DONALD HARRIS ASKS:
How does the public benefit if it has no access to the drugs we have patented?

Assistant Professor Donald P. Harris teaches courses in intellectual property, international intellectual property, and commercial law. Harris earned his J.D. in 1994 from Loyola Law School in Los Angeles, where he received the dean’s award for outstanding public service and the pro bono service award, and his LL.M. from the University of Wisconsin as part of the William H. Hastie Fellowship Program.

Before joining Temple’s faculty, Professor Harris worked in law firms in California, specializing in patent litigation and prosecution. It was as an associate at Graham & James in Los Angeles, and later at Cooley Godward Castro Huddleson & Tatum in San Francisco, that he developed an interest in domestic and international intellectual property law.

“As a patent litigator, I was obviously involved with and aware of how businesses used patents and how patents affected the marketplace and domestic economies. Less evident was how patents affected other countries. This came to light when I read a New York Times article on how South Africa was addressing its enormous AIDS pandemic. They had drafted legislation that allowed them to bypass certain patents on AIDS medicines and other life-saving drugs to provide access to these drugs at affordable prices.

“This seemed, to me, a paradigmatic example of patents ceding to a broader societal concern. In other words, while patents grant patent owners a monopoly-like right over certain inventions, this right is not absolute and should give way to more important public interests. Nevertheless, the owners of the pharmaceutical patents understandably reacted negatively to South Africa’s efforts to override their patents. This triggered international pandemonium and debate, which has yet to be fully resolved. It also piqued my interest in other international intellectual property issues.”

Specifically, Harris became interested in the advantages and harms caused by globalization of intellectual property rights through the Agreement on Trade-Related Aspects of Intellectual Property Rights (TRIPS), which was established in tandem with, and is presently regulated by, the World Trade Organization (WTO).

“Prior to TRIPS,” Harris explained in a recent article for the Northwestern Journal of International Law and Business, “countries held widely varying levels of intellectual property protection and enforcement . . . because each country has widely different goals, values, history, culture, tradition, and political climate, and . . . varying levels of economic and technological development. These differences remain today. Despite this, TRIPS mandates that all countries provide intellectual property protection at certain specific minimum levels.” They are levels that Harris believes are unfair to developing countries, and unwise in the long term for the United States.

In particular, it is Harris’ position that Article 27 of TRIPS, which explicitly requires mandatory patent terms “in all fields of technology” and prevents countries from discriminating among inventions based on whether they are “processes” or “products,” effectively prohibits developing countries from accessing essential goods.

2006 KOLSBY LECTURE FOCUSES ON INDEPENDENT JUDICIARY

David Boies delivers “Judicial Independence and the Rule of Law”

FEBRUARY 16, 2006 David Boies was the 2006 Herbert F. Kolsby Distinguished Lecturer in Trial Advocacy. Boies spoke to the law school community about the importance and centrality of an independent judiciary, noted recent assaults to that independence, and suggested various steps that might be taken to preserve this core value.

Boies has extensive experience in appellate law; in fact when Boies received the Milton Gould Award in 1996, the citation said, “No lawyer in America has tried and argued on appeal as many landmark cases in as many different areas as Mr. Boies.”

Boies, who chairs the law firm of Boies, Schiller & Flexner with offices in New York, Washington, D.C., California, Florida, New Hampshire, and New Jersey, was lead counsel for former Vice-President Al Gore in litigation relating to the 2000 election Florida vote count. From 1991 to 1993 he was counsel to the Federal Deposit Insurance Corporation in its litigation to recover losses for failed savings and loan associations, and in 1998-2000 he was special trial counsel for the U.S. Department of Justice in its antitrust suit against Microsoft. Before founding the predecessor of Boies, Schiller & Flexner in 1976, he served as special trial counsel to the U.S. Department of Justice in numerous other significant antitrust cases.

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DONALD HARRIS
...continued from page one

“Medicines, agriculture, food: these are all patented,” he argues. “The economies of developing countries simply do not support their purchase as mandated by TRIPS. Denying or even delaying access to medications and food products is devastating to these already failing populations. We need to have more flexibility in allowing developing countries access to essential goods.”

However, with the United States holding the greatest number of patents worldwide, it might appear that TRIPS can only benefit our citizens. Not so, Harris contends. Not only is TRIPS shortsighted as it diminishes access to essential goods—both here and abroad—it is also contradictory to the purpose of patent laws as laid out in our Constitution: to promote the progress of science and useful arts with the primary aim of benefiting the public.

“It’s a bit duplicitous of the United States to argue that because it is now the most dominant country in producing intellectual property, that others must now strengthen their laws to protect such property. Many forget that the United States was once a fledgling country, highly dependent on intellectual property from countries such as England and Spain. This also is not limited to the distant past. Look at what happened with Cipro post-September 11.”

Harris explains that “immediately after the September 11 terrorist attacks, the United States was concerned that terrorists would use anthrax in biological warfare. A German company, Bayer, owned the patent on Cipro, the antibiotic used to treat anthrax. When the U.S. grew concerned that required quantities of the drug would be unavailable, it threatened to override Bayer’s patent and have generic manufacturers produce the drug under compulsory licenses. The U.S. claims its actions were not driven by price, but instead were about the national interest.”

Not surprisingly, the United States was able to persuade Bayer to sell the drug at less than half the original asking price.”

Harris concedes that this example is reminiscent of a schoolyard fight, where the bigger kid always leaves with the ball. But, he also points out how strict patent laws fail to serve anyone’s interest in cases like this, and are in fact necessarily bypassed to serve public health in many others.

“Pharmaceutical development is one area where patents play a key role because of the high cost of research and development, the high failure rate of trial drugs, etcetera. It is critical that pharmaceutical companies have assurances that laws will protect their creative endeavors; this ensures investment and future research and development. This is also an area that

Should fairness be considered in international law? Consider the following three scenarios:

A poor, elderly woman purchases household goods from a local retailer. The goods include items such as draperies, a wallet, a bed, curtains, fans, a typewriter, kitchen chairs, a washing machine, and a stereo. The woman then purchases a new mattress from the same retailer. The retailer presents the woman with its standard sales agreement that contains a “cross-collateral” clause, which provides that if there is a single default on the payment of the contract the retailer can repossess all of the goods, including the previous goods, to secure the outstanding debt. The woman defaults on one payment and the retailer repossesses the mattress as well as all of the previous goods.

An unsophisticated consumer purchases a car from an automobile dealer. The sales representative presents the consumer with a contract that contains a clause that limits its liability in the event the purchaser gets injured from any defect in the car. The car’s brakes fail and the consumer suffers serious injuries. The consumer brings an action against the dealer for personal injuries and the dealer, relying on the limitation of liability clause, denies liability.

A small unindustrialized developing country enters into an agreement with a significantly larger industrialized country. The smaller country must enter this agreement before it is permitted to join an exclusive wealth-generating organization. The small country is facing a pandemic of epic proportion. Already 22 million of its citizens have died of a deadly virus. Over 30 million of its population are infected with the virus; each year, almost 3 million die . . . while the virus attacks indiscriminately, it hits particularly hard the country’s economic driving force: its farmers, teachers, blue-collar workers, young adults, and parents. The disease is treatable, at a cost well out of reach of the country’s citizens. The country attempts to address the overwhelming crisis by passing a law to implement parallel importation and compulsory licensing of necessary medication, which will drastically reduce prices and ensure supply, thus allowing victims greater access to the drugs . . . The larger major industrialized country demands that the smaller country not implement the new law because it violates their agreement and the developing country’s international obligations.

All of the above scenarios involve gross inequity in bargaining power, leading to agreements presented on a take-it-or-leave-it basis. Yet, only in the first two scenarios, involving individual parties and limited harms, are fairness arguments cognizable defenses.

In the last scenario, however, international law, in particular, international intellectual property law (as mandated by the Agreement on Trade Related Aspects of Intellectual Property Rights) fails to take into account the underlying factual circumstances and, more importantly, fails to take into account fairness. This is a mistake.

This article argues that it is undeniably appropriate to question and evaluate whether international treaties are fair. In view of the problems of interdependency; scarcity of resources; economic coercion; and the effect of intellectual property on economic development, access to essential foods, medicines, and public goods, and ultimately sustainable development, notions of fairness should be a paramount consideration in treaty interpretation.

Much of the unfairness in international law results from severe power inequalities among the various nations and the power-based regime that comprises global governance. The remedy for treaties negotiated by means of these power disparities quite often is more treaties or, alternatively, hollow talk of promoting national sovereignty. Neither of these solutions directly attacks the problem. Indeed, there is an apparent lack of political will among nations to address the structural defects in the international system and to effectively address the power asymmetries inherent in the system. This article advances a novel and innovative approach for dealing with the severely disproportionate power disparities in international relations.

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Using insight from domestic contract law, the similarities between contracts and treaties, and general principles of law found in the law of a vast majority of nations, this article advocates applying the contracts of adhesion doctrine to international agreements. The doctrine allows judicial authorities as a matter of law and public policy to interpret contracts more favorably to one party because, among other things, the contract is procedurally or substantively unfair. This approach challenges traditional discourse by recognizing and acknowledging the power disparities and developing a treaties of adhesion doctrine to address it.
Boies was awarded the distinction of being the presiding civil judge in Superior Court in Atlantic City, New Jersey, overseeing the more than 3,000 Vioxx-related cases that have been filed there. Higbee has served on the bench for 12 years after a career in personal injury and medical malpractice.

Samuel M. Snipes was awarded the 2005 Mark E. Goldberg Award by the Bucks County Bar Association. The award is presented annually to a member who demonstrates commitment to community service outside the legal profession. Snipes was particularly honored for representing the Meyers family, the first African-Americans to move into Levittown, Pennsylvania. In August 1957, he stood on the front lawn of the Meyers' home and held off a mob of about a thousand, while rocks, cigarette butts, and angry epithets were thrown at him. Snipes, a partner of Snipes & Collins in Yardley, Pennsylvania, is also on the boards of Historic Fallston, The Pennsbury Society, and the William Penn Center.

M. Mark Mendel has been reappointed as a member of the Pennsylvania Interest on Lawyers Trust Account Board by the Supreme Court of Pennsylvania. Mendel was also honored by the Temple General Alumni Association and named a life director for more than 25 years of service.

David M. Love II has been named partner in the consumer/retail sector of Highland Partners, a retained executive search boutique, and a member of its Dallas, Texas office. Love was previously with AT Kearney Executive Search, where he was vice president and geographic leader of the firm’s headquarters.

The author of numerous publications including Courting Justice (Miramax, 2004) and Public Control of Business (Little Brown, 1977), Boies has taught courses at NYU and Cardozo law schools.

The Herbert F. Kolsby Distinguished Lectureship in Trial Advocacy was established in 2001 to honor Herbert Kolsby ’51 for his remarkable career, as well as for his contributions to the Masters in Trial Advocacy program at Temple. Kolsby was a guiding force in the establishment of the Masters in Trial Advocacy Program and served as its first Director. While at Temple, he also taught Advanced Trial Advocacy in the J.D. program and served on the faculty in the Advocacy of Advocacy. He now holds the title of Director Emeritus of the LLM program and serves on its faculty.

Professor Kolsby was the inaugural speaker in this lecture series. Other previous speakers are Morris Dees, David A. Kendall, and Bryan A. Stevenson.

The evolution of open source technology has been a topic of much discussion in recent years, particularly in the context of intellectual property and innovation. Open source technology, originally created to allow computer gurus to improve upon software, to play a part in the discovery of a life-saving disease prevention drug? This question was the focus of one-day symposium, “The Evolution of the Open Source Model: to Life-Saving Drugs and Beyond,” co-sponsored by Temple Journal of Science, Technology & Environmental Law, Temple Intellectual Property Law Society, and the TLAA. Participants explored the legal questions and concerns surrounding the development of open source technology in areas such as biotechnology. Featured speakers were R. Polk Wagner, University of Pennsylvania School of Law; Michael Carroll, Villanova Law School; David Oderbeck, Seton Hall Law School; and Ann M. Bartow, University of South Carolina School of Law.
MITCHELL MORGAN ’80
“Law school gave me the confidence...”

As the founder of a major real estate investment, development, and management company, Mitchell Morgan ’80 has been more a consumer of legal services than a legal practitioner. In fact, he says, the only time he ever practiced law was when he represented himself in traffic court—and lost. Nonetheless, Morgan believes the education he received in the evening division of Temple Law has been invaluable to his success. “The legal education and training makes you think differently. Law school gave me the confidence to feel that I could do anything.”

Morgan received his undergraduate degree in accounting from Temple in 1976 while working full-time selling shoes at Germantown and Lehigh Avenues. He recalls that during that time period, Temple was still very much a commuter school. Now, thanks partly to his efforts as chairman of the facilities committee of the Temple Board of Trustees, more students are living on campus than ever before. The committee oversees all new building construction. Current projects include construction of business and medical school buildings and relocation of Tyler’s facilities. Morgan also serves on the advisory boards of the law school and the business school.

Although Temple’s law school was also a commuter school when Morgan was a student, he says the atmosphere in the evening division was different from his undergraduate experience. “Even though everyone worked, there was more of a community sense. We were under so much pressure that it forced us to come together. I felt closer to my colleagues in law school than as an undergrad. The pressure didn’t make us cutthroat; instead it was a very supportive place. We learned so much from each other because everyone had a different skill set. In my class, there were teachers, doctors, and accountants like myself, who worked in insurance. We had a variety of successful people who brought different skill sets to the classroom than that of the professor.”

While in law school, Morgan started working as an accountant in the tax department of an international accounting firm. Following graduation, he left accounting and became financial controller for Construction Consultants, a home and apartment builder. During his four years there, Morgan, he learned his true skill managing apartments and had the opportunity to be a partner in some small transactions.

In 1985, Morgan went out on his own. His company started out buying garden apartment complexes. Now Morgan Properties, which is privately held, owns over 18,000 units in 54 complexes in 11 states. The company employs 450 people and is headquartered in King of Prussia, Pennsylvania.

In June 2003, Morgan made its biggest acquisition thus far when it purchased over 6,000 units owned by Pennsylvania Real Estate Investment Trust, which divested itself of its apartment assets to concentrate on mall acquisition. The $400 million acquisition increased Morgan Properties’ portfolio from 12,000 to 18,000 apartment units in a single day. The legal fees amounted to approximately $2 million.

Morgan lives with his wife and three children on the Main Line. Last year, Morgan had the “unbelievable experience” of hosting a sitting President at his house for a major Republican fundraiser. He recalls that 850 people attended the event, which required the presence of the Secret Service and sixty White House staff, who were there from one to two weeks beforehand. “My kids are still talking about it,” he says.

—Christina M. Valente

MAUREEN OLIVES BRINGS PUBLIC INTEREST BACKGROUND TO CAREER PLANNING OFFICE

JANUARY 2006 Maureen Olives is the new director of public interest programs in the Office of Career Planning. Olives has been involved in both public interest law and career services since her law student days at the University at Buffalo, where she earned her J.D. in 1994. While in law school, Olives was co-director of the Buffalo Public Interest Law Program as well as a graduate assistant helping students secure careers in public interest and public service. Olives comes to Temple Law School from Philadelphia Legal Assistance (PLA), where she spent the last four years as a staff attorney representing low-income individuals in a wide variety of family law matters, especially Latina victims of domestic violence. Since 2003, one of Olives’ responsibilities was overseeing the Guild Food Stamp Clinic, which divested itself of its apartment assets to concentrate on mall acquisition. The $400 million acquisition increased Morgan Properties’ portfolio from 12,000 to 18,000 apartment units in a single day. The legal fees amounted to approximately $2 million.

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1988
JOSEPH L. MESSA spoke at the regional education conference of the American Association of Legal Nurse Consultants in November 2005, in Ocean City, Maryland.

STEFANIE L. LINDQUIST was appointed associate professor of political science and law at Vanderbilt University in 2004, where she has a joint appointment in the departments of political science, public administration and policy, and the school of law. Lindquist, who also has a Ph.D., taught political science at the University of Georgia from 1996 to 2004.

1989
AMY R. STERN, an attorney at the firm of Rubin, Glickman, Steinberg and Gifford, was a presenter at an interactive educational event, "Myths and Realities of Mediation" in October 2005, sponsored by the Montgomery Bar Association family law section. Stern joined Rubin, Glickman, Steinberg and Gifford in 1965 and her work focuses primarily on domestic relations law and mediation.

1990
STACEY W. BETTS sold her share as partner of a small Lancaster County law firm several years ago and is currently raising five children. Betts and her husband wrote a book, Yoga for Children with Autism Spectrum Disorders: A Step-by-step guide for Parents and Caregivers, to be published by Jessica Kingsley Publishers, London in the spring of 2006. Betts, who continues to do some law regarding contracts in her spare time, is also working on a yoga dvd and several books regarding children with Asperger syndrome.

1991
YONG-JIN T. KIM has been elected to partnership of Sechang Law Offices in Seoul, Korea where his practice areas are cross border corporate transactions, foreign investment and corporate and commercial work.

1992
STEVE B. BARRETT was honored at the Pennsylvania State Latino Coalition’s leadership luncheon for his commitment to and advocacy work for the state’s Latino population. At the luncheon, held in October 2005 in Harrisburg, Barrett was recognized for his service as general counsel for the coalition as well as for his efforts on behalf of nonprofit Latino organizations. Barrett is a partner in the commercial litigation department of Hamburg, Rubin, Mullin, Maxwell & Lupin.

DECJEBER 2005  Alan M. Feldman ’76 was elected 2006 chancellor of the Philadelphia Bar Association. Since 1987, Feldman has been managing partner of Feldman, Shepherd, Wohlgelernter, Tanner & Weinstock, a firm specializing in serious personal injury and class action litigation.

Feldman developed an interest in the law when, as a Temple undergraduate, he needed a part-time job. After working for a firm of trial lawyers, he started his own business serving subpoeas and doing legal filing for 40 law firms.

He became friends with some of the attorneys and developed a fascination for trial work. Despite his extracurricular work, Feldman graduated magna cum laude with a BA in history in 1973 and moved on to the law school.

He says his colleagues at the law school were a “scrappy bunch.” Feldman and many of his friends needed to support themselves while in school; Temple’s affordability made their legal education possible. “We worked before classes, after classes — most of us worked hard for everything we had. Even though Temple was certainly not an ivy tower but more ‘blue collar,’ it still attracted some of the best and the brightest, and we will always be grateful for the opportunities the law school provided us.”

Feldman remembers his time at Temple as very exciting. “It was a great atmosphere. During the very first week, I remember standing up in torts class, taught by Joey Passon, and inviting the entire school to a party. Almost 200 people came, including Professor Passon.”

It was a great ice-breaker. All of us were doing our best to meet the pressures of school, earn money, get good grades, and look for work. The collegial atmosphere at the school helped us to persevere.”

Feldman always wanted to be a trial lawyer, so it was a “great advantage for me that Temple was, and remains, so strong in teaching trial practice.”

Feldman himself was an instructor in Temple’s trial advocacy program for many years. He is certified as a civil trial specialist by the National Board of Trial Advocacy and is a Fellow of the Academy of Advocacy.

Feldman’s family has strong ties to Temple. Feldman’s brother Elliott, now a senior partner at Cozen O’Connor, also received his B.A. and J.D. from Temple. And Feldman’s wife, Maureen Pelta, now a professor at Moore College of Art and Design, received both her B.A. and M.A. from Temple.

Feldman has served in many elected and appointed offices in the Philadelphia Bar Association over the years. These include chair of the Young Lawyers Section, treasurer, and member of the Board of Philadelphia VIP (Volunteers for the Indigent Program). He has served as president of the Philadelphia Trial Lawyers Association. He is co-author of a book, Pennsylvania Premises Liability: Law and Forms, published in 2003 and has written materials for many continuing legal education programs. He is also a much sought-after speaker and instructor for legal education and trial advocacy programs.

— Christina M. Valente

Join us!
31ST ANNUAL LAW DAY RECEPTION
HONORING ALAN FELDMAN ’76 AND INTRODUCING THE CLASS OF 2006
Wednesday March 22, 2006
4:30 p.m., Federal Courthouse

This annual event is a steadfast tradition for the law school community, giving graduating students the opportunity to meet Temple Law’s talented and diverse alumni community.

Please make your reservation today via email: dorothy.lee@temple.edu.

BIG BROTHER BIG SISTERS HONOR LAW STUDENT

Eric McKinley ’98 was the 2006 recipient of the Tom Weber Achievement Award from the Big Brother Big Sister Association of Southeastern Pennsylvania. The award recognizes an alumni “Little” who embodies the impact of Big Brothers Big Sisters’ mentoring. McKinley, who was assigned a Big Brother as a child in 1983, graduated from Central High School in Philadelphia before going on to study at University of Pittsburgh as an undergraduate, and eventually attending law school. He is currently a public defender in Camden, New Jersey.

North Campus, Room 110
Thursday, March 23, 2006
4:00 p.m., Student Center Banquet Hall

The award recognizes a student who has demonstrated superior academic performance and a commitment to community service. The recipient will receive a $500 scholarship and a trophy.

— Alan M. Feldman ’76
PAUL A. CZECH has been invited to lead a workshop on behalf of the International Association of Entertainment Lawyers at MIDEM. MIDEM is a music business conference held annually in Cannes, France at the end of January. Czech is attending MIDEM this year as a representative of both the Law Offices of Paul A. Czech and Icarus Digital, a new music download company.

DIANE FOXMAN is again lecturing as part of Montgomery County College’s certificate series on “Starting a Successful Woman Owned Business.” Foxman’s portion of the series covers legal and tax issues. Foxman is an associate in the tax law department of Hamburg, Rubin, Mullin, Maxwell & Lupin.

1993

KATHERINE M. LAYMAN, a Cozen O’Connor member in its Philadelphia office, was a featured speaker at the Leadership Heath Care’s fall 2005 National Long-Term Care Conference/Exhibit in Pittsburgh, Pennsylvania. Layman handles a variety of litigation, regulatory, and transactional matters for the Cozen O’Connor’s health law department.

1994

After ten years as a prosecutor in the Philadelphia District Attorney’s Office, THOMAS MALONE has joined Saltz, Mongeluzzi, Barrett & Bendesky, where he will be handling plaintiff’s personal injury cases.

LESLIE ANNE MILLER, who served in Governor Edward G. Rendell’s cabinet and as general counsel to the governor, was elected as chair of the board of trustees of Mount Holyoke College, the oldest liberal arts college for women in the country. Miller, who will serve a five-year term, also serves on the board of visitors of Temple University Beasley School of Law. Miller continues to serve as co-chair of the board of the Kimmel Center for the Performing Arts.

1995

MARNIE E. SIMON was recently named a shareholder of Stevens & Lee in its Philadelphia office. Simon practices in the area of bankruptcy law.

CHARLES M. SUHR, who concentrates his practice in the area of real estate law, was named a shareholder in Stevens & Lee’s Harrisburg office effective January 1, 2006.

1996

JO BENNETT was recently named a Stevens & Lee shareholder of the firm in its Philadelphia office, where she concentrates her practice on helping companies with labor and employment issues.

WILLIAM J. MCDONOUGH is one of 27 Reed Smith attorneys recently promoted to partner. McDonough is a partner in litigation.

1997

HELEN ALBERTSON has accepted the position of assistant dean of admissions at Drexel University’s new College of Law.

Fish & Richardson announced that GWILYM JOHN OWEN ATTWELL joined the firm’s growing Wilmington, Delaware office as a principal, where he will continue to focus his practice in the biotech and pharmaceutical fields.

TRACY WEISS was recently named a litigation partner at Reed Smith in Philadelphia.

1998

RANDI L. RUBIN was recently hired as Sprinturf’s general counsel. Prior to joining Sprinturf, Rubin was an associate at Kehr, Harrison, Harvey, Branzburg & Ellers.

1999

MEGAN E. WATSON has been named partner in Berner & Klaw, a firm specializing in family law. Watson also serves on the executive committee of the Philadelphia Bar Association family law section, co-chairs the support and alimony subcommittee of that section, co-chairs the Young Women’s Initiative of Women’s Way, serves as board member of North Philadelphia Leadership Schools Advisory Council, and is a member of the Thomas Fornik Inn of Court.

2000

ANTONIA Verna, LL.M., recently left the law firm where she worked for five years to set up a new law firm based in Milan, Italy with a second office in Bari, Italy. The firm has a China desk that will work in alliance with the Chinese firm of Lee & Xu. Verna’s husband, Luca Iaboni, LL.M., works with the law firm of Bonelli Erede, also in Milan.

2001

WILLIAM T. HILL recently joined Klehr, Harrison, Harvey, Branzburg & Ellers as an associate in the Litigation Department. Hill concentrates his practice in complex commercial litigation.

DARYL W. SHORTER recently joined Cozen O’Connor’s Philadelphia office as an associate in the intellectual property practice group. Prior to joining the firm, Shorter was an associate with Dilworth Paxson.

LECTURESHIP IN CONSTITUTIONAL LAW ESTABLISHED BY JUDGE ARLEN ADAMS

Temple Law School’s new lectureship focusing on Constitutional Law is the Arlen and Neysa Adams Lecture. Each year the dean will select a speaker of national stature to speak to the law school community about a constitutional issue. The Arlen and Neysa Adams Lecture joins two other endowed lectureships at the law school: The Herbert F. Kolsby Distinguished Lectureship in Trial Advocacy, established in 2001, and The Honorable Clifford Scott Green Lectureship, established in 2003.
ABE REICH ’74 JOINS GROUP MEETING WITH TEMPLE STUDENTS IN BEIJING

DECEMBER 2005 Abraham C. Reich ’74 and his wife Sherri Reich ’74 traveled to China with “education leader” The Hon. Richard B. Klein of the Superior Court of Pennsylvania. Through Temple Law School, the group met with Professor Mo Zhang, Director of Temple Law Program in China and a number of Chinese Temple Law LL.M. graduates. Almost 200 Chinese judges, law professors and lawyers have graduated from the LL.M. program Temple and Tsinghua University cooperatively offer.

The visit was held at the Zhong Lun Law Firm located in Beijing, where Liu Chi, who earned an LL.M. at Temple University’s Philadelphia campus in 1988. Liu Chi is currently head of the Temple Law Alumnae Association in China.

Abraham Reich, a partner in litigation at Fox Rothschild and a former chancellor of the Philadelphia Bar Association, describes the Chinese attorneys he met as “very savvy and realistic” about the current status of the Chinese legal system. Prior his trip, Reich read a series in The New York Times about the Chinese legal system, which he thought focused on problematic aspects of the system, especially the problem of political pressure on the judiciary when dealing with issues that have an impact on the Communist Party. As a result, Reich was surprised and heartened by his meeting with the Temple-trained Chinese attorneys because ‘their knowledge of due process and other legal principles seemed to be very material to their thinking. They realize that China’s economic growth will be limited unless the international business community has confidence in China’s legal system.”

“As I reflected on my visit, I realized that this Chinese legal system which we were discussing was less than thirty years old. While the system had many warts to it, I could only think of the storied history of the U.S. legal system—over 200 years in process—which itself has had many black eyes from which it has recovered.” Reich expressed pride in knowing that Temple’s program in China is contributing to the gradual evolution of the Chinese legal system. 204 Chinese attorneys have graduated from Temple’s LL.M. program.

2006

KATERINA I. DUARTE, LL.M., has accepted a position in the litigation department of Lefkowicz & Gottfried in New York City. Duarte earned her degree in Temple’s Transnational LL.M. program.

CHINESE PROSECUTORS TRAIN AT TEMPLE

DECEMBER 2005 Temple hosted a group of 25 senior prosecutors from the People’s Republic of China for a three-week training session. The program was developed by a group of Temple faculty headed by Professor Edward Ohlbaum in collaboration with the Supreme People’s Procuratorate of China. The Chinese prosecutors were given in-depth training on procedural protections for criminal defendants, strategies for combatting official corruption, and prosecution of organized crime.
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CALENDR OF EVENTS

Tuesday, March 14, 2006
INT’L INSTITUTE OF LAW AND PUBLIC POLICY LECTURE
PROFESSOR JANE LUTE
Duane Morris LLP Moot Court Room 4 pm

Wednesday, March 15, 2006
SPIN AUCTION
Duane Morris LLP, 30 S. 17th Street
6 pm

Friday, March 17/Saturday, March 18, 2006
LAW AND ADOLESCENCE SYMPOSIUM SPONSORED BY TEMPLE LAW REVIEW AND JUVENILE LAW CENTER
Klein Hall

Wednesday, March 22, 2006
ANNUAL LAW DAY RECEPTION
Honoring Alan M. Feldman ’76
2006 Phila Bar Ass’n Chancellor
Federal Courthouse 4:30 pm

Saturday, March 25, 2006
FOUNDER’S DAY DINNER
Philadelphia Convention Center 7 pm

Thursday, March 30, 2006
JUDGE CLIFFORD SCOTT GREEN LECTURE: HON. LOUIS POLLAK
Duane Morris LLP Moot Court Room
4 pm Reception to follow

Thursday, April 6, 2006
HAROLD E. KOHN LECTURE: PROFESSOR PETER HUANG
Duane Morris LLP Moot Court Room 4pm

Monday, April 10, 2006
WOMEN’S LAW CAUCUS ALUMNAE RECEPTION HONORING MARSHA LEVICK ’75
Diamond Club 5:30 pm

Tuesday, April 11, 2006
STERN MOOT COURT COMPETITION
Duane Morris LLP Moot Court Room
Competition 4 pm

Thursday, May 11th
TLAA NIGHT AT THE PHILLIES

Saturday, May 13, 2006
REUNION WEEKEND
Westin Hotel

INTERNATIONAL LL.M. STUDENTS
Speak on Human Rights Panel

NOVEMBER 22, 2005 Five students enrolled in Temple’s LL.M. program for international students were featured on a panel on international human rights issues sponsored by the Philadelphia Bar Association’s international law committee, the International Visitors Council, and the Philadelphia Center.

LL.M. candidate Jefeng Lu spoke about employment discrimination, a developing area in Chinese law. Lu, whose mentor is Zhou Wei, one of the most famous civil rights law professors in China, described a height discrimination case and a hepatitis B class action suit.

Raquel Cohen, a native of Peru, presented on her work with a non-governmental organization in Peru and the InterAmerican Commission of Human Rights. Before entering the LL.M. program at Temple Law, Cohen worked at the InterAmerican Center of Human Rights. Fellow Peruvian and activist Edgar Aranda spoke about discrimination against indigenous North Andeans who are native speakers of the Quechua language, the minority group of which Aranda is a member. Cohen and Aranda both reflected on human rights issues in Peru connected to the history of the Shining Path.

Juliane Baxmann, who came to Temple Law from Germany as a Rotary International Scholar, described the highly refined and active regional human rights system currently in use in the European Union, contrasted the ways in which human rights issues are addressed in Germany, a developed society, as opposed to less economically developed nations.

The fifth panelist from Temple’s LL.M. program was Brendan Van Alsenoy from Belgium, who presented on the topic of the European Union’s position and record on international human rights.

INTERNATIONAL LL.M. STUDENTS WHO SPOKE ON THE PANEL (FROM LEFT): EDGAR ARANDA, JULIANE BAXMANN, BRENDAN VAN ALSENOY, RAQUEL COHEN, AND JEFENG LU.