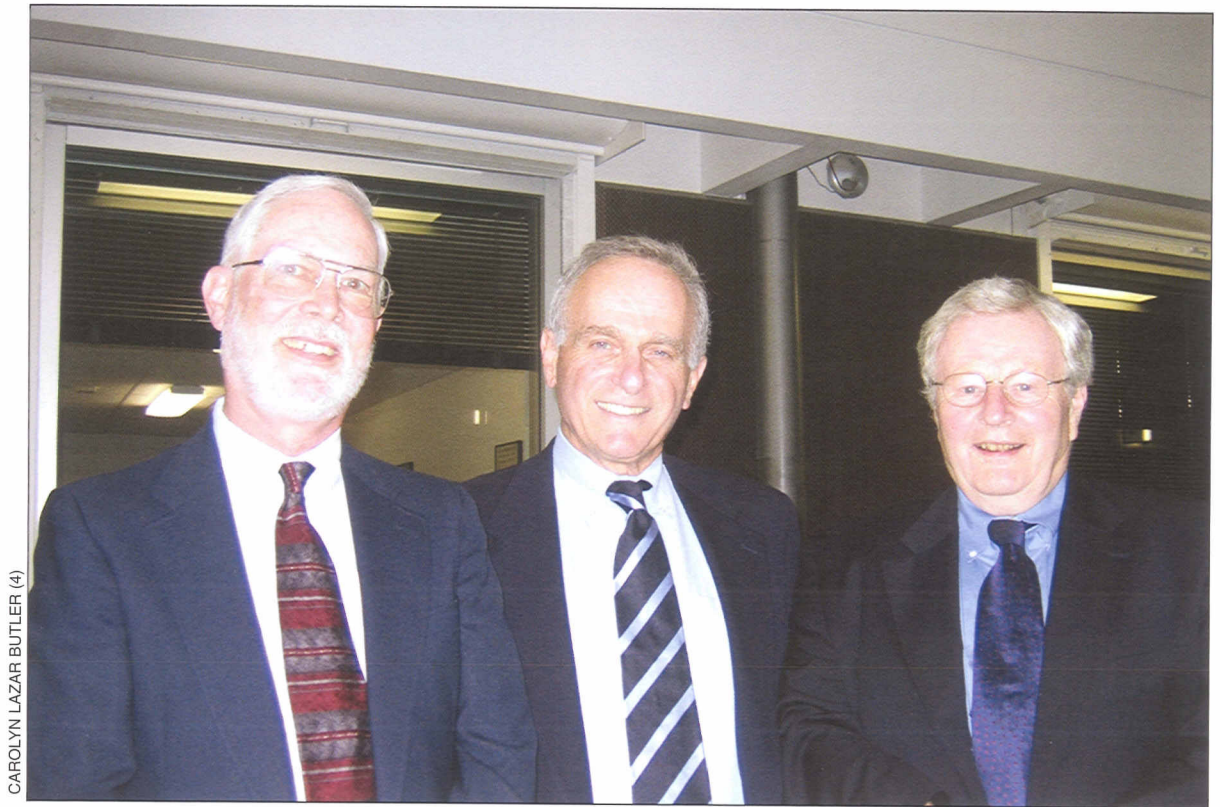


seize the opportunities to make a difference that come their way.

Special guest Randolph N. Stone '75, now a clinical professor at the University of Chicago Law School and formerly public defender in Cook County, Illinois, spoke to the group about the importance of humanitarian values in the law.

Banquet organizers this year were the hard-working students of the Black Law Students Association.





CAROLYN LAZAR BUTLER (4)

From left, Professors John Kidwell, Frank Tuerkheimer, and David Trubek were honored guests at a dinner celebrating their contributions on the eve of their retirement.

## Kidwell, Trubek, Tuerkheimer Take Emeritus Status

Reminiscence and humor are key at dinner honoring three retiring professors.

A Law School tradition was revived this June when an end-of-the-year dinner for the entire faculty and staff centered on honoring three professors who are beginning their retirement.

New retirees John Kidwell, David Trubek, and Frank Tuerkheimer each heard a close colleague speak about them and then took the microphone to respond. Reminiscence, humor, and warmth filled the library's Old Reading Room.

Dean Davis told the gathering, "We have come here to honor some people who have helped to shape this Law School over the last

few decades. They have made marvelous contributions."

First to be honored was **John Kidwell**, who stepped down as associate dean for student and academic affairs. He listened as **Kevin Kelly**, assistant dean for curricular affairs, who was a student of Kidwell's in the 1980s and has worked closely with him in administration, told the assembled group that Kidwell is the quintessential "gentleman and scholar." Kelly added, "Study is not only what he does, but who he is. He is always learning." Kelly drew laughs with a fine-tuned imitation of Kidwell's voice and a description of Kidwell's

penchant for aphorisms.

Kidwell took the floor to respond, concluding his remarks with three aphorisms, "because that is what I do." Kidwell will return in the fall to teach both Contracts and Intellectual Property, having passed his dean's cap to incoming Associate Dean **Walter Dickey**.

Professor **Stewart Macaulay** spoke about **David Trubek**, recalling that he met Dave and Louise Trubek when they were all teaching in Santiago, Chile, in 1971. "Dave has contributed so much to this Law School in the course of thirty-two years," Macaulay said. He described Trubek as an institution



builder and prolific writer, adding, “You would never describe Dave as laid-back.”

Trubek next took the microphone and thanked the Law School “for letting me do it my way.” He elaborated, “This has always been a law school that tolerated difference, both intellectually and personally. They allowed me to do what I wanted in legal education; I don’t think any other school would have let me.” Trubek, like Kidwell, will continue as a member of the Law School community, in what Dean Davis described as the Wisconsin

sense of retirement. “You *will* have me to kick around,” Trubek told the group.

Professor Emeritus **Gordon Baldwin** offered comments about **Frank Tuerkheimer**, noting that while law professors usually labor professionally outside of academia, Tuerkheimer has been exemplary in his “credentials burnished by experience in what is called the real world.” Baldwin noted Tuerkheimer’s service as a prosecutor in the Watergate hearings, as well as in the Southern District of New York and Western District of

Wisconsin. “As Frank takes emeritus status,” Baldwin said, “the wages he has earned include our praises.”

Tuerkheimer told the group that he “left the hustle and bustle of New York City for serene Madison, Wisconsin — only to arrive within a week of the Sterling Hall bombing.” He added, “Like Dave, there was nothing I taught that I could have taught that way at another law school. I was free to innovate; no one has ever suggested that there was something wrong with what I was doing.”

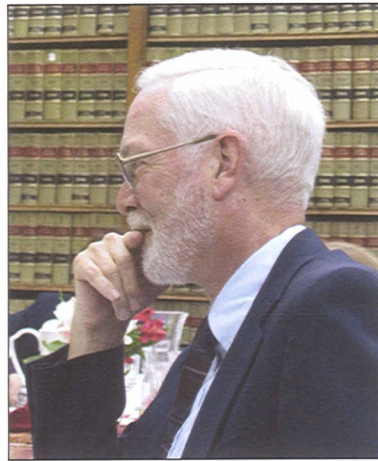


**David Trubek**, Voss Bascom Professor of Law and a senior fellow at the Center for World Affairs and the Global Economy (WAGE), joined the law faculty in 1973. He was dean of International Studies from 1990 to 2001, and director of WAGE from 2001 to 2004.

He has written extensively on international and comparative law, addressing topics such as the role of law in development, human rights, and European integration, and the impact of globalization on legal systems and social-protection programs.

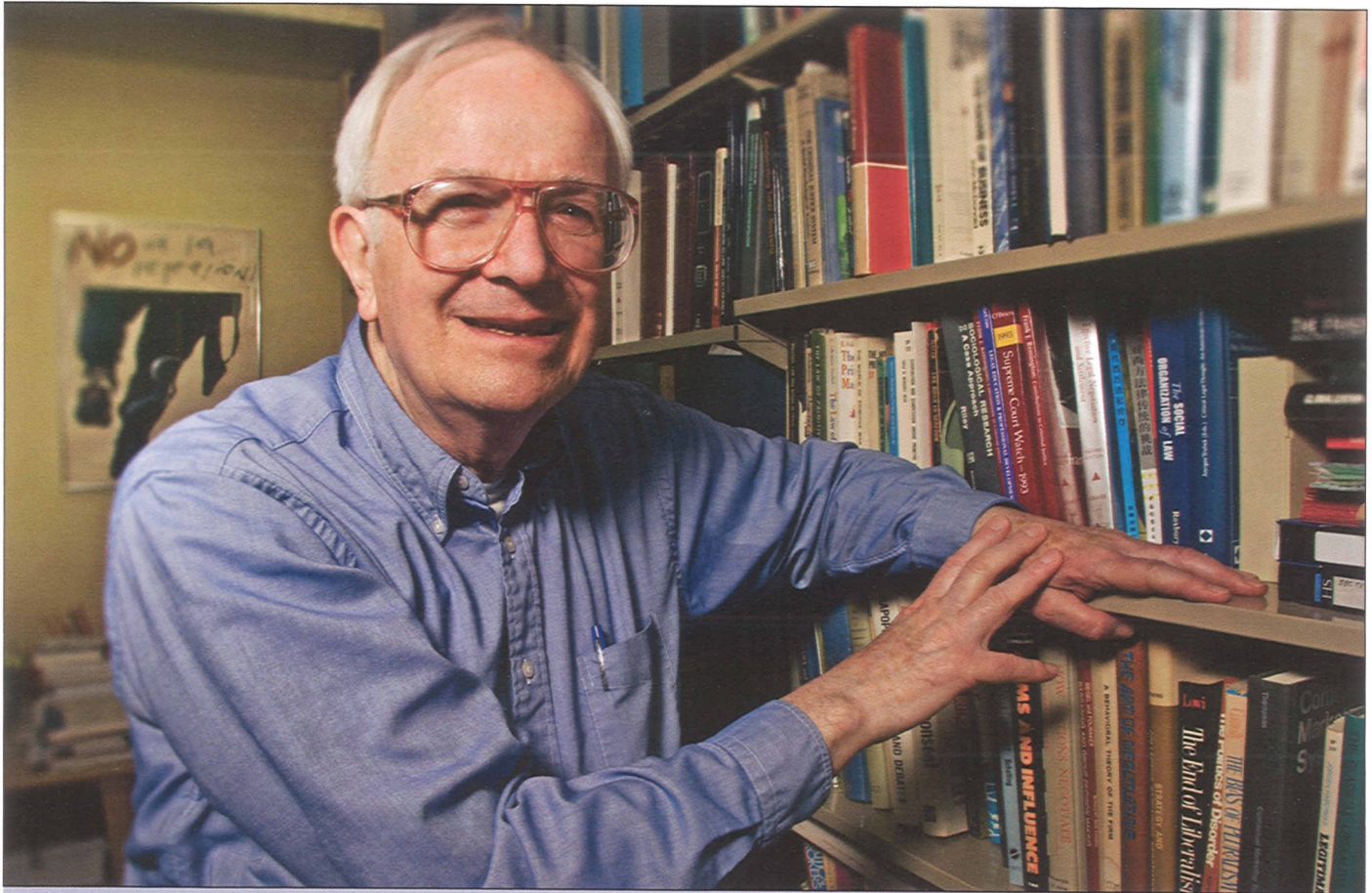


**Frank Tuerkheimer** joined the law faculty in 1970 and has taught evidence (for which he created the first electronic evidence textbook), criminal law, trial and appellate practice, and trials of the Holocaust. Since 1985 he has been of counsel to the Madison law firm of LaFollette & Sinykin, representing private clients and pursuing numerous pro bono cases. Formerly a Watergate prosecutor and U.S. Attorney for the Western District of Wisconsin, he is often called upon as a special prosecutor in disciplinary cases.



**John Kidwell** joined the law faculty in 1972 and took on the additional position of associate dean for academic affairs in 2002. His teaching specialties include contract law, remedies, copyrights, patents, and trademarks. Co-author of the casebooks *Contracts: Law in Action* and *Property: Cases and Materials*, he has published in the fields of contracts, torts, and intellectual property. He has received two awards for teaching excellence, including the WLAA Teacher of the Year Award.





# How I Got Here

“**W**hat brought you to Wisconsin and this law school?” We ask this question of students in the Student Life section, and we asked it in the Spring/Summer 2004 cover story, “Why Wisconsin?”, which profiled twelve of the Law School’s newer faculty. Now, with this article by Professor Stewart Macaulay, we begin a series of occasional features in which our long-established faculty look back at the workings of reason and chance that brought them to the

study of law, the teaching of law, and this particular law school.

Stewart Macaulay, who has taught at the Law School for almost five decades, is known internationally for his groundbreaking work with contracts and how they operate in reality as opposed to “on the books.” In the reminiscence that he shares here with *Gargoyle* readers, he tells how he came to teach at Wisconsin and write the article that brought a Law-in-Action approach and a significant new direction to the field of contract law.



*By Stewart Macaulay,  
Malcolm Pitman Sharp Hilledale  
Professor and Theodore W. Brazeau  
Bascom Professor of Law*

It is almost forty-eight years since I arrived in Madison to teach at the Law School, and Dean Davis has asked me to reflect about how I became a law professor and spent a career at this school. I hope that readers find at least parts of my story interesting and amusing. The story certainly emphasizes the role of chance and luck in how I spent my life.

Wisconsin was not an obvious choice: my late wife was born in Racine, but I was an uprooted Californian who knew very little about the state. When we moved to Madison, I thought we would stay only until someone offered me a better job. Today I don't think that there was or is a better job anywhere for me.

#### EARLY DAYS AS A SPORTS ANNOUNCER

I was born in Atlanta, Georgia, in 1931. My father was a General Motors accountant, and he had gone south to audit the Chevrolet plant in Atlanta, where he met and married my mother. We left Georgia when I was eleven months old, moved a few times, and, in 1941, settled in Sierra Madre, California, then a small town near Pasadena.

In Pasadena at that time a student took the last two years of high school and the first two years of college at the same school. After junior high, I went to John Muir Junior College for four years. I began writing a column on jazz records for the school newspaper, and then I was a sports reporter, covering the high school football team for several years for the *Pasadena Star News*.

I've always thought that my experience as a sports reporter writing

under a deadline helped me later when I had to write law exams. High school football was played on Friday night, and the *Star News* was a morning paper. I learned to start sketching my story at the beginning of the fourth quarter. I also learned that a sports story has a form or a structure. Later I looked for the form or structure to law examinations. This helped me turn them out under great time pressure.

*I've always thought that my experience as a sports reporter writing under a deadline helped me later when I had to write law exams.*

In my college freshman year at Muir, I took over the radio program *The Sports Parade*. Every Saturday I had to present a fifteen-minute program on junior college sports. I enjoyed interviewing the stars of the various teams. I never knew just what they would say, and you had to be quick to put things together and avoid words that should not be said on the radio.

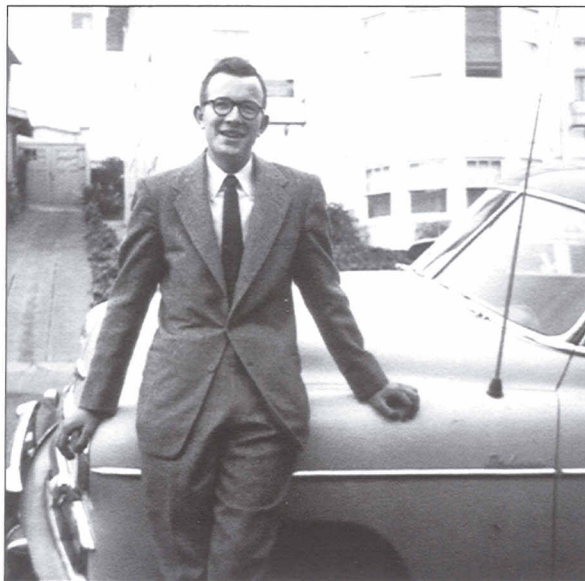
I remember trying to plan a career or at least a job. My father had always hated his job. It paid well, and he knew that he was lucky to have a good job during the Depression. Nonetheless, he did not like the politics needed to get ahead in large organizations. He continually stressed that I should look for a job that I really enjoyed. He pointed out that you spend most of your waking life at work, and he thought that it was pointless to pile up money while living an unsatisfying life.

#### WHAT DOES A LAWYER DO?

I had done well as an actor in student productions, and one of the engineers at the radio station said that anyone could see I was a natural as a radio announcer. But

being a cautious Scot, I investigated who made how much money. Obviously, a few stars could make a great deal in film or on the stage, but most actors, disc jockeys, and sports announcers made surprisingly little. I remember getting the UCLA catalog and looking at the requirements for various majors. All of them required more math and science than I wanted. The options seemed to be something such as theater at USC, film at UCLA, or, as a friend of the family suggested, law.

However, I really didn't know what lawyers did beyond what I had seen in the movies. My father tried to help. He got Sierra Madre's one lawyer to spend about forty-five minutes with me, explaining what law practice was about. Then Dad started taking me to various court proceedings and trials. I'm sure that some image of Perry Mason was floating around in my head.



Stanford law student, 1952

After Muir, I went to Stanford for my junior year. I took pre-legal curriculum, which I now know was a real waste of an opportunity. Yet I did very well, and it did serve to get me into the Stanford Law School. Stanford ran on the terror



system, and failed about one-third of its first year class. I was convinced that I would be lucky just to pass. When the grades came back, I had done well: I was third in my class.

What was I going to do with my law degree? This was the time of the post-World War II anti-Communist movement. I had dreams of working for the ACLU and defending civil liberties. I had vague ideas that I might like to go into politics. However, it was just assumed at Stanford that if you were on the *Law Review*, you would go to work for one of the large corporate law firms.

the arts and literature. She was far more sophisticated and cosmopolitan than I was, and thought that one should do something meaningful with one's life. She asked me what I really wanted to do.

As I thought about it, I realized I really enjoyed studying law and writing law review articles. I cautiously suggested to Jackie that I might like to be a law professor. She was very pleased, but she understood that at that point it seemed something far beyond reach. I liked her reaction. Pleasing Miss Ramsey at that point was one of my major goals. It was far from

the University of Chicago Law School. Both were steps toward a teaching career. Both came almost accidentally.

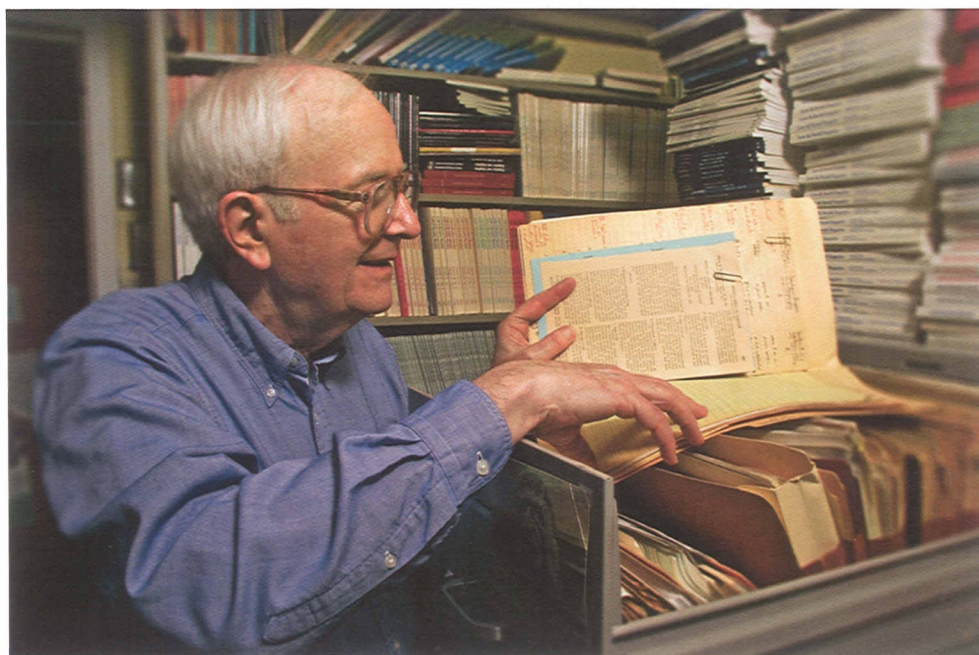
Judge Denman had selected a clerk from Berkeley as he usually did, but this young man was called into the armed forces. The judge asked whether there was anyone at Stanford. I had taken labor law from Professor Keith Mann, and I had been his research assistant for a time. Keith suggested me to the judge. After an interview, Judge Denman offered me the job. The year with Judge Denman was very valuable, and he was a wonderful role model. I worked very hard and got a lot out of the experience. The judge was eighty-four when I worked for him, and he changed my views about age.

My major task as clerk was to write what Judge Denman called a pre-hearing memo on each case that he was to hear. It was to be a draft of an opinion for the court, written his way. Each argument on each issue for both sides had to be considered.

Once I submitted a memo, he would meet with me. First, I would argue the case for the appellant, and he would challenge my analysis based on his long experience. Second, I would argue for the appellee, and he would throw my arguments back at me. We would raise our voices and get very involved. His secretaries teased me about fighting with the judge.

It was a wonderful, one-on-one postgraduate course in legal analysis. Judge Denman wrote his own opinions, often drawing passages from my memos. As the year went on, he would take more and more. Finally, several of his opinions were fairly close to what I had written, and I was delighted.

My next position, as a Bigelow Teaching Fellow and Instructor, was equally the product of chance.



Almost five decades' worth of notes, articles, and journals equip Stewart Macaulay's compact office in the Law Building.

### MAYBE A PROFESSOR?

However, I was seeing (and later married) Miss Jacqueline Ramsey. She was not impressed by just making money. Her father had been the CEO of Johnson's Wax in Racine, and he had been highly critical of much of the leadership of American business. She had gone to school in Europe and loved

clear that we were to spend forty-five years together. (About thirty years later, she became a lawyer and a litigator, but we couldn't have foreseen that in 1953.)

After graduation, I took jobs with Chief Judge William Denman of the U.S. Court of Appeals for the Ninth Circuit and as a Bigelow Teaching Fellow and Instructor at



Dean Edward Levi of Chicago had visited Stanford, looking for legal writing instructors. Keith Mann once again suggested my name. As a Bigelow Fellow, I worked for Nicholas Katzenbach, who later became an assistant attorney general and an Undersecretary of State under John Kennedy and Lyndon Johnson. Nick represented the United States government in the great confrontation with Governor George Wallace when he tried to block integration of the University of Alabama.

Judge Denman wrote his own opinions, often drawing passages from my memos. Finally, several of his opinions were fairly close to what I had written, and I was delighted.

Both Jackie and I were a little intimidated by the University of Chicago. I found myself posing as a teacher, of sorts at least, at a school where everyone but me, it seemed, had read Aristotle as well as the great books. The University of Chicago was a serious place, and it brought home to me how much I had to learn if I wanted to be a legal scholar.

### TRAVAILS OF JOB-SEEKING

My father-in-law, Jack Ramsey, had gone to the University of Wisconsin and knew Malcolm Sharp, Professor of Law at the University of Chicago, when they were both students in Madison. When Jack visited us, we reunited him with Malcolm. As a result, Malcolm took an interest in me and became another of the important mentors in my career. (When I received a research professorship from the University of Wisconsin, I named it after him.) Wilber Katz,

a former dean of the University of Chicago Law School, was a good friend of Sharp's, and Sharp asked Katz to help me get a teaching job. My name was spread around to those looking to hire.

Shortly after the New Year, the Association of American Law Schools met at the old Edgewater Beach Hotel on Lake Michigan on the North Side of Chicago. I left Jackie and baby Monica each morning for three days, and went to the hotel seeking interviews for a teaching position. It didn't go well. Schools didn't seem to want a twenty-five-year-old with limited experience. But then a chance occurrence determined my future.

On the last evening, I met Nick Katzenbach in the hall. He said that I looked like a man who could use a free drink, and told me to go to a certain room at the hotel and join the Yale cocktail party. He said to use his name. It was a measure of how tired and discouraged I was that I crashed a party.

I went to the room and, feeling out of place, got a free drink and circulated. At this point the workings of chance took over: I met Jack Ritchie, dean of the University of Wisconsin Law School. Ritchie saw my name tag, and said in his Virginia voice,



**Stewart Macaulay as a sports announcer, 1950. "This was the publicity shot for *The Sports Parade*. Of course it was staged; I didn't wear a tie when I was on the radio. Can anyone ever have been that young?"**

"Why Mr. Macaulay, I've heard a lot about you." We retired to a corner and talked. I came away from the party thinking that Ritchie and I had had a nice talk. I talked with Wilber Katz and Malcolm Sharp, and both said very good things about the UW Law School and Willard Hurst. I had never heard of the Wisconsin tradition, but my Stanford mentor, Keith Mann, had taught at Wisconsin and always had positive things to say about the place.

### VISIT TO WISCONSIN

On January 18, 1957, I received a letter inviting me to visit the UW Law School. I flew up from Midway Airport to Truax Field, and was met by Professor Bill Foster. The Law School building was very old,





At Stanford with future wife, Jacqueline Ramsey. "The Senior Prom in 1953. People tend to laugh at this."

but the campus was beautiful, and I liked the people. Jackie and I were both excited because now our dream of a teaching job at a good law school didn't seem so impossible.

On January 28, we received a telephone call from Jack Ritchie offering me a position as an assistant professor. We, and it was we, accepted the Madison offer. Dean Ritchie assigned me courses in contracts, restitution, and legal writing. I was on the way to becoming a professor.

That summer in Chicago, before we moved to Madison, another chance occurrence had a significant impact on my career. Nick Katzenbach was teaching contracts during the summer quarter at Chicago. Grant Gilmore, Yale's great commercial-law expert, was teaching commercial law.

I sat in on Nick's class and took lots of notes because I had been assigned to teach contracts at Wisconsin. Nick was teaching out of the Kessler and Sharp casebook, which, for its day, was the radical philosophical book. After class, Nick and Grant would have coffee and talk contracts and commercial

law. I would tag along and steal and borrow ideas so that I would have something to teach when I got to Madison.

### THE UNDERSTUDY GOES ON

After a few weeks, Nick caught the flu. He called me and said that the understudy was going on tomorrow morning. It

seemed like the plot of *A Star Is Born*, but I had to perform and gain the applause to complete the plot. I worked around the clock. These were University of Chicago students, and what did I know?

I was extremely overprepared for class, and, while a star wasn't born, it seemed to go well. Nick was out for about ten days, and I got basic training in law school teaching. A month or so later I would be very thankful that I had had a chance to teach a few classes before I had to perform at Madison.

At Wisconsin I began teaching contracts and restitution, while Henry Manne and I supervised legal writing. I had a real case of the impostor syndrome. I was twenty-six and teaching people who weren't that much younger than I was, if they weren't older. I always felt as if I were just a step ahead of the class.

The three older professors on the contracts staff were a great help: Bob Bunn had been part of the American Law Institute effort that produced the Uniform Commercial Code; Bill Rice had been a pioneer in labor law and

international law; and Bob Skilton had done empirical studies in commercial law.

The restitution class was another story. It filled gaps in all the other common law courses, and so I had to run around the curriculum, trying to remember or learn how the restitutionary part fit into the substantive part. There was no one person on the faculty I could turn to. Moreover, the results in the cases didn't fit together.

I was asked to review a new casebook in restitution, and I used it as the opportunity to develop an analysis that I had been working on for class. The *Virginia Law Review* liked my "Restitution in Context," and it published it as a lead article instead of a review. I later reworked and refined that analysis for my articles on the contracts decisions of Justice Roger Traynor and my empirical study of the attempts of credit card issuers to impose liability on cardholders in the name of choice. Duncan Kennedy cited this analysis in one of his articles that drew a great deal of attention. He always scolded me for burying it in an article on credit cards.

### LEARNING ABOUT CONTRACTS

I spent a great deal of time reading the greats in contracts — Fuller, Llewellyn, Patterson, Havighurst, Sharp, and others. Trained as a law student and not as a future professor, I had never read this material. I pored over these articles, annotating them and often outlining them in detail.

Not long after I arrived at the Law School, I had my first lunch with Willard Hurst. He asked about my research interests, made many suggestions for reading, and urged me to establish a plan for my first ten years. Hurst also read drafts of what I had written. He



did this with most of the beginning faculty. We would get back three-to-five-page, single-spaced comments, typed on his old typewriter. Others on the faculty also were willing to read drafts and offer comments.

In the late 1950s and early '60s, another stroke of chance led to the article that became the foundation of my career: my father-in-law, Jack Ramsey, the retired General Manager of S.C. Johnson and Son in Racine, asked me to explain my contracts course.

Jack found it hard to believe what I told him about the Fuller textbook. He thought that much of it rested on a picture of the business world that was so distorted that it was silly. The problem was not Fuller's scholarship but the generally held academic picture of contract at that time. Jack arranged appointments with several of his friends who also managed large and medium-sized corporations. I did not know it at the outset, but I had started down a road that I am still traveling.

I was confused and slightly threatened by this dissonance. I lacked experience in the practice of law and the conduct of business. I also lacked an education in the

areas that might help me deal with the gap between what I was teaching and what I had begun to learn from conversations in Racine.

Fortunately, I was teaching at the UW Law School, with its Law-in-Action tradition. My senior colleagues were studying such topics as police practices and how various laws played out in dealing with natural resources. Willard Hurst had received several foundation grants to help develop the social study of law. If Willard approved, a young law professor received a research leave and some help in beginning a process of self-education in matters not taught in law schools.

I began a period of intense reading. When I read Bronislaw Malinowski's *Crime and Custom in Savage Society*, I was reassured that I had found something in my interviews with business people that was not then stressed in legal culture. I was delighted to draw analogies between the behavior of Trobriand Islanders — Malinowski's "savages" — and American business executives.

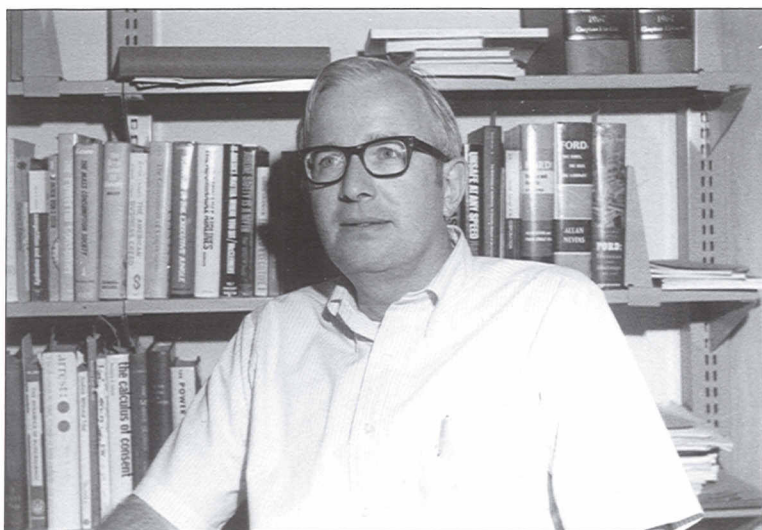
I followed Malinowski's analysis of long-term continuing relations as I interviewed business

people. My interviews and reading prompted my paper, "Non-Contractual Relations in Business: A Preliminary Study," published in the *American Sociological Review* in 1963.<sup>1</sup>

The article has had a long shelf life. In a survey of articles by law professors, it was the fifteenth most-cited article of all time. It has been translated into many languages, and it has been replicated by European and Asian scholars who reach much the same conclusions. The study served to make me a law and society scholar as well as a student of contract law.

I have had wonderful mentors who helped a beginner, and wonderful colleagues and friends who have made my job something to enjoy. I wish I had space here to name them all. I can't even estimate how many students have taken my classes, and today's students often tell me something such as, "My father had your class in 1962." I hope that I've made some contribution to my former students' lives. They have certainly taught me much and made a real contribution to mine.

<sup>1</sup> S. Macaulay, "Non-Contractual Relations in Business: A Preliminary Study" (1963) 28 *American Sociological Review* 55. I reconsidered this article at a conference marking its twenty-first birthday. See S. Macaulay, "An Empirical View of Contract," 1985 *Wisconsin Law Review* 465.



"The silver fox." UW Law School professor, 1969–70.





**An Interview  
with Professor**

# ALTA CHARO

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**By Nicole Resnick**  
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Bioethics and Law Professor Alta Charo before a backdrop  
of stem cells as they differentiate into specialized cells.

Photo by Zane Williams



**I**f life were like “Star Trek,” Alta Charo’s job might not be so challenging. The way Charo sees it, “Star Trek” epitomizes a world inhabited by “techno-optimists,” or those, like herself, who think of technology and science as making society more interesting, more creative, and, most of all, a better place.

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Yet in real life there’s a fundamental divide, and techno-optimists intermingle with “techno-pessimists” — those who shy away from and are wary of scientific advancement. The constant tension between these two groups provides the energy that fuels Charo’s work. The resulting conflict is what gives Charo the opportunity to make such an impact and ultimately influence the way that science is conducted in today’s society.

We’re talking about the most controversial and high tech science — embryo research, cloning, stem cells — and Charo thinks, discusses, and writes about these issues on a daily basis. She is not a white-coated scientist growing cells in a laboratory. Nor is she a patient desperately advocating for the continuation of such research in the hopes of benefiting from a cure. Nor is she an elected politician trying to convince constituents of the need to restrict or regulate scientific and medical progress.

Rather, Charo is a world-renowned bioethicist — a role that often puts her at the epicenter of conflict between vastly different interest groups. She is a faculty member of both the law and medical schools at the University of Wisconsin, where she is the Elizabeth S. Wilson-Bascom Professor of Law and Bioethics as well as associate dean for research and faculty development at the law school. Her knowledge base in dual disciplines translates into an impressive grasp of the legal and scientific issues that are the essence of today’s bioethical dilemmas.

That is why Charo is often called upon to dissect and analyze the controversy, and then advise national leaders and consult with other international experts in developing workable guidelines.

Not your average job, but then again, Charo is far from your average person. Most people who hear her speak about bioethics walk away impressed. She exudes energy, passion, intelligence, and humor. Most of all, she moves her listeners to think, consider, and perhaps even react. And that is how Charo best accomplishes her goal.

Carl Gulbrandsen, managing director of the Wisconsin Alumni Research Foundation (WARF), said it best when he introduced Charo as the keynote speaker at a Bioethics Symposium last spring. “She’s a gifted speaker, and she speaks very fast — so you’d better listen fast!”

While it can be a challenge to keep up with Charo, most audience members try their hardest. Because whether or not you agree with her views about issues as loaded as stem cell research, therapeutic cloning, and the government’s role in regulating morality, you have to agree she makes a compelling argument.

Norman Fost, a professor of pediatrics and the history of medicine at UW–Madison and director of the program in medical ethics, has been a valued friend and colleague of Charo’s since she joined the UW faculty in 1989. “I remember when I first met her — I had the same reaction as



**H**er knowledge base in dual disciplines translates into an impressive grasp of the legal and scientific issues that are the essence of today's bioethical dilemmas.

everyone else," he says. "She's just a remarkable person. She combines extraordinary intellect and creativity, humor, wit, and insight that make you want to be around her. She has this effect on everyone." Quite complimentary, especially given that Charo considers Fost to be one of the most influential mentors in her own rise to prominence.

### From the Beltline to the Beltway—And Back

A crowning achievement in Charo's long list of career accomplishments was her participation as a member of the U.S. National Bioethics Advisory Commission under the Clinton administration. She had been serving on the National Institutes of Health Human Embryo Research Panel in the mid-1990s, where she helped develop guidelines for the proper use of discarded embryos for scientific research. Charo's name rose to the top when in 1996 President Clinton decided to appoint a bioethics commission. Over the course of five years the commission ultimately drafted six different reports on topics that included cloning, stem cell research, research involving human participants, and

international policy regarding clinical trials in developing countries. Charo recalls that as an overwhelming phase in her life, marked by constant travel between her UW faculty office and the commission's headquarters in Washington.

The pressure reached a frenzy level in early 1997 when the news broke that Scottish scientist Ian Wilmut had created a sheep named Dolly through the process of cloning. Within days of the official announcement, President Clinton instituted a ban on federal funding related to attempts to clone human beings using this new technique. He then asked the recently appointed commission to address the ethical and legal issues that surrounded the subject of cloning human beings. Their deadline? Ninety days.

Kathi Hanna, a science and health policy consultant in the Washington area who served as the commission's research director and principal writer, remembers the stress they all felt. She frankly describes that time as being "pretty hellish," yet she cannot say enough about the role that Charo played in drafting that particular report. "Alta was extremely helpful. She ended up doing a lot of the writing and editing, and she worked with me at all times — over weekends and late at

night, or whenever I called on her to help."

Beyond the time commitment, her intellectual contribution was notable. "The clarity of her thinking is amazing," says Hanna. "And she's also very innovative — she thinks of things in a way that no one else does, and she's not afraid to be wrong. Alta is very courageous in terms of throwing things out there, and



Charo's name rose to the top when in 1996 President Clinton decided to appoint a U.S. National Bioethics Advisory Commission.



**The pressure reached a frenzy level in early 1997 when the news broke that Scottish scientist Ian Wilmut had created a sheep named Dolly through the process of cloning.**

we've always appreciated that."

In the end, the panel voted for a three-year moratorium on any effort to use cloning to conceive a child — or reproductive cloning. While Charo makes it clear that she has never voted to ban or even place a moratorium on basic science research that uses cloning, in this case the issue

was about reproductive cloning,

and she firmly believed that at that time the science and technology was manifestly unsafe for humans.

Despite the rigorous demands and the controversy associated with that particular report, Charo says if given the chance to do it again, she would — "in a heartbeat." That is no surprise considering how these are precisely the challenges that energize and exhilarate her. Not to mention the reward of knowing that what she helped to create had a critical and favorable impact on scientists, legislators, and the future of cloning research.

"The vast majority of government committees produce nothing but reports that sit on shelves collecting dust. But every once in a while your work will rise against the general noise level and help crystallize a public debate," says Charo. "Our cloning report is an example of that. At the time, this topic [cloning] was all over the news — there were calls for immediate criminal penalties and bills introduced into legislature within weeks of the announcement.

"We produced a report that was calming, sobering, and returned public discussion to facts rather than fantasy," she continues. "It served to slow down and stop lots of energy on Capitol Hill for draconian criminal measures. It gave the president room to submit a bill



**Doing a presentation on new reproductive technologies with Vice President Al Gore.**

to Congress that would ask for a moratorium, not a ban, on any effort to do human cloning research until the science was better understood. Yet it provided protection for scientific research, and although the bill didn't pass, we helped enormously to stop what appeared to be an unstoppable train."

## **Enter Stem Cells**

While issues surrounding embryo research and human cloning were keeping bioethicists busy, things only got hotter when it was announced in 1998 that embryonic stem cells had for the first time been grown in a laboratory. The promise of stem cell technology provided more fuel for politicians butting heads, pro-lifers and pro-choice supporters, and especially advocates for what until then had remained the most elusive medical cures. The world was crying out for rational and informed minds to sort through the mess.

How fortuitous that the UW–Madison laboratory of James Thomson — the place where it all began — is only a short walk across campus from Charo's faculty office. Thomson, a UW professor of anatomy, was the



**I was extremely fortunate that Alta Charo happened to be on this campus when I decided to attempt to derive human embryonic stem cells, says pioneering researcher James Thomson.**

first to successfully coax these cells to grow in a petri dish, and in doing so opened the door to using stem cells as powerful tools in the development of treatments for a wide variety of devastating diseases.

It is also fortunate that Thomson was as sensitive to the intellectual issues tied to his research as he was to the biological needs of these magnificent cells. "Jamie understood the explosiveness of this discovery and all the ethical issues, and he spoke with Alta and myself long before beginning the research and submitting his protocol to the IRB [Institutional Regulatory Board]," says Norm Fost. "He completely predicted the issues that would arise."

Charo and Fost, working with the UW Bioethics Advisory Committee, participated in the rather momentous decision of whether to let the groundbreaking research move ahead and under what conditions. "The UW was way ahead of the pack in developing the guidelines, and Alta was essential to all this," says Fost. "As part of Clinton's committee on embryo research, she had a deep understanding of the issues; she had been through these discussions, so she was that much more valuable."

Thomson couldn't agree more. "I was extremely fortunate that Alta Charo happened to be on this campus when I decided to attempt to derive human embryonic stem cells," he says. "Alta made herself available early in the process when I was just considering this line of

research, and it certainly increased my comfort level that I was not doing this in an ethical vacuum."

Once the code behind the science of growing and manipulating stem cells was cracked, the ensuing controversy — now highly emotional and political — stole the limelight. The 2004 presidential election was marked by the stem cell debate as a hot-button topic. In state elections in California that same day, voters passed Proposition 71 to provide \$3 billion in state taxpayer money for stem cell research. The vote unleashed a competition among states to support and retain stem cell research.

Charo acknowledges that California's Proposition 71 represents a challenge for the state of Wisconsin. "In a field characterized by an absence of federal funding and the presence of political controversy, California provides a nearly unique combination of political and state government funding," she says. Yet she is encouraged by a new initiative announced by Wisconsin Governor Jim Doyle last November, just two weeks after California passed its groundbreaking legislation.

State and private dollars will be used to build a \$375 million research facility on the UW campus — the Wisconsin Institute for Discovery — specifically for the purpose of centralizing stem cell and other research aimed at curing diseases such as Alzheimer's, Parkinson's, and diabetes. Construction of the institute

is slated to begin this year and will proceed in three phases over the course of a decade.

"Governor Doyle's initiative goes a long way toward keeping Wisconsin competitive," says Charo, "but there's no doubt that California is now a force to be respected."

But competing forces only inspire Charo.



**Meet the colleagues:** The UW's bioethics team is made up of (standing from left) Director Norman Fost, Alan Weisbard, Pilar Ossorio, and Dan Hausman. Sitting from left: Charo, Linda Hogle, and Rob Streiffer.



**While doing volunteer work with the Sierra Club in Boston, Charo witnessed how a law degree could be more valuable than a degree in biology if she pursued a career in environmental activism.**

With every opportunity to enlighten the public, provide her expertise on bioethics panels, and champion the positive potential of stem cells, she sends a passionate message. She views stem cell research as the true ticket to developing therapies for a wide range of debilitating illnesses that include Parkinson's disease, juvenile diabetes, spinal cord injury, and heart disease. She is deeply troubled about the prevailing political attitudes and legislative obstacles that may stand in the way of advancing science, and ultimately medical cures. The "criminalization" of state-by-state legislation that now makes it illegal to conduct stem cell research is an issue about which she lectures frequently.

It is not only stem cell research, but also the combination of stem cell and cloning technologies that Charo advocates if effective medical therapies are ever to be developed. To illustrate this, Charo uses breast cancer, or more specifically, the way in which scientists can elucidate how breast cancer often develops from a single gene mutation called BRCA 1. First, scientists must utilize the technique called therapeutic cloning to clone embryos that carry this particular genetic mutation. A single cell taken from a breast cancer patient carrying the BRCA 1 mutation is inserted into an egg whose nucleus has been removed. The egg will begin to develop into an embryo whose cells all contain that exact same DNA and thus carry the mutation of interest.

Once the embryo has divided to about 100 cells in size, scientists remove the stem cells and use stem cell technology to manipulate them into becoming breast tissue. With a uniform supply of breast cells — all containing the BRCA 1 mutation — researchers can carefully observe how, when, and why these cells derail from the normal process of breast cell development and instead turn cancerous. With the power to investigate breast cancer genetics in this fashion scientists hope to eventually figure out the best way to halt the process.

"That's why we want to do cloning," says Charo. "Not to make babies, but to make tissue, and to uncover the secrets of genetic disease."



**Talking head:** Charo's wide-ranging expertise and ability to explain science to a general audience make her a media favorite.

## Up from Flatbush

Charo's rise to prominence in her field is only enhanced by the story behind her family's humble start in this country. As liberal, nonreligious Jews with an inherent appreciation of political and religious freedom, Charo's immigrant parents instilled in their daughter a spark to make a difference.

Her father was from a Polish town near the Russian border. Her mother's family fled Russia near the border of Finland. "My parents came here because it was infinitely better than where they came from," Charo says. "Something about their experiences gave me the impression that my job was to keep improving this place and to do something that is bigger than yourself."

While they may have been new to America, Charo describes her parents as being very progressive and "science-oriented." Charo also was influenced by the era in which she was growing up, the 1960s and 1970s, which she calls the "age of science and progress." Yet she also recalls a childhood that was far from easy. She, her parents, and her two older brothers shared a cramped three-room apartment in the Flatbush section of Brooklyn. During times when her father's TV repair business was struggling, Charo's mother supported the entire family on her salary as a middle and high school math teacher in the public



**Charo touts the university culture—specifically the highly interdisciplinary nature of the UW law and medical schools—as helping her keep up with the ever-changing medical technology and ethical views regarding scientific advancement.**



**Above top: Charo earned her bachelor's degree in biology at Harvard University. Above bottom: Charo took every course available that combined law and science at Columbia University School of Law.**

schools. Charo remembers going through a rebellious stage, and her insatiable intellectual curiosity moved her to try out various religious sects the way most teens during that time were exploring the effects of certain mind-altering chemicals.

Charo was brilliant. Her excellent grades and insuppressible intelligence landed her a full scholarship to Harvard University. There she earned her bachelor's degree in biology with an emphasis on behavioral ecology and evolutionary theory. She planned to

apply to graduate school to continue these studies after graduating from Harvard in 1979 but then questioned her decision as friends urged her to consider law school. They thought law school might better fit her personality, and they knew she hoped to pursue a career in environmental activism. Moreover, while doing volunteer work with the Sierra Club in Boston, Charo witnessed how a law degree could be more valuable than a degree in biology if she pursued that field.

In the end, she took entry tests for both law and graduate school; her test results provided the answer she was looking for. "My GRE score in biology was

respectable but not stellar; my LSAT score was nearly off the charts," she recalls. "I guess that told me something about my strengths and weaknesses, so I chose to apply to law school."

Interestingly, all three Charo siblings rose to their full potential (there's something to be said about good genes), and applied their early respect and passion for science toward impressive careers. One brother is currently a medical researcher at the University of California at San Francisco, while her other brother is an engineer and works on satellite-surveillance projects for the National Academy of Sciences.

While earning her law degree from the Columbia University School of Law, Charo took every course available that combined law and science. After graduating in 1982, she was hired as a legal analyst for the now defunct Office of Technology Assessment, a federal agency responsible for reporting to Congress on issues of science and technology. This was followed by a short stint with the Agency for International Development, further whetting her appetite for the growing field of bioethics. Charo then began searching for a job in academia, and says she was surprised when the University of Wisconsin offered her a joint appointment in the law and medical schools. Finally, she was on a path that seemed more likely to provide her the opportunity to do something bigger and better. "The bioethics field is not just about the single conflict over whether you tell someone about your patient's genetic illness," she says. "Rather, it's about trying to figure out a way to manage scientific and medical advances in a fashion that improves the world."

### **A Symbiotic Relationship**

With 15 years of teaching behind her, Charo is still going strong. Her involvement with various national commissions and international advisory panels means that jet lag is a constant challenge. One of her most important commitments is serving on the National Academy of Sciences' Board of Life Sciences, where she is working to develop national voluntary guidelines for stem cell research. Then there are all the responsibilities Charo tackles as a member of the UW faculty. She has been a member of the UW Hospital



clinical ethics committee, the university's Institutional Review Board for the protection of human subjects in medical research, and the university's Bioethics Advisory Committee. Charo currently serves on the advisory boards of the Wisconsin Stem Cell Research Program and the WiCell Research Institute — a private organization created to provide human embryonic stem cells to academic scientists for research purposes. Her appointment in 2002 as the law school's associate dean for research and faculty development requires more administrative duties than she would prefer, yet she continues to teach, learn, listen, and think about the most cutting edge bioethical issues.

"She has an enormous energy level, like the Energizer Bunny. She just never seems to say no to anything," says Fost. "She's in the upper one percentile of UW members involved in everything — outreach, public policy, federal policy — where she brings her academic work to both the community and policy-making."

Despite the demands, Charo continues to be a dynamic teacher and lecturer, Fost notes. "This is because she combines a very deep understanding of biological issues — she understands the science, yet she combines that with the nuances and understanding of the law, ethics, and politics to better illuminate these complex issues."

Charo's commitment to the UW is balanced by the less tangible benefits she gains by being part of the UW faculty community. When asked how she successfully assimilates and keeps up to speed with the ever-changing medical technology and ethical moods and views regarding scientific advancement, Charo touts the university culture — specifically the highly interdisciplinary nature of the UW law and medical schools.

"People here don't exist in a silo," she says. "I hear from others and spend much of my time attending scientific talks, working on committees, and collaborating on papers with medical and science colleagues. The result is that I'm constantly exposed to the substantive content of science — I get to read, listen, and speak to people about stuff not even published yet — so I'm acutely aware of what's really happening."

"One half of my life is spent with people keeping me immersed in the truthseeking and the modesty that is science — and I listen to them and keep in mind the realistic time frame of scientific discovery," she continues. "Then I go back to the law school and hear about the economics, the policymaking, and this gives me a much better ability to estimate what is really going to be happening next. Also, there is a great emphasis on service here, and this further exposes me to the politics of what's really happening. So, it all

comes together: science, law, economics, and politics — and I see myself collecting all of this."

It also helps that Charo is an avid collector of news, which she picks up every day, usually first thing in the morning, from the Internet, the vehicle of choice that feeds her insatiable need for information. She runs an informal bioethics news service for herself and colleagues and scans every bioethics story that has any connection to what she studies. This includes reading all the major international English newspapers, as well as a smattering of French and Spanish journals.

"I provide a clipping service to others, but I have to read it all anyway," she says. "It's what keeps me up to speed, and it just makes it that much easier to be able to see a little further down the road."

Pairing her gift of teaching bioethics and her undisputed obsession with "Star Trek," Charo makes no secret of her dream to create what she says could one day be this country's most oversubscribed undergraduate course in bioethics. She calls it "Bioethics Trek" and describes it as an exploration of current and future bioethics topics through the narrative lens of illustrative "Star Trek" episodes. These topics include notions of personal identity, illness and health, reproduction, medical research, resource allocation, death and dying, overpopulation, bioterrorism, and immortality.

"Some of these issues and questions are incredibly difficult to discuss and teach," she says, "but by using these 'Star Trek' episodes as a way to broach these subjects, it can be very liberating."

Charo has figured out a way to apply her technoptimist view of the world to her method of teaching. While it may help her students to more freely debate the thorny issues intrinsic to the study of bioethics, Charo shouldn't strive to make her field any more black-and-white. For then, the intellectual challenge wouldn't be quite so great, and Charo might not have the chance to shine quite so brightly.

*Nicole Resnick has a Ph.D. in molecular biology and was a researcher for many years. She is now a journalist specializing in articles about science, health, and medical research. Like Charo, she was born in Brooklyn—and also like Charo, she has learned to love life in the Midwest.*



UW Law alumnus funds position in  
C O N S U M E R   C L I N I C  
from proceeds of class-action case.

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# Count the Winners

It was a great year for the Consumer Law Litigation Clinic. A generous donation by a Law School alumnus who had funds to distribute from a consumer class-action case provided a two-year position for an attorney to assist Clinic Director **Steve Meili**.

Meili could not be more delighted, both with the financial gift and with the excellent work of his new associate, attorney **Sarah Mervine**, a graduate of Northwestern Law School with experience in public interest law. The donor, a California attorney who wishes to remain anonymous, is equally pleased with what might be called a win-win-win situation for all three attorneys involved.

"Sarah has been phenomenal in the job, in two major ways," Meili says. "She is an extremely talented attorney, which didn't surprise me, given her academic record and her previous work experience. The extra bonus is how naturally she's taken to the role of clinical supervisor. She has an intuitive

*That's a delicate balance, something most clinicians take years to master, and she's achieved it right off the bat.*

sense for the balance between giving students enough direction so that they're not floundering, and yet allowing them enough freedom so that they feel ownership of their case. That's a delicate balance, something most clinicians take years to master, and she's achieved it right off the bat."

Mervine, who earned her undergraduate degree in political science from Duke University, was doing public-policy work at a small nonprofit agency in Chicago when she realized how helpful a law degree would be. As a Northwestern law student, she worked on wrongful conviction cases and at the Cabrini Green Legal Aid Clinic. After graduating in 2000 and passing the Illinois bar exam, she clerked for Federal Judge

Rebecca R. Pallmeyer of the Northern District of Illinois, and then received a highly esteemed Skadden Fellowship for a two-year project in public interest law.

For her Skadden project, based at the Legal Assistance Foundation of Metropolitan Chicago, she worked to enforce the rights of public-housing residents throughout a major relocation project, and after her fellowship years, the foundation hired her as a staff attorney. "I did a project there with senior citizens," Mervine says. "That's where I got my first experience with consumer scams."

*The beauty of it is the direct link between this donor's generosity and an expansion of the clinic's mission.*

Bringing Mervine on board has had a measurable effect on the clinic's ability to serve its students and clients. "This is the first position in the Consumer Law





Consumer Law Litigation Clinic Director Steve Meili and Supervising Attorney Sarah Mervine have been delighted at the number of students they can teach and clients they can serve with funding for Mervine's two-year position, a surprise donation by an alumnus who had funds to distribute after he won a large class-action suit.

Litigation Clinic that has been fully funded by a direct alumni contribution," Meili says. "The beauty of it is the direct link between this donor's generosity and an expansion of the clinic's mission: because we were able to hire Sarah, we've been able to train and supervise more students and, in turn, to serve more low-income clients in Dane County and throughout Wisconsin."

Meili emphasizes that another important alumni contribution was responsible for the very existence of the clinic. When the clinic was founded in 1991, it was part of the Center for Public Representation. William Shernoff '62 made a five-year donation, part of which was designated to create a consumer

*When I had this money come in, I thought I would really like to do something good for Wisconsin. I wouldn't have been able to do this if I hadn't received a great legal education.*

clinic. "There wouldn't be a Consumer Clinic here if it hadn't been for Bill Shernoff's starting it off," Meili says.

The source of the funds that created Mervine's position is a story in itself. The Law School alumnus who contacted Meili with the unexpected news that a check was

in the mail was glad to talk with the *Gargoyle* but asked that his name not be used.

The donor was working in California as an in-house consultant for a computer company when one of its employees approached him and asked for help. She had cosigned on a loan for her daughter's boyfriend to buy a truck, and when the couple broke up, the boyfriend left town, abandoned the truck in her driveway, and stopped repaying the loan. She was worried that she would lose her house if she had to take over the payments.

"I agreed to negotiate something with the bank," the donor recalls, "but when I called them, they wouldn't budge. So I thought I would do a little research."



When he discovered that the bank was not complying with the law on repossessing vehicles, the donor says, "I decided we would fight." He took the case through trial and appeal, and eventually won a large settlement. "We recovered millions for consumers who had paid the deficiency claim," he says.

*The idea of contributing to the consumer clinic made sense, the donor says, because the funds were the result of a consumer case.*

When it came time to distribute the settlement money, many of the would-be recipients could not be located. "It was a ten-year-old case," the donor says. "People had disappeared, died, or gone back home. So I ended up with a pot of unclaimed money."

In addition to distributing the money to legal-aid societies in California, the donor thought of the UW Law School. "When I had this money come in, I thought I would really like to do something good for Wisconsin," he says. "I wouldn't have been able to do this if I hadn't received a great legal education."

Because Wisconsin was not his home state, he felt he had a special debt to repay. "I realized that as an out-of-state student, I was still subsidized by the state of Wisconsin," he says. "I wanted to balance the account."

His decision was clinched when he contacted a professor of consumer law in California, mentioning his interest in contributing

to Wisconsin's Consumer Clinic. The response: the "UW's got a great program going."

The idea of contributing to the consumer clinic made sense, the donor says, because the funds were the result of a consumer case. "If I can help the UW Law School create consumer-sensitive attorneys," he says, "this will be a very appropriate use of the money."

\*\*\*\*\*

Although the donor was not acquainted previously with Meili and Mervine, their joint project has brought them into contact, resulting in a mutual respect. In separate conversations, Mervine and Meili referred to the donor as "a great guy," while the donor comments, "I've been impressed with Steve. He and Wisconsin are high on my list. And Sarah is a wonderful choice. I think she's had a great year."

Mervine echoes his assessment. "It's a great job," she says. "I love consumer law, and I love working with the students. It's the best of both worlds: you get re-energized every day by working with students, teaching them things about compassion, ethics, and good lawyering skills, and you send this network into the world with a sense of right and wrong, and a knowledge of how to treat a client, and how to treat opposing counsel."

In the fall semester, Mervine joined Meili to teach the Consumer Law Seminar held in conjunction with the clinic, which they both supervise. "The first semester, you teach," Mervine says. "Then by the second semester, you are sitting back and listening to the brilliance that comes out of your

students, watching them explain things to clients they've been working with. It's fun to watch students become the lawyer in a case that wouldn't have a lawyer if we weren't there."

Mervine is now midway through the two-year fellowship created by the donation. "I am hoping that we can keep her on," Meili says, "because she has become a tremendous asset to the Consumer Clinic. Unfortunately, that will be impossible without additional outside funding."

Meili adds, "The gift from this donor has helped us in so many ways. It has enabled us to take on some cases that we simply would not have been able to accept otherwise. This has had an impact on the individuals involved and also on consumer law in Wisconsin generally."

*The first semester, you teach. Then by the second semester, you are sitting back and listening to the brilliance that comes out of your students.*

Cases that Mervine worked on with students involved predatory loans, unfair debt-collection practices, mandatory arbitration clauses in credit-card contracts, telecommunications law pertaining to harassing phone calls, and bad-faith insurance-claim denials.

"It's a great learning experience for the students," Mervine says, "and at the same time, we're doing significant work on behalf of Wisconsin consumers."





Allan and Deborah Schneider

## Allan Schneider '53: A talent for analysis and a sister who read the want ads.

fifteen with a paper route.

As an undergraduate at UW-Madison, he majored in business administration and

accounting. He found that he did not enjoy accounting, but he received an A in business law. Reluctantly, he took his father's advice and applied to law school.

"I found I just loved it," he recalls. "I could hardly wait to brief my cases and analyze them." His grades were excellent, and he was chosen for *Law Review*. After graduation, he practiced in Minneapolis for about a year, but his low salary did not pay the bills.

*I could hardly wait to brief my cases and analyze them.*

As it turned out, that seemingly unfortunate situation was a fortunate one. His sister, steadily reading the Twin Cities want ads on his behalf, spotted an advertisement for a company seeking lawyers who were good at analyzing cases. The employer was West Publishing Company in St. Paul.

"The editor there was very impressed with my record," Schneider remembers. "The UW had a very good reputation — even back then — and I easily passed the Minnesota bar exam, thanks to my good education at the university."

His starting salary was an impressive \$375 a month. "They were anxious to get me," he says, "and it turned out to be a type of

work I really enjoyed. As they say, the rest is history. I worked there forty-one years."

At West, Schneider excelled at the work that required the most analytical ability: classification. He had exceptional skill in analyzing a point of law and putting it in the right category in the West's Digest system. His work was valued by the editor-in-chief, and his salary rose accordingly. Another contribution to his improving financial situation was West's policy of giving key employees the opportunity to buy stock in the company. "That's how I really benefitted," he says.

The returns from that investment have found their way to several organizations that the Schneiders want to thank, with the Law School high on the list.

Currently, the Schneiders are technically retired. Their days are filled with multiple projects, and their two children and three grandchildren live close by: son David is a physician, and daughter Elaine is an attorney in private practice, specializing in immigration law. She has been honored by the Minnesota Advocates for Human Rights for contributing 2,000 hours of pro bono work. The ethic of giving back clearly runs in the family.

Allan considers his annual contribution to the Law School to be a natural return. "My tuition was \$150 a year. When you think of what that enabled me to earn, it reminds me of the credit-card ad: 'Some things are priceless.' That's what we feel about our education, about having gone to a wonderful university."

It was not easy to catch Allan Schneider at home for a phone conversation early this spring. He was busy volunteering with set construction for the Bloomington (Minnesota) Civic Theatre's production of *Damn Yankees*.

Schneider and his wife, Deborah, also happen to be key financial donors to the theater. A few years ago, their major gift led to the creation of the Bloomington Center for the Arts. "We always felt that when things were going very well for us, we wanted to give something back to Bloomington," Allan says.

The contribution exemplifies the Schneiders' philosophy of giving generously wherever they are needed. They are also longtime donors to the UW Law School, where Allan received his degree in 1953. Debby, who earned her undergraduate degree from the UW the same year, is a steady donor to the UW-Madison Integrated Liberal Studies program.

"We do try to make an annual contribution," Allan says. "It's a way of saying thanks to the school for having been wonderful for us, and we keep seeing how they're doing wonderful things for others, too." Allan Schneider grew up in Superior, Wisconsin, when money was hard to come by. He started working at age





Michael Christopher '72

## 1960s

**T. Dennis George '66** has received an honorary doctor of science degree from Northern Michigan University, where he was keynote speaker at its May commencement. George received his bachelor's degree from NMU in 1960 and has previously received its Distinguished Alumni Award. He practices in Seattle.

**Charles W. Heft '68**, a partner in the Phoenix office of Quarles and Brady Streich Lang, has been recognized by *The Best Lawyers in America*, 2005–06 and by *America's Leading Lawyers for Business* in 2004 and 2005. Heft practices labor and employment law.

## 1970s

**David Hildebrandt '70** has joined Greenberg Traugott in Washington, D.C., as a partner in the firm's tax practice. He was previously a partner at White and Case.

**Cheryl Rosen Weston '71**, CEO of The Douglas Stewart Company in Madison and a longtime teacher in various capacities at the Law School, has received the Entrepreneurial Woman of the Year award from the National Association of Women Business Owners-Wisconsin. (See article, page 14.)

**Michael Christopher '72**, a partner in the Madison firm DeWitt Ross & Stevens, has been appointed to the Wisconsin Judicial Council.

**David W. Marquez '73** has been appointed attorney general for the state of Alaska by Governor Frank Murkowski.

**Michael J. Remington '73**, a partner in the Washington, D.C., office of Drinker Biddle and Reath, has received the Belle Case La Follette Outstanding Professional Award from the State Bar of Wisconsin. The award recognizes an outstanding contribution to the advancement of the legal profession.

**Peter Sarasek '74**, a partner with the Chicago office of Quarles & Brady, has been recognized in the Chambers USA directory. Sarasek practices business law with an emphasis on multistate conduit lending.

**Lawrence Stephenson '74** has been promoted to senior managing director in charge of NorthMarq Capital's eleven regional offices in the western United States.

**Thomas Armstrong '75** has joined von Briesen & Roper in Milwaukee, where he will focus on appellate advocacy and commercial litigation. Armstrong had previously been with Quarles & Brady.

**Roy Froemming '76**, a solo practitioner in Madison, has received the 2004 Pro Bono Award for Private, Government, or Corporate Attorney from the State Bar of Wisconsin. His practice focuses on supplemental-needs trusts, guardianships, and other planning issues for persons with disabilities.

**Carol Medaris '76**, who recently retired from a career in legal services, has received the 2004 Pro Bono Award for a Legal Services Attorney from the State Bar of Wisconsin. Medaris worked for nineteen years at Legal Action of Wisconsin and nine at the Wisconsin Council on Children and Families.

**Pamela Mathy '78**, a U.S. magistrate judge in the U.S. District Court for the Western District of Texas in San Antonio, has been elected a Fellow of the American Bar Foundation.

## 1980s

**Celia Jackson '80** has been appointed Secretary of the Wisconsin Department of Regulation and Licensing.

**John Hale '82** has joined the Palo Alto office of Cooley Godward as a partner in the firm's credit finance group. Hale had previously been a partner at DLA Piper Rudnick Gray Cary.

**Irene Wren '83**, a partner in the Madison firm Wren & Gateways Law Group, has received the 2004 Gordon Sinykin Award of Excellence from the State Bar of Wisconsin. The award was conferred in recognition of Wren's public-service work.

**Steve Zach '83**, a partner in the Madison office of the Boardman Law Firm, has received the 2004 Law-Related

Education Attorney of the Year Award from the State Bar of Wisconsin for his promotion and support of public understanding of the legal system.

**David H. Nispel '84** has been elected vice president of the Wisconsin Municipal Judges Association and reappointed as vice chair of the Bench and Bar Committee of the State Bar of Wisconsin. Nispel is municipal judge for Middleton, Wisconsin, and deputy chief counsel for the Wisconsin Department of Employee Trust Funds.

**Mark Ehrmann '85** has joined the Madison office of Quarles & Brady, where he will concentrate on corporate law. Ehrmann was previously with Godfrey & Kahn in Milwaukee.

**JoAnn M. Hart '85** has joined Stafford Rosenbaum in Madison, where she will practice labor and employment law and school law.

**Mary T. Novacheck '86** has joined Bowman and Brooke in Minneapolis as an associate.

**Thomas F. Cotter '87** has joined Washington and Lee University School of Law as a professor teaching intellectual property and antitrust law. Cotter had been on the faculty of the University of Florida College of Law.

**Michelle A. Behnke '88**, past president of the State Bar of Wisconsin, has been elected to membership in the American College of Real Estate Law. Behnke is a solo practitioner.

**Dana J. Erlandsen '88** has joined Stafford Rosenbaum in Madison, where she will focus on civil litigation.

## 1990s

**Saul C. Glazer '90** has joined the Madison office of Wickwire Gavin, where he will practice construction, contract, and employment law.

**J.B. Van Hollen '90**, former U.S. Attorney for the Western District of Wisconsin, has joined DeWitt Ross & Stevens in Madison, where he will work in the firm's litigation practice group.



JoAnn M. Hart '85



Dana J. Erlandsen '88



Saul C. Glazer '90



**Solomon Ashby '95** has joined Evert and Weathersby in Atlanta, Georgia, where he will focus on litigation. Ashby had been with Willcox and Savage in Portsmouth, Virginia.

**Christopher Blythe '95** has been named an assistant attorney general for complex civil litigation in the Wisconsin Department of Justice.

**John D. Emory, Jr. '97**, managing director of Emory Business Advisors in Milwaukee, has been honored by Wisconsin Governor James Doyle and the Wisconsin chapter of the Entrepreneurs' Organization with the Governor's Young Entrepreneur of the Year Award.

## 2000s

**Melissa A. Abbott '02** has joined the Madison office of von Briesen & Roper, where she will focus on estate and tax work.

**Grant P. Alexander '03** has joined the Los Angeles office of Luce, Forward, Hamilton and Scripps. He will work on employment-related litigation matters. Alexander was previously with Jackson Lewis.

**Winn S. Collins '03**, an assistant district attorney in Appleton, Wisconsin, has received the 2004 Charles Dunn Author Award from the State Bar of Wisconsin. The award recognizes the best article in *Wisconsin Lawyer* magazine during the year.

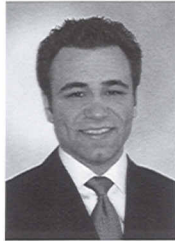
**Chad R. Gendreau '03** has joined the Madison office of DeWitt Ross & Stevens, where he will work in the litigation practice group.

**Martin B. Maddin '03** has joined Maddin, Hauser, Wartell, Roth and Heller in Southfield, Michigan, as an associate. Maddin will focus on corporate, transactions, employment and real estate law.

**Stacia Conneely '05** has received the 2004 Outstanding Public Interest Law Student Award from the State Bar of Wisconsin.



Melissa A. Abbott '02



Grant P. Alexander '03



Chad R. Gendreau '03



Martin B. Maddin '03

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## Gaylord Nelson '42 Remembered by Nation

Gaylord Nelson '42, former U.S. senator and governor of Wisconsin, was one of the leading environmentalists of the last century. He died Sunday, July 3, at the age of eighty-nine.

Nelson was known as the founder of Earth Day, which he organized in 1970 to call attention to environmental issues facing the nation. Some 20 million Americans participated in Earth Day activities that first year. Earth Day has now grown into an international event, celebrated on April 22 annually in approximately 174 countries.

In the Senate, Nelson sponsored or helped to pass dozens of laws to conserve natural resources and prevent pollution, including the Wilderness Act. As a two-term governor of Wisconsin, he won passage of the state's landmark program to acquire and preserve open space and recreational land.

In 1995, President Bill Clinton awarded Nelson the Presidential Medal of Freedom, the nation's highest civilian honor.

Nelson was a member of a panel of Wisconsin governors at the Law School's Fairchild Lecture in 2002. He was presented with the Law School's Distinguished Service Award in 1999.

Obituaries and tributes to Nelson appear in the *Capital Times* and *Wisconsin State Journal* of July 4 and 5, and in the *New York Times* of July 4, 2005.

## In Memoriam

### 1930s

William Torkelson '32 in Madison  
Paul S. Kuelthau '36 in Boston, Massachusetts

### 1940s

Gaylord Nelson '42 in Kensington, Maryland  
William W. Becker '49 in Pocatello, Idaho  
Paul E. Myerson '49 in Washington, D.C.

### 1950s

Pierce T. Purcell '56 in Prairie du Sac, Wisconsin

### 1970s

Joan Bright Rundle '77 in Madison





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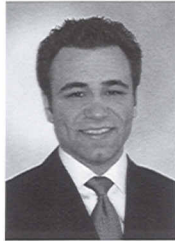
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### 1950s

Pierce T. Purcell '56 in Prairie du Sac, Wisconsin

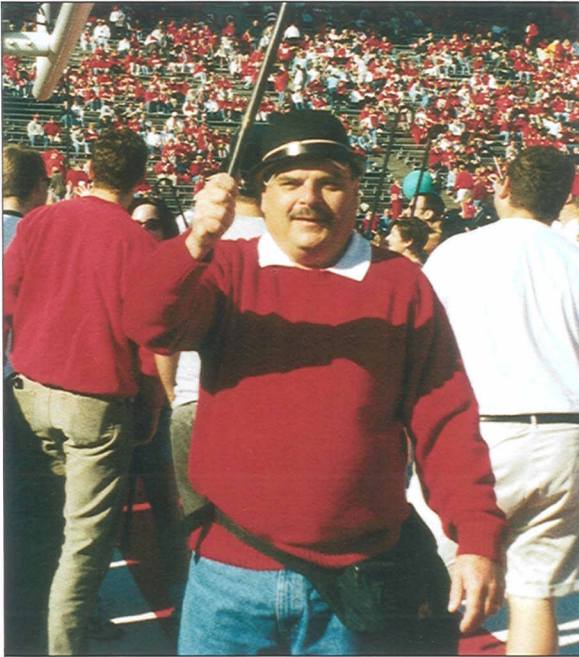
### 1970s

Joan Bright Rundle '77 in Madison





## *All good things come to an end.*



*Edward J. Reisner,  
Assistant Dean for  
External Affairs*

This is my fifty-second and final Editor's Note for the *Gargoyle*. At the end of September, I will be stepping down from one of my most enjoyable duties at the Law School — indeed, I will be stepping down from all my duties. With thirty years in the book, I am retiring and will be moving on to new challenges.

I took over as editor in 1979 when Ruth Doyle retired. She taught me what I needed to know to produce a rather minimalist version of the *Gargoyle*, as compared to the glossy publication we now have. Ruth and I worked at a time when we took the photos, wrote the text, laid out the copy with scissors and tape, and delivered each copy by hand (well, maybe not that last part). Now most of the composition is done by computers far from the Law School,

and there is a very talented staff of people here who put a lot of time into giving you all the news you need from your school.

Over the years I have written about my two daughters (now graduated from college and one married); about baby ducklings that, as building manager, I had to rescue from the old courtyard each spring; about the weather and how it sometimes affected us inside the building; about the many comings and goings of friends and fellow staff; and about the many nuggets of Law School history I uncovered. As I said in one column, when you are the editor, you can write about whatever pleases you. I found much to please me over the years.

I actually first set foot on campus in the summer of 1965, to register for freshman classes — that was forty years ago. After graduating from Law School in 1972, I worked for the State Bar of Wisconsin until February 1976. I have worked for four deans and known three others — more than half of all the deans in this school's history. I have learned from each of them and hope that they feel, on balance, that I have served them well.

I will always have vivid memories of great students and wonderful alumni. A few memories that stand out:

- An hour with Judge John Minor Wisdom, of the Fifth Circuit Court of Appeals, in the parlor of his Garden District home in New Orleans. Wisdom in a bathrobe and slippers. Judge Wisdom wrote many of the groundbreaking civil-rights decisions to come out of the South in the 1950s and 1960s. He once had a sack of rattlesnakes dumped in his front yard as a reward.
- Escorting the Chief Justice of West Germany during a visit to Madison. One of his bodyguards broke his watch. I took it to a jeweler and had it repaired. He offered to send me a beer stein in return. I'm still waiting.
- Tom Palay and I spending Sunday morning during Labor Day weekend in 1996 shoveling dirt out of the student locker room to prepare for the opening of classes on Tuesday in the newly remodeled Law building.
- While on a trip to thank lawyers who volunteered to teach at the Law School, Ralph Cagle and I buying raspberry pies at the Norske Nook in Osseo, Wisconsin. Ralph asked the Freight House restaurant in La Crosse, Wisconsin, to refrigerate the pies while we did a General Practice Course dinner there. Imagine our surprise when our pies were served to the whole group for dessert!
- Visitors including Ralph Nader; Lawrence Tribe; David Broder; Chief Justice William Rehnquist; Justice Sandra Day O'Connor; Senators Gaylord Nelson, Herb Kohl, and Russ Feingold; Governor Tommy Thompson; and Sir John Mortimer.
- Dedication night for the new, remodeled Law building in April 1997: more than six hundred happy people filling the Atrium.
- Grabbing the dinner check from an alum, only to discover that he had ordered a \$250 bottle of wine, and then a second!



- Grid Hall, the first person I knew with AIDS, and seeing him courageously but unsuccessfully fight the disease.
- Early-morning coffee in the old faculty lounge with Gordon Baldwin and Frank Remington.
- Trading jokes with Justice Antonin Scalia, just the two of us, waiting for his speech to begin.
- Bill Morgan, who graduated in 1992, walking up to me during orientation and saying, “My dad said to say hello.” Bill’s Dad was Jim Morgan, a classmate of mine in the Class of 1972. It was the first of many times that children of my classmates or of students who graduated *after* me came to the School.
- Tear gas filling Larry Church’s Property class in the spring of 1970 during the Cambodian-invasion demonstrations, and standing on the “porch” with Gordon Baldwin and Bill Foster on one of those evenings as the sounds of sirens and shouting filled the air — the same night that a rock broke a back window of the Law Building as I walked down the stairs.
- The great e-mail fiasco: using about 1,400 e-mail addresses for our alumni borrowed from the State Bar, I innocently sent a notice that we were starting an e-mail news service. Unfortunately, our computer staff had set the reply function to “reply to all.” When alums began sending personal e-mail replies to me, they instead went to all 1,400 on the list and began bouncing back and forth, multiplying like Mickey Mouse’s brooms in *Fantasia*. Thirty minutes after sending the original message, I had thousands of replies. We pulled the plug

minutes later. Nevertheless, the next morning our server had more than 30,000 messages, and it was weeks before they finally stopped altogether.

It has been an incredible honor to walk this campus, to walk these halls, among these giants. To hear languages from around the world, to hear discussions of physics, history, and current events.

The people here in the Law School have been part of my family: I was here in the building when both of my parents died. I worked here when I was married, when both my children were born, when both of them graduated from high school, when both of them graduated from college, and when the first got married. When I first entered the building as a new student, Richard Nixon was a new president. I was here when Eric Heiden won his five gold medals in the Olympics and when *Challenger* blew up. I was here on 9/11 and through many cycles of war and peace. It will be hard for me to separate my memories of these people and events from my memories of this school. Perhaps there is no reason to even try.

Since I walked in the door as a 1L, thirty-six years ago, more than nine thousand students have graduated — about 75 percent of all our living alumni. Many have become friends and loyal supporters of our school.

It has been my role, over more than twenty-five years, to operate backstage. Now my role is going to change. I have no interest in being on the stage, but I am going to move out into the audience and enjoy the show.

If I need some commemoration of my time here, let it be an adaptation of a lawyer’s obituary I read years ago and saved:

Died, Feb. 6, 1899, Irving Browne, aged 58 years: Irving

Browne was not a great man as the world counts such. He was too generous to ever become rich, and he did not grow famous at the practice of law, simply because he had a bad habit of considering the position of the other fellow. Irving Browne was an excellent lawyer, but a poor practitioner. “You cannot have both the law and the profits,” he once said. And yet Irving Browne always had all he needed, and perhaps that is enough. He made no pretense of loving his enemies — he had none.

I’ve never been blessed with the gift of original ideas. As we constantly build and rebuild the Law School, physically and metaphorically, I have never been the architect; rather, I have been the carpenter. While the building wouldn’t exist without both, I know that when the awards are passed out, it is the architect who will win the prize. But the carpenter gets the satisfaction of knowing that, without him, the walls would not stand.

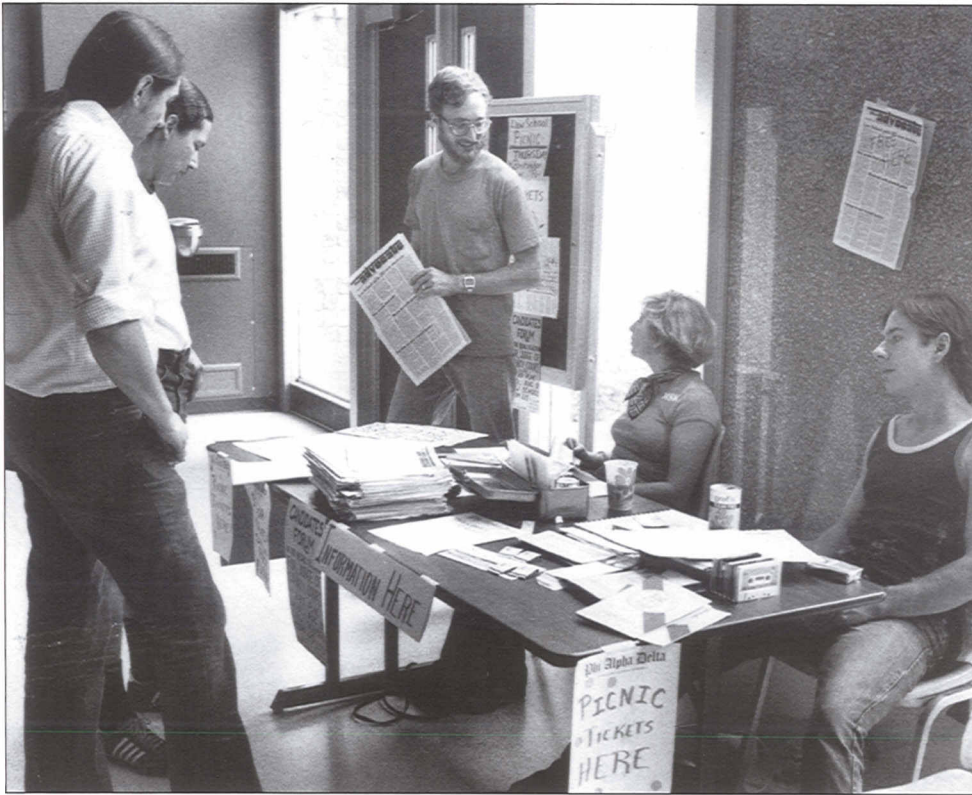
Ever since I left the sandbox, things have been getting steadily more complicated in my life. School was more complicated than home; work was more complicated than school; I began here as a single man but leave with a wife, two daughters, and a son-in-law — actually a most pleasant complication.

Every day that I work here, I feel that my obligation to this school increases. But there comes a time when the obligation I have to myself and my family weighs equally heavily, and I know that there isn’t enough time left in my life to fulfill all those duties.

I came here in 1969 to learn; I returned here in 1976 to work; I leave here now honored to have been a part of this institution.

*An article about Assistant Dean Ed Reisner’s retirement is on page 15.*





## MYSTERY PHOTO

In the last issue we showed a photo of five students in the lobby of the 1963 Law Building. Thanks to Paula Doyle '80, Ken Axe '79, Terry Mead '81, and Kathy Zebell '81, I can tell you who four of the five students are: from left, John Beaudin '81, Bob Kittencon '81, Terry Mead '81, and Maureen Komisar-Schatz '79. The person on the right may have been named John, but no one was sure. The date was probably fall 1978, just as the Class of 1981 was starting school and before Maureen graduated. John Beaudin was a tribal judge for the Menominee Nation before his untimely death in 1993. Terry Mead was elected SBA president in 1978–79 as a write-in candidate under the name "The Aluminum Bullet."

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I offer this issue's new Mystery Photo without further comment, except to say, "Who is this?!" and "Weren't the '70s a marvelous time?"





# **Law School friendships** **— too valuable to lose. Stay in touch.**



PHOTO: BOB RASHID

**Use the Alumni Directory at [www.uwalumni.com](http://www.uwalumni.com) to find  
“lost” classmates and make sure they can find you.**

Just a few minutes on the Web to update your contact information will ensure that you keep receiving the *Gargoyle* and the newsletter, *Law in Action*.

Remember to include your e-mail address for valuable UW-Madison information throughout the year.

