L.A. Litigator
Bertram Fields ’52
April 3
Martha Coaldey, lead prosecutor, Louise Woodward Trial
Harvard Law School Forum
6:30 p.m., Pound Hall 102 (617) 495-4447

April 7
Francis Biddle Memorial Lecture
"Pre-Gay 'Like-Race' Arguments"
Professor Janet Halley, Stanford Law School
4:30 p.m. Austin North (617) 495-4830

April 8
Ralph E. Shakes Visiting Fellowship Lecture
"Identity and the Case for Gay Rights:
Race, Gender, Religion as Analogies"
Professor David Richards '74, New York University School of Law
4:30 p.m. Austin North (617) 495-4830

April 18
Public Interest Auction
Silent Auction, bidding on line (see page 38)
Live Auction 7:30 p.m.
Ames Courtroom, Austin Hall (617) 495-3168

April 22-26
Spring Reunions Weekend
Cambridge (617) 495-3173

June 3
Alumni Spread and Class Day 1998
Cambridge (617) 495-3173

June 7-19
Program of Instruction for Lawyers
Cambridge (617) 495-3173

June 11
HLSA of Delaware
Speaker: Professor Andrew Kaufman '74 (617) 495-4698

June 11-14
Worldwide Alumni Congress and Meeting of the HLSA, Rome
(617) 495-4698

June 11
HLSA of Philadelphia
Speaker: Professor Andrew Kaufman '74 (617) 495-4698

August 3
HLSA at the ABA
Toronto, Canada (617) 495-4698

October 22-25
Fall Reunions Weekend
and the sixth International Section and Graduate Program Reunion
Cambridge (617) 495-3173

November 13-17
HLS Fund and Association Leadership Weekend
Cambridge (617) 495-3173

November 13-17
Celebration '98
Sponsored by HLSA Alumni Committee
Cambridge (617) 495-3173

For more information, call the phone number listed for each event.

Editor
Nancy Waring

Senior Editor
Julia Collins

Managing Editor
Emily Newburger

Associate Editor
Linda Grant

Contributing Editor
Michael Chmura

Editorial Assistant
Rob Edmund '98, Joshua Kryniak, Jason Reulet, Lori Ann Sedar

Design
Susan Marsh

Composition and Page Make-up
Matt Mayerchak

Advisory Board
Scott Nichols, David Smith '91

Editorial Office
Harvard Law Bulletin
Harvard Law School
Cambridge, Massachusetts 02138
E-mail address: hlbimt@law.harvard.edu

HLS Web site: www.law.harvard.edu

Send changes of address to:
Baker House
1717 Massachusetts Avenue
Cambridge, Massachusetts 02138
© 1998 by the President and Fellows of Harvard College. Printed in the U.S.A.

Features

From the Ballpark to the Box Office
Hundreds of HLS students have flocked to Professor Paul Weiler's popular classes examining legal issues, cases, and controversies in the sports and entertainment worlds. Student input, in fact, helped shape Weiler's latest book, Entertainment, Media, and the Law.

HLS Names in Lights
Profiles of 14 graduates who exemplify the breadth and impact of HLS careers in entertainment, media, and sports.

Library Centerpiece
The new Langdell is equipped for the 21st century, yet the grandeur of the original Library and its beloved ghosts remain.

Books and Conversations
With Assistant Professor Frank Vogel, coauthor of Islamic Law and Finance: Religion, Risk, and Return

Departments

From the Dean
School News
Class Notes
In Memoriam
Profile: Herbert Robinson '40

Martin Gideonse '71
Remembered
He helped Professor Charles Ogletree '78 and countless other students to discover "what it means to be a lawyer."

A Tribute to Louis Loss
Professor Detlev Varga '52 reflects on his colleague's extraordinary legacy in securities law and memorable skills as a teacher.
FROM THE DEAN

These are good times at Harvard Law School. One reason is that our handsome, renovated law library opened this fall. (See the splendid photos in this issue of the Bulletin.) Not only is it far more beautiful than anyone could have anticipated, but it also enables us to keep pace with technological developments in legal research.

I think the Harvard Law School must be favored by Providence. We weren’t always certain that we could actually pull off so huge a renovation while keeping the library up and running, not to mention meeting our schedule and our budget. But we did. I wish that all of our alumni could drop by and experience first-hand the grandeur of the library. I am sure you would be very pleased.

On the academic front, we are looking forward to the arrival in the summer of two wonderful, new faculty members: Mark Ramseyer ’82, the preeminent scholar of Japanese law, who comes to us from the University of Chicago Law School; and voting rights specialist Lani Guinier from the University of Pennsylvania Law School. You will be reading about them in a future issue of the Bulletin, once they have had a chance to settle in at the School.

This issue of the Harvard Law Bulletin focuses on sports, entertainment, and media law. These relatively recent additions to our academic program are of tremendous interest to students, thanks to our designated hitter in these areas, Professor Paul Weiler LLM ’55.

I am struck by how many of our graduates are leaders in the sports and entertainment industries, working as lawyers and in an impressive array of other business and creative capacities. On our cover is Bert Fields ’54, one of the most sought-after entertainment lawyers in L.A. His clients include Steven Spielberg, Dustin Hoffman, and Tom Cruise, to name just a few. Inside you will find a story about Fields’s career, along with profiles of other prominent graduates, including Nancy Josephson ’83, executive vice president in charge of television at International Creative Management, and one of the most influential women in Hollywood; Richard Moss ’55, labor lawyer and sports agent, who handled the case that launched free agency in baseball; and Robert Joffe ’67, Time Warner’s top outside attorney, who has represented this media giant in many news-making transactions, including Paramount v. Time.

I commend to you the interview with Professor Weiler.

Paul transformed what had been an informal speaker forum here in the 1980s into the hugely popular Sports and the Law seminar, a pioneer effort in the law school world to explore legal issues in sports. In 1993 I asked him to introduce a course on entertainment law, also in response to student interest. It has proved equally popular. Paul always appears so busy, but I suspect he does some of his research while watching the Red Sox in Fenway Park, where I know for a fact he has season tickets. Paul has also produced casebooks in sports law and entertainment law; both are best-sellers.

I am pleased to hear that quite a few alumni are active in the HLSA Committee on Sports, Entertainment, and Cyberlaw. Some have returned to the School to speak in Professor Weiler’s classes, or at the invitation of students. And a number of sports and entertainment industry leaders whom we can’t claim as our graduates have also visited, including Ted Turner, founder of Turner Broadcasting and now vice-chairman of Time Warner, Jane Foronda, and Oliver Stone. Last semester I enjoyed meeting film critics Gene Siskel and Roger Ebert when they spoke at the Law School Forum. One of our own film critics, by the way, Vice-Dean David Smith ’86, talked with our Bulletin editor about the HLS-Hollywood connection (p. 34).

The Law School’s outstanding curriculum in sports and entertainment law is only one example of the ways in which the School has achieved a surprisingly well articulated level of excellence, and of the ways in which it is genuinely connected to the legal profession. I hope that over time we can show you many other aspects of this remarkable striving for excellence and connectivity.
Professor Weiler on Sports and Entertainment Law at HLS

More than a dozen years ago, student and alumni interest in the role law plays in sports prompted Professor Paul Weiler LLM '65 to introduce an HLS seminar called Sports and the Law. Since then, matters such as labor disputes between players and team owners and the impact of rules requiring equivalent college athletics programs for men and women students have been regular fare in Weiler's classroom.

Sports and the Law proved so popular that Weiler followed up with another new seminar, Entertainment, Media, and the Law. Now in its fifth year, this course explores First Amendment, intellectual property, contract, and international trade issues and a host of other legal matters germane to the business of movies, television, music, interactive media, and other popular pastimes.

The impact of Weiler's courses can be gauged by the large number of HLS students who have gone on to important posts in entertainment and sports: some as lawyers, others as sports executives, independent producers, talent agents, and so on. A steady stream of alumni in the industry return to the School to speak to Weiler's classes, or School-wide at the invitation of the student Committee on Sports and Entertainment Law.

For Weiler's current students, the sports and entertainment industries raise intriguing legal questions and

Club versus League-wide profits. "In 1997 George Steinbrenner and his Yankees signed a $95 million sponsorship contract with Adidas, a deal that promised the club a much greater profit than its share of the $325 million Nike and Reebok jointly offered to sponsor the entire Major League. The League's Executive Council, among other things, insisted that the Yankees-Adidas contract include a 'subservience clause' that would subject it to any future changes in league-wide merchandising programs. The Yankees and Adidas partnership filed a preemptive lawsuit in Steinbrenner's home city of Tampa, Florida, claiming the League merchandising system violates federal and state law. Conversely, the League wants to prevent this kind of 'cherry-picking' for profit by its big-market/big-name teams." — P.W.
shed new light on the doctrines and concepts studied in basic law courses. Both words "regularly churn up new legal cases and controversies that spark debate within the industry, in courts, and in Congress," Weiler says.

When he launched Sports and the Law, Weiler discovered it was an easy task to gather course material — sports stories fielded by the media daily had plenty of legal dimensions for students to examine. There was no good law textbook available, however, so he went ahead and authored one: *Cases, Materials and Problems on Sports and the Law*, published in 1993 by West, with a second edition due in this year. Course preparation proved just as pleasant for Entertainment, Media, and the Law, for which he clipped articles from trade and newspaper publications like *Billboard* and *Variety Fair*, and attended movies, concerts, and plays. When he discovered the same gap in serious entertainment law coverage, again he wrote the book: *Entertainment, Media, and the Law*, published by West in 1997.

Although he covers sports and entertainment in two separate courses, sports is usually regarded as part of the entertainment

continued on p. 8

**Photographic Richard Chart**

**FROM ENTERTAINMENT, MEDIA, AND THE LAW**

Digital sampling of music already looks like a rather rudimentary feature of the computerized entertainment industry. Digital sampling of motion pictures is bringing us into an even braver new world. In the early 1990s, studios began to substitute digital editing of movies for the long-established Moviola technique of cutting and gluing together pieces extracted from different spools of film that had recorded different "takes" of scenes on location. Producers now can order far more film than of more scenes (up to one million feet for a single movie), which is all then edited and stored on hard drive in a computer, and thus can be readily called up for comparison and selection of the best version of a scene for the ultimate movie product (which usually runs about 12,000 feet in length). Indeed, film editors now create special effects scenes that were never filmed, simply by weaving together features of different takes on location.

**Professor Paul Weiler**

The public witnessed a more vivid display of the impact of this new technology in the big box-office hit of 1994, *Forrest Gump*. Tom Hanks, playing Forrest Gump, was shown conversing with John Kennedy in the Oval Office, getting a suggestion from Richard Nixon to use the Watergate Hotel, laughing with John Lennon, and gracing the scene at George Wallace, Kennedy, Nixon, Lennon, Wallace, and other starting public figures from the last three decades all played themselves in the movie. All of this was made possible by new computer technology that permits images as well as sound to be translated into mathematical data that can be drawn upon to create a three-dimensional likeness of the character — moving, speaking, and displaying the emotions that the script calls for. Not only the deceased John Lennon, but also the living Tom Hanks can be easily portrayed in movies on whose location they never set foot.

Earlier "low-tech" versions of this art form have appeared in previous years. For example, the movie *Dead Man Don't Wear Plaid* had Steve Martin talking to Humphrey Bogart: the 1992 Grammy Award-winning music video "Unforgettable" showed Natalie Cole singing along with her late father Nat "King" Cole; and the 1995 movie *In the Line of Fire* digitally pasted the head of a young Clint Eastwood onto one of the Secret Service agents appearing in historical footage of President Kennedy's assassination. These products involved stitching together old and new filmed material into a single product. New computerized digital animation, by contrast, allows for the creation of branch new actions and dialogue for the absent protagonist, based on raw material drawn from old pictures. That technology offers qualitatively different products to movie fans and unique legal challenges to motion picture lawyers.

The difficult copyright issues arise when the producer wants to use the film image of a real person whose face, voice, movements, and expressions are as familiar in people's minds and memories as those of John Kennedy and Humphrey Bogart.

Aiming a kick at soccer salary caps. "To avoid scrutiny under the Sherman Act, a recently formed U.S. sports venture, Major League Soccer (MLS), is apparently structured as a 'single entity,' all soccer franchises are owned by the league, which in turn is owned by investor-operators. This structure is targeted especially at the players market, with each player having to sign a Standard Player Agreement and negotiate contract terms with a single MLS department. In 1997, the players filed a class action antitrust suit challenging the MLS salary cap and other unilateral created restraints in the players market." — P.W.

"Entertainment, Media, and the Law is an exciting, stimulating, and pathbreaking way of teaching numerous subjects, from intellectual property to antitrust to the First Amendment, through the uniquely American industries of media and entertainment. My practice has taken me through much of the turmoil in television and cable programming and distribution, and it is all right there in Professor Weiler's exceptionally well done book." — Robert Joffe '67

"I have always enjoyed my contacts with the Law School and the faculty, particularly the opportunity to address Professor Weiler's Entertainment, Media, and the Law class and to discuss various cases with him, I have read substantial parts of his very excellent book. I find it unusually well written, and with the issues presented in a manner that is both clear and thought provoking. It's also refreshing to read an accurate account of litigation in which I have participated, such as Paramount's appeal of the Buchanan v. Paramount decision." — Bertram Fields '52

"Paul Weiler has written a clear, readable text on the complex issues in the entertainment industry. I have read his work with particular emphasis on the music industry, which is the focus of my practice, and find his selection of cases and narrative to be well researched, topical, and provocative. For those of us who spend our time primarily on the practicalities of the entertainment world, Professor Weiler's book is an excellent perspective on the conceptual and legal underpinnings of the industry." — Donald Paschman '70
industry, which is perhaps ten times larger than the box-office world," Weiler says. "The definition of entertainment, to include all fun and leisure activities, encompasses sporting events, movies, broadcasting, book publishing, even gambling and going to theme parks," he explains, as well as new media, a fast-growing offshoot.

"From the industry’s perspective, there’s considerable overlap between sports and entertainment," Weiler says. "Many sports stars pursue lucrative TV, movie, and book deals, for example. But of greater significance, he notes, is the trend for huge entertainment conglomerates to purchase sports franchises in order to broadcast the games on their cable and network channels. Times Warner owns the Atlanta Hawks [basketball] and the Atlanta Braves [baseball], for example. Disney owns the Mighty Ducks [hockey] and the Anaheim Angels [baseball]. And Rupert Murdoch’s Fox network wants the L.A. Dodgers [baseball]. "The biggest money in sports," Weiler says, "are the revenues from broadcasting, not ticket sales."

From a legal and public policy perspective, qualitative differences exist between the sports and entertainment realms. In sports, owing to the nature of competition, the legal focus is on "establishing a level playing field in and outside of the game," through scrutiny by legislators, courts, and administrative agencies. In entertainment, the focus is on "speech for fun and profit," Weiler says. The goal is to protect creative speech from undue legal intrusion on the one hand, and on the other to control the host of ways in which law helps define and shape speech products, whether by creating intellectual property in a performing artist’s work, for example, or by allocating space in the electromagnetic spectrum to broadcasters. Weiler compares contract negotiations for a Hollywood actor versus a Major League baseball player. In the entertainment world, "each studio wants to monopolize the best talent, and would love to make every Oscar winning, box-office hit." Contracts generally cover a one-time project—to do a movie, write a book, make a record. Major stars command multi-million-dollar fees and even garner profit percentages for a single project.

In the world of sports, on the other hand, "the goal is to distribute talented players evenly among the various teams so that they are all comparatively equal on the field." This has generated the reserve system (meaning a player can negotiate with only a single team), restraints on free agency, the rookie draft, and salary caps—all of which influence the terms of what are often multi-year player contracts. And all of which, Weiler says, "would be considered improper and illegal practices in the movie and television studio system."

As his new book emphasizes, entertainment, including sports, has become an international industry, the segment of the economy in which the United States has its biggest competitive advantage and generates its largest trade surplus. "Free trade in entertainment products is wonderful from our perspective," Weiler says, "because we win." He offers the examples of the recent blockbuster movie Titanic, for which international box-office profits have already exceeded the huge domestic take, and "Baywatch," the world’s most popular TV program.

Yet America’s entertainment clout troubles those countries that regard movies and TV programs shown to citizens to have a crucial impact on national culture and identity. "Canada, so close, feels this very much," says Weiler, a native of Canada. "As does Europe, especially France." The cultural exemption developed in the 1986 Canada-U.S. free trade agreement, later extended to NAFTA, "allows countries to impose a restraint of trade on cultural products that isn’t allowed on hardware products." In the Uruguay round of the GATT treaty talks, he notes, this cultural exemption became an even bigger issue. It was already included with regard to movies, then the Europeans led by the French pushed for the exemption to be extended to TV. "It looked like it might be a deal breaker," Weiler says, but eventually the exemption was incorporated in the final agreement.

Students are drawn to Weiler’s courses not only for their engaging content, but also to learn more about the myriad professional opportunities in the sports and entertainment worlds. Weiler points out sports league commissioners are often former lawyers or judges, and senior executives of entertainment conglomerates are often lawyers. "But whether one works as a lawyer-litigator, or as an executive in a league or media company, you do not experience a client coming in and saying, ‘I am a publicity rights problem,’ or ‘I am a contract interpretation problem.’ Rather, clients present their personal and business dilemmas and ask, ‘What do I do?’ What is crucial, then, is understanding every pertinent aspect of the legal system as it applies to this real-world industry with its distinctive set of problems." And that is a key virtue of Weiler’s popular courses.

Julia Collins

Dispute over a TV show’s price tag. "The FCC eliminated the 1970 syndication rule that had barred TV networks from owning the shows they air on prime time; as a result networks may now own television programs. At the center of a major lawsuit underway is the hit show ‘Home Improvement,’ which was financed and distributed by Disney. After Disney bought ABC, which already aired ‘Home Improvement,’ the show’s contract expired. Disney refused to ask its network for any significant increase in the price for ‘Home Improvement,’ and is now being sued by the independent producers of the show. They claim Disney has violated its contract and fiduciary responsibilities." —P.W.

007’s identity crisis. "The 16 movies about British spy James Bond made by Danjaq and financed and distributed by United Artists (UA) and later MGM-UA represent the biggest box-office franchise in history, grossing well over $3 billion ($5 billion in current dollars). Now John Colley, former head of UA, new head of rival Sony Entertainment, has announced plans for Sony’s TribStar Pictures studio to launch its own series of Bond films, utilizing rights assigned by Kevin McClory, who met Ian Fleming, Bond’s creator, in 1955 and was coauthor of the script for Thunderball, one of the first Bond movies made by Danjaq—UA. MGM-UA is suing. In financial terms, this is the biggest case ever to hit Hollywood, involving copyright and trademark issues, among others." —P.W.

Clinton’s cameo. "Media giant Time Warner owns Warner Bros., the Hollywood studio that made the movie Contact. It also owns CNN and its libraries of news footage, which enabled Contact filmmakers to take CNN coverage of a speech President Clinton made about discoveries suggesting possible life on Mars, and use those images to match the movie’s premise by using digital technology. The result: an unwitting cameo by Clinton in a sci-fi movie about an international mission to make first contact with aliens. Clinton’s chief counsel wrote a letter to Warner warning them not to do this again."

—P.W.
It's a challenge to keep up with alumni in the fluid, fast-moving industry comprising entertainment, sports, and the media.

HLS Names in Lights

Out of many hundreds, we spoke to 14 graduates whose careers demonstrate the extraordinary reach of an HLS degree. Their stories follow.
MANY SUNDAY MORNINGS, a certain L.A. lawyer and his wife set forth on their ritual four-hour walk across the city. The walk takes them from Hollywood Hills to Chinatown, along posh streets and poor ones, from blocks where Spanish is the prevalent tongue to those where Cantonese predominates. Bertram Fields 52 savors these leisurely Sunday views of his native city, because the rest of the week he puts in 14-hour days at his Century City law offices.

There's no attorney better known in the entertainment industry than Bert Fields, a litigator and partner of Greenberg Glusker Fields Claman & Machtinger LLP. In fact, Fields has frequently appeared in the national media over the years, including a flattering profile in Vanity Fair, an unusual venue for a Harvard-trained lawyer.

Fields's fame is partly due to his celebrity clients: actors Tom Cruise, Dustin Hoffman, and John Travolta, directors James Cameron, Steven Spielberg, and actor-director Warren Beatty, among them. But his reputation as a legendary litigator is based on stellar performances in the courtroom and at the negotiating table, in high-profile cases often involving huge sums of Hollywood money. He is also famous as the lawyer able to argue any side of the issue, for any industry party, and win—representing a studio in one case, suing a studio in another case, representing a director's right to "final cut" of a film in one case, representing the studio determined to wrest control of this right from the director in another.

And Fields's clients aren't confined to entertainment. During his "checkered career," as he calls it, he has also represented cotton farmers in Arizona, a big Nevada hotel, a Japanese bank in Nicaragua before the revolution, and a Latin American satellite communications conglomerate.

The native Californian's L.A. office is paneled in dark wood, full of antiques and leather furnishings suggesting a quiet corner in a British club or a Harvard reading room back east. The occupant's character is reflected in personal treasures such as the statue of the famous bullfighter Manolete, who was egged on by the crowd to get closer and closer to the bull, till he was gored and killed. To Fields, who has been to a few bullfights himself, the image of closing in on "the horns of the bull" has become a personal metaphor for legal daring.

Recently, Fields was embroiled in a tough case that intrigued moviemakers and non-moviemakers alike. He represented director Steven Spielberg and the studio DreamWorks SKG in a $140 million lawsuit filed by an author who claimed the screenplay for Amistad, Spielberg's 1997 film about an 1839 African slave revolt, plagiarized from her historical novel Echo of Lissa. In December, the author lost her bid to block the film's release. Defending Spielberg and his films, Fields contended that the author was trying to "own" a piece of American history. "It has been a very hard-fought case," he acknowledged, praising his legal opponent Pierce O'Donnell, the author's attorney. (As the Bulletin went to press, the author withdrew her suit.)

In fact, Fields hopes that he and O'Donnell will have the opportunity to come to Harvard Law School in the future, to argue for the benefit of students another famous case they faced off on, Buchwald v. Paramount Pictures Corp., in which humorist Art Buchwald sued Paramount over the movie Coming to America, starring Eddie Murphy, which Buchwald claimed plagiarized a treatment he had submitted to the studio. Fields did not try the case; but when Buchwald won, Paramount appealed and hired Fields. After the briefs were filed, the case was settled.

Fields is also representing Jeffrey Katzenberg, a partner of DreamWorks studio, in his $250 million lawsuit against The Walt Disney Co. Katzenberg, a former Disney executive, claims he is owed profits from movies he helped develop before leaving Disney. That case is pending. And Fields recently faced off against Disney and its legal team in another case. He represented MGM, which sued Disney to gain back theme park rights in Europe, claiming Disney had not fulfilled contract obligations in their joint venture, resulting in loss of profits for MGM. Fields won a unanimous jury verdict in that case.

When a case goes to trial, Fields likens the courtroom experience to theater. "You have a captive audience. The high drama of waiting to hear your lawyer foreman read the verdict, it's won or lost every time, and the thrill of winning is tremendous." The flip side, defeat, is unfamiliar to him. Fields can recall only one time early in his career, in 1977, when he aided a more senior attorney in a losing effort, and a tax case in the early 60s, when he was unable to turn over an administrative ruling. Except for those, "I have not lost a trial!"

Fields also works on transactions and finds deal-making refreshing after a hard-fighting trial. At present he is negotiating contracts for actor Tom Cruise and directors James Cameron and Mike Nichols. He spends about one-third of his time in New York City, noting that his clients have risen in their careers, "they have more connections to New York because they're moving increasingly in the financial world."

Yet the consummate lawyer was once a young UCLA undergraduate, uncertain of his future, with a surgeon in mind. Pleading him to pursue a medical career. Then Fields took some college aptitude tests, which indicated "that under no circumstances should I consider becoming a doctor." The tests pointed instead to law. "I didn't know a single lawyer," says Fields, "and I had no idea what they do. I went ahead and applied to law school anyway."

He was thrilled when Harvard Law School accepted him. At first, he struggled with his studies. "I didn't understand the process. I didn't know why we were reading all these dumb cases." His tenacity paid off, though, and he surprised himself by winning a spot on the Harvard Law Review and graduating magna cum laude.

After graduation, Fields considered practicing in Washington, D.C. During the Korean War he joined the Air Force Judge Advocate General's Corps and tried "hundreds of courts-martial, two or three a day. I thought I was a red-hot litigator." He found JAG service excellent training and fiercely competitive.

In the end, Fields chose to return to California. He started out in a small L.A. firm, taking any case anyone would trust to him. Although he had little knowledge of the entertainment industry, he began to do some trial work for young actors and writers, who eventually had him negotiating their contracts. His first big-name client was actor Jack Webb of "Dragnet" fame.

Over the years, the small firm in which Fields started out has changed names a few times, merging in 1982 to become Greenberg Glusker Fields Claman & Machtinger, one of the premier entertainment law firms. The industry in which Fields practices has also grown and changed. For one thing, he says, the cost of making movies has become staggering, such as $250 million for Titanic, directed by his client James Cameron. And during the last decade, profits from international distribution of American films have exceeded domestic, a fact Fields says the industry itself hasn't fully absorbed.

Fields recalls an important lesson he learned from HLS Professor W. Barton Leach Jr. "Leach devoted the first week to teaching us the doctrine of adverse possession." He then asked the class whether anyone took issue with what they had heard. "When nobody disagreed, he said, 'None of you will succeed as lawyers. I will now present the argument I would make for the other side.' He proceeded to demolish everything we'd learned so far."

Leach's student went on to use this lesson in
THE BASEBALL PLAYER'S AGENT

"There is only one qualification to be a sports agent, and that is to have a client," says Richard Moss '55. Moss, who has represented over 200 Major League baseball players individually, including Hall of Famers and utility players, adds: "As for the law, I don't believe there is such a thing as sports law — it's law in the context of sports. I identify myself as a labor lawyer, and my experience with those issues has been very useful in functioning on behalf of players."

In the midst of frequent bicostal travel to meet with clients and baseball officials, Moss has taught Sports and the Law at the University of Southern California Law School. He imparts experiences from more than 30 years in baseball that began in 1967, when Marvin Miller, the first head of the players union, the Major League Baseball Players Association, asked Moss to sign on as general counsel. "From the time I came to the Law School, I was always interested in labor law, on the union side," says Moss. "I took Archie Cox's labor law seminar and wrote my third-year paper under his guidance." After HLS, Moss was drafted and spent two years in the Army. He then practiced for a brief time in a small Pittsburgh labor law firm before joining the Steelworkers Union, first as an assistant general counsel, and next as associate general counsel in charge of the legal department at the union's international headquarters. Then Miller, who had been the Steelworkers' chief economic adviser, asked Moss to join him, and he accepted.

"My mother thought I was doing a terrible, stupid thing, to leave a fine career with the union to become the lawyer for a funky baseball players' organization," Moss recalls. "At the time, the minimum salary for Major League players was $6,000 — it had been $6,000 for 20 years — and the average salary was $16,000 a year. The players had been exploited for years by the team owners. The basic lesson players learned from us was that if they stuck together and functioned as a group, they had a lot of power; individually they had none."

During his 11 years with the Players Association, Moss was an architect of the salary arbitration system, and argued all of the union's legal and arbitration cases, including the momentous Messersmith case that ended baseball's onerous reserve system and created free agency for players.

"In financial impact, it was probably the biggest grievance arbitration case in the history of labor relations," says Moss. "Over the years, the difference between winning and losing that case can be described in billions of dollars."

Moss left the Players Association in 1977 after arranging for his succes-

Julia Collins

client John Valentin: a new contract guaranteeing the third baseman $25 million over the next four years.

With Moss's help, baseball players have gained considerable clout and steep salaries. The path has been rocky, however. In the late '80s, club owners colluded to shut out free agents, according to Moss and decisions by two arbitrators; the result, in 1990, was that the owners agreed to pay a $280 million settlement.

Several lengthy strikes have also been costly to all concerned, and to the image of baseball. And the accumulation of 30 years of enormous distrust between players and owners "continues to dog the game, Moss says. But although he is critical of the quality of baseball's top management, he is confident baseball will survive and prosper because "it is a beautiful and enthralling game."
M

ine is a ridiculously fun job,” says Nancy Josephson, executive vice president in charge of television at International Creative Management (ICM). Josephson oversees 35 agents in ICM’s TV division while personally managing the careers of sought-after writers, producers, directors, and actors.

“I’m very picky about whom I represent,” Josephson says. “All of my clients are innovative and seek to make a difference with their work.” They include Darren Star, creator of the hit TV shows “Melrose Place” and “Beverly Hills 90210’s” Chris Keyser ’85, cocreator of popular ‘Party of Five’; and United Media and Scott Adams, cartoonist of the darkly humorous “Dilbert” strip. Two longtime clients are Matta Kauffman and David Crane, who created the huge hit “Friends” and the new series called “Veronica’s Closet,” which they executive-produce with their partner Kevin Bright — also a client.

ICM occupies its own sleek building on Wilshire Boulevard in Beverly Hills. Naturally, there’s a TV and VCR in Josephson’s office. There is also a framed Thanksgiving message from her young son: “I am thankful for my mom because she is always organized.” Josephson needs to be, considering her nonstop job. She has lunch with contacts and clients daily, hosts many business dinners and parties at her home, frequently attends tapings of her clients’ TV shows, and conducts business by cell phone on the L.A. freeways.

Josephson’s father, Marvin Josephson, founded ICM in 1952, and continues to represent Colin Powell, Margaret Thatcher, and other select clients. “Sign clients and keep them,” Josephson advised his daughter. “I took his advice,” she says. “I’ve kept my focus on my clients’ goals, and on every detail of their lives to help them make the right career moves.”

She is also placing her own distinctive stamp on the family business. In movies, she says, “the director is king.” In TV, “the writer is king. You can attract talent to television only if the script is great, with the potential to turn the show into a hit. Proven writers become executive producers and have all the leverage.” Josephson’s gift is discovering and cultivating such writers. It has now been a dozen years since she saw the off-Broadway play “Personalities” by young playwright Kauffman and Crane, and began promoting the talent that led to “Friends” nine years later.

After graduating from HLS, Josephson joined an entertainment law “boutique” in New York. She discovered her knack for putting the right teams together and orchestrating deals to turn literary works into movies and TV shows. But after her group merged with another firm, then merged again, Josephson found herself in a “fairly stinky” Park Avenue practice. “I realized I was an agent in a law firm.”

An ICM executive overcame her reservations, and she joined the agency’s New York office as a business affairs attorney. She also began selling dramatic rights to literary works by ICM authors, and trolling for new talent at TV tapings and theater productions. Within two years she was running ICM’s TV division. However, with “the heart and soul” of TV in L.A., a move west was inevitable. In 1987 she switched coasts “and hit the ground running.”

The emergence of new TV marketplaces — Fox, WB, UPN — and expansion of cable services — such as HBO, TNT, Showtime — have all fueled demand for talent, Josephson says. “My clients are never out of work; it’s always a question of which option is best.”

Her legal training continues to serve her well. “Many agents are afraid of profit definitions, for example, and don’t know how to construct deals. They have to develop business negotiating skills along the way. I do all this in my sleep.”

Julia Collins

VAI COM'S

CHIEF

DON'T CALL ME A MOGUL,” says Sumner Redstone '47, the outspoken CEO and chairman of Viacom Inc. Daring entrepreneur and superb manager are better descriptions for Redstone, who began life poor, in a Boston tenement, and has built one of the world’s largest media companies. Viacom holdings include Paramount Pictures, MTV, VH1, Showtime, Nickelodeon, and Blockbuster Video.

The Viacom building at 1535 Broadway presides over Times Square, where one and a half million people pass through every day to watch plays and movies, buy cheap camcorders and CD players, gawk at the sky-high signage, and slip into peep shows, a vanishing species in this district. The razzle dazzle infiltrates Redstone’s tower, where MTV’s live music studio on the mezzanine level can be seen from the street and digital displays announce Viacom entertainment offerings.

Starting with two dollars in his father’s pocket in 1959, Redstone leveraged the concept of multi-screen movie theaters into National Amusements, his exhibition company. By the time it expanded to 400 screens, he was restless. “I saw exhibition as a non-growth industry. The number of people going to movies today is basically the same as 30 years ago.” On the lookout for new ventures, he spied Viacom, “a sleeping giant” with tempting TV and software holdings. In 1975 he made his move and bought the company. Seven years later, when Viacom acquired Paramount, it was because Redstone saw “the beauty of marrying the most powerful group of TV networks to Paramount’s studio and TV operations and its library.”

In movies, TV, music, entertainment software, and other creative works, “the United States has a big competitive advantage in international trade,” Redstone says. He often comments that “content is king” and that “powerful brands such as Nickelodeon and MTV reign supreme.” Amid the chaos of emerging entertainment technologies, “it’s what’s delivered on the screen that will drive the entertainment industry.” He enthusiastically describes Viacom product “spin-offs” and “tricks,” such as Aangrat, the first Paramount-Nickelodeon movie, due in November 1998.

Listening to Redstone talk business, one nearly forgets that he once was a practicing attorney. Fresh from Harvard Law School, he served as a law clerk on the United States Court of Appeals, later moving on to the Justice Department, where he served as a special assistant to the United States Attorney General in the Tax Division. Subsequently, he joined a
At present, Viacom’s chief is committed to sharply reducing its M&A debt from the purchase of Paramount. But he looks forward to reaching the point “when I can return to my natural and rationally acquisitive self.”

Washington law firm formed by the then-deputy United States attorney general and by the head of the Antitrust Division who had filed the famous antitrust case U.S. v. Paramount. That case led to the splitting of movie exhibition and production and forced Paramount to sell off its screens. (Little did Redstone suspect that once the laws changed again, he would personally reunite Paramount and movie screens in his own company.) Redstone switched from law to business to launch National Amusements. “I loved being a lawyer. I like the competitive dynamic of legal practice,” he says. “I’m still involved in legal matters every day. But there’s too much litigation and not enough effort at conciliation in the entertainment industry.” One big Viacom legal battle, against Seagram, was recently settled, he notes, while many joint ventures with European companies demonstrate a trend toward collaboration as media conglomerates broaden their global markets.

While Viacom’s domestic businesses are continuing to grow, much of its future growth is directed overseas, and Redstone’s schedule is packed with international travel, to meet company and government officials, make licensing deals, and form partnerships with telephone and cable companies abroad. “Nickelodeon is the top-rated cable channel in England and is moving into South America. MTV is now in 200 million households worldwide. VH1 has been an overnight success in England and Germany. The construction of multiplexes in Latin America and elsewhere in the world will enhance our Paramount studio business.” Sometimes expansion doesn’t work, he acknowledges. German retail laws made Blockbuster a bust in that country, but it has done well in England, Ireland, Italy, and Spain. China is “the toughest market to develop,” Redstone says. “It’s vital to make investments there now.”

At present, Viacom’s chief is committed to sharply reducing its M&A debt from the purchase of Paramount. But he looks forward to reaching the point “when I can return to my natural and rationally acquisitive self.”

Julia Collins

The N.Y. Litigator

As the leading lawyer for media giant Time Warner, Robert Joffe ’74 of Cravath, Swaine & Moore has litigated some of the fiercest legal disputes in the entertainment industry, including the landmark Paramount v. Time lawsuit of 1986, and won critical victories for his client. Yet Joffe rejects the label of entertainment or media lawyer. “I’m a generalist,” he says. “My practice is problem- and client-oriented rather than subject-oriented. Time Warner has called on my skills in mergers and acquisitions, contracts, copyright law, antitrust litigation, negotiating with federal regulators, and First Amendment issues raised by the Cable Act” passed by Congress in 1992. Joffe, who in 1999 will succeed Samuel Butler ’54 as Cravath’s presiding partner, in some years devotes as much as 75 percent of
his time to Time Warner, one of Cravath's biggest clients. The Cravath-Time Warner association dates back to the 1920s when partner Maurice "Tex" Moore, who was married to the sister of Clare Boothe Luce, wife of Time magazine founder Henry Luce, took on the infant publishing company as a client.

Joffe joined Cravath fresh out of Harvard Law School in 1967. After a two-year leave on a public service fellowship in Malawi, Africa, he returned to the firm to specialize in litigation. In the early 1970s he began to work on magazine and forest product matters for Time Inc. Within a few years, as the company rapidly grew and diversified, he was handling Time's acquisitions of cable TV properties. In 1980 he helped Home Box Office Inc., Time's fledgling cable service, to fend off a plan by four major movie studios to license their programs exclusively to a new, rival cable service in which they were partners. "That boycott would have devastated HBO," Joffe says. He filed a complaint with the Justice Department, which in turn sued, and with HBO's and Cravath's help derailed the joint venture.

Joffe had numerous clients, but Time increasingly relied on him for complex legal matters. In 1985 he had just finished steering the massive merger of Time and Warner Communications Inc. through the Justice Department's review when Paramount Communications announced a surprise hostile bid for Time and tried to restrain the merger.

Six weeks of dramatic litigation ensued in Delaware Chancery Court and Delaware Supreme Court, where Joffe was amazed in the "pre-Court TV" era to find TV cameras waiting to roll. "But as soon as the argument started I became oblivious. Arriving home I asked my 11-year-old son, 'David, what's it like watching your daddy on TV?' He started me by saying it was 'like watching Mickey Mantle's son.' How many times does a lawyer, or father, get to hear that?"

Joffe successfully argued that company directors had deemed the Time-Warner merger in the best long-term interests of the company, and its shareholders, regardless of Paramount's high offer. "It was a landmark case in M&A litigation because it reaffirmed directors' control over company affairs. The issue had never been so starkly and fully addressed before."

Since the merger, Joffe has handled Time Warner's $7.5 billion acquisition of Turner Broadcasting System Inc., adroitly winning FTC approval of the merger. When Rupert Murdoch's Fox News Channel opposed the TBS acquisition on antitrust grounds, Joffe fought back. That case was settled out of court with the merger intact. He also obtained a court order preventing New York's Mayor Rudolph Giuliani from putting Murdoch's Fox News on one of Time Warner's access channels. At present, Joffe is representing Time Warner in several transactions with Primestar, a direct broadcast satellite service.

As Time Warner's lawyer, Joffe has had a front-row view of industry-wide trends. "For these huge media companies, the greatest challenge is to compete in a world of convergence," he says. "The increasing interplay of telephone companies, cable providers, software and high-tech companies opens new opportunities for both cooperation and competition."

Julia Collins

Vladenburg recently finished his first year at AOL, the nation's largest online network with more than 11 million subscribers. He brought to AOL years of experience dealing with regulatory and public interest issues, copyright, libel, and other legal matters in the TV and movie business. In fact, Vladenburg's career has encompassed all three of the industry's legal hubs—L.A., D.C., and New York. From 1980 to 1993 he was senior vice president and general counsel for CBS Inc. From 1993 to 1995, he was executive vice president of fox Inc. He then went into private practice at the L.A. firm Latham & Watkins, where he cochaired the entertainment, sports, and media group.

At AOL, Vladenburg has handled the acquisition of CompuServe Inc., AOL's chief rival, adding over...
two million subscribers worldwide. He has filed suit to uphold AOL's ban on "junk" e-mail and prevent bulk-e-mailers from cluttering subscribers' inboxes. In December he attended an industry-wide "online summit" in Washington, D.C., that addressed the problem of child pornography on the Net and promoted training of law enforcement officials in the new technologies. Vadenburg is also involved in public debate over the industry's role in protecting privacy, freedom of speech, and intellectual property in the virtual world.

One of the toughest issues, he says, is addressing AOL's responsibility for online content. "AOL is a gateway community. If someone posts content that is illegal and AOL learns of it, we must advise law enforcement and work with them. And if the content is only offensive or not otherwise illegal, we require adherence to our own community standards."

Although a recent Supreme Court decision struck down the controversial federal Communications Decency Act, thereby confirming First Amendment protections in cyberspace, Internet service providers still face the prospect of other forms of government regulation, as in TV and radio. "There's ongoing conversation between the industry and the government regarding electronic commerce policy making," says Vadenburg. "Industries want to avoid government intervention, and is taking up the challenge to create a market-driven approach toward development of electronic commerce."

Since going public in 1992, AOL has grown from 200,000 members to its present 11 million plus. There are about 700 million Web "hits" a day on AOL, and close to 22 million pieces of mail travel over its networks every day. "AOL members now spend an average of 64 minutes daily online across the service, versus 14 minutes a year ago," Vadenburg says.

Some still complain about subscriber overload and inadequate access. Indeed, when Vadenburg joined AOL it had just settled a class action suit with disgruntled subscribers over unsatisfactory Internet connections. But AOL is dealing rapidly with its growing pains, says Vadenburg, and is adopting strategies for delivering more services faster through new technologies.

Vadenburg cochairs the HLSA Committee on Sports, Entertainment, and Cyberlaw. He recently hosted a committee gathering at his house, with the help of his daughter Alissa, an associate in entertainment law. "I'm very proud of my daughter, who is just entering this legal melee and dealing with the entertainment industry in her own distinctive style," Vadenburg says. ~(Julia Collins)

S A F I R S T - Y E A R A s s o c i a t e, Alissa Vadenburg '96 is a newcomer to the Entertainment Group of Troop Meisinger Steuber & Pasich in L.A., but she also has been the observer of the entertainment world since childhood. Vadenburg's mother has written for TV shows including "Designing Women," and recently completed a TV pilot for Merv Griffin Enterprises. Vadenburg's father, who shares these pages with her, is now general counsel of America Online, Inc., with years of experience lawyering for TV networks and Hollywood.

At the dinner table, Vadenburg recalls, her father would discuss her father's big cases, such as the time he represented CBS when General Westmoreland sued for libel. So when Vadenburg came to HLS last fall, she was delighted to discover she was on the small student committee dedicated to sports and entertainment law. Her second and third years, she became acting president of the group and helped lure industry giants to the School as guest speakers — among them director Oliver Stone and L.A. Litigator Bert Fields '52.

While in law school Vadenburg was research assistant for Professor Paul Weiler, helping with his recently published Entertainment, Media, and the Law. She also interned at Sony Music in New York City. In her third year, she made a documentary with a friend about the "Lotus vs. Berkland computer software dispute."

Vadenburg knew she wanted a career in the entertainment industry and, after debating options she decided to try production law at Troop Meisinger. The firm's Entertainment Group specializes in all aspects of motion picture and television production, distribution, and finance, Vadenburg explains. "Our clients include Twentieth Century Fox, Spelling Entertainment, Universal Studios, Miramax Films, and Showtime Networks. We also represent smaller independents and help them get distribution and financing."

When a movie goes into production, attorneys like Vadenburg arrange the necessary clearances, location agreements, and contract documentation, and handle any other legal problems that arise for the production office. Because of the intense time pressures in movie making, production sometimes starts before all agreements are signed. Under these circumstances, the question of "when you have a deal and when you don't" can lead to lawsuits, says Vadenburg. In fact, her firm represents Mandalay Entertainment in high-profile litigation against actor John Travolta, who filed "The Double," claiming he was not bound by contract.

With millions at stake, most studios are adamant about completing all contracts before any services can be rendered, Vadenburg says. "But some are more lax about this. And the stars often drag their feet before signing. It's important to lay the legal groundwork and get the paperwork done, not only to prove how conclusively committed the parties are, but also to clearly establish the parameters of the deal."

Vadenburg observes that top-rank law firms are often reluctant to bring new graduates into their entertainment departments. "A lot of New York and Hollywood business is about making contacts," so she recommends that law students interested in her industry begin networking early on, as she did and continues to do. At the recent gathering of the HLSA Committee on Sports, Entertainment, and Cyberlaw, held at her family's home in L.A., Vadenburg met "well-established people who have gone the same route as I. They gave me invaluable advice." ~(Julia Collins)

Steve Price '87 and Kenneth Heise '79

HLSA PREMIERE EVENT

Just back from Sundance Film Festival, where he won the lookout for new writers and directors, independent film producer Steve Price '87 spoke to the audience about the flourishing HLSA Committee on Sports, Entertainment, and Cyberlaw. "Behind the glamour of these industries are a lot of HLS alumni whose disciplined analytical thinking reflects the Law School experience," Price says. "This committee is improving the School's access to producers whose careers demonstrate their commitment to creativity. It's also promoting a sense of community among HLS grads in industries in which mutually supportive relationships are both rare and indispensable."

Price was an organizer of the committee's inaugural gathering, which was held at the L.A. home of George Vandenburg III '69, who cochaired the event with Donald Pasquin '76, Richard Music '55, and Bart Flacks '52. Many graduates attended to talk shop and swap business cards. A New York event is planned for the future. Nancy McCullough '93, Alissa Vandenburg '96, Robin Roth '88, Vince Feher '91, and Kathleen Duke Tracy '97 also organized the L.A. event with Price. ~(Julia Collins)

Photographs: Michelle R. S.基因/PhotoDisc/Net

HLS NAMES IN LIGHTS
The Literary Manager

HARVARD LAW SCHOOL is finally on the map in Hollywood," observes Brenda Feigen '69. Through the HLSA committee on entertainment law based in L.A., in which Feigen is active, she hopes the School's influence in the industry will extend to other parts of the country.

Feigen calls herself a literary manager, not an agent, because she often gets directly involved in the process of transforming clients' treatments and screenplays into feature films, TV movies, CD-ROMs, and other products. "I look for good material, whether screenplays, teleplays, or manuscripts, place it with publishers and/or studios, and set the creative process in motion," she explains. "Doctors and scientists, as well as lawyers, often approach Feigen with compelling tales to tell. So do former CIA agents, private eyes, and spies. At present, she is in the process of assembling a creative and financial partnership to make a motion picture based on the book The Rape of Nanking by Iris Chang, which hit the New York Times's and other best-seller lists in January. It is a gripping, often harrowing account of the 1937 massacre of as many as 350,000 Chinese civilians by Japanese soldiers on the eve of WWII. "I'm intrigued to be involved in the financing of a movie that will reveal to the world atrocities that have never been talked about," says Feigen. The book has generated great interest, and she hopes to put together a consortium of American and Chinese filmmakers and financiers, with the goal of making a film "that is a true international co-production."

Feigen had been working for more than 20 years as a New York lawyer and then as motion picture literary agent with William Morris when an interesting screenplay penned by a Navy SEAL caught her attention. In 1988 she moved to L.A. to produce the movie NAVY SEALS, released in 1990. After several years in production she began practicing entertainment and literary law with Berton & Donaldson, but found she wanted a more hands-on role in projects. In 1995 she opened her own agency, with a partner handling the studio side of projects.

While Feigen's focus is on putting deals and creative teams together, her contracts expertise comes in handy. "It's an advantage that I'm both lawyer and agent, because, for example, the new media have changed publishing contracts dramatically, particularly in addressing electronic rights issues," which pertain to interactive games, CD-ROMs, and other electronic spin-offs of literary works.

Feigen is always shopping new ideas around. She is involved in laying the groundwork for new partnerships between Hollywood and Asian production financing and facilities that would lower U.S. film production costs and reduce filmmakers' dependence on the Hollywood studio system. Feigen has met with fellow HLS graduates in the New York legal community, as well as in L.A., to seek their expertise in international trade, financing, and other movie-related matters. "The axis between Asia and Hollywood is incomplete without Wall Street, the focal point of investment banking," she says, "and the lawyers who specialize in Asia and money are in New York."

Ultimately, Feigen would like to have a hand in producing movies filmed and financed in part in Asia. Another goal "near and dear" to her heart is to produce a TV mini-series chronicling the Women's Movement. A longtime activist in the Movement, Feigen is also completing a manuscript for Knock, with the working title From Harvard to Hollywood: The Journey of a Feminist. "I credit Harvard Law School with turning me into a radical feminist," she says. "There were only six percent women in my class."

Through the HLSA and her own outreach, Feigen hopes to collaborate with other Harvard lawyers in the industry and trade expertise. "We can create a synergy to get projects off the ground and represent worthy ideas properly."

She also hopes to see increased HLS curriculum offerings in entertainment and media-related courses. "After all, entertainment is one of this country's biggest exports. It's high time that HLS gives the industry the attention it deserves," she says.

Julia Collins

Brenda Feigen

The Music Lawyer

HE SQUEEZED a mean "Lady of Spain" on the accordion back in grade school. He played lead guitar for a band called Oedipus and the Mothers at the University of Texas, hoping for a record deal. Then a family friend, record producer Snuff Garrett, listened to a demo and urged him to go to law school instead. He continued to rock and roll, with a band called The Rhythm Method, at HLS, but music had become a sideline.

Today Donald Passman "yo is a famous name in the music business, as the lawyer who knows the industry inside and out, with a platinum client list that includes Janet Jackson, Mariah Carey, R.E.M., Tina Turner, Bryan Adams, Tom Waits, Randy Newman, and Green Day, as well as record companies, songwriters, producers, industry executives, music publishers, film music composers — just about every industry player."

"I didn't even know there was such a thing as entertainment law till my second year at the Law School," Passman recalls. After graduation he headed to the West Coast to work in tax law representing entertainers, many of them musicians. "When I realized that there was such a thing as music law, I knew I'd found my niche," he says. He soon left tax practice to join Gang, Tyre, Ramer & Brown, a small L.A. firm where he is now partner, along with his classmate Gregg Harrison '70 in the music area, and Bruce Ramer '83, who works on the movie industry side.

Much of Passman's time is devoted to negotiating and writing contracts for just about every facet of the music.
musicans in general have shorter careers even than movie actors, the terms of their contracts are of enormous consequence. In the last few years he has negotiated huge, innovative "mega deals" for Janet Jackson and R.E.M. "The leverage and bargaining power of these artists led to deals so unique that we got to rewrite the rules," he says, are confidential.

Music lawyers are often major industry players, in part because agents have "abandoned the business," Passman says. And because lawyers generally have many clients and know more about music deals than any of the other players, "they have enormous influence on the article."

His enthusiasm for sharing insider knowledge and protecting vulnerable performers in a risky industry inspired Passman to write All You Need to Know About the Music Business (Simon & Schuster, 1997), a lively legal tour now in its third edition and twenty-second printing. He also teaches a course on the music business at the University of Southern California Law School's continuing education program, and lectures extensively, including at Harvard Law School.

Passman still picks up his guitar from time to time, and also plays piano and five-string banjo. But music isn't his only passion; he enjoys chess, weight-lifting, magic, and karate, holds the highest-level amateur radio license, and is an expert dog obedience trainer (he is very fond of Shebiles and Jack Russell Terriers). He is also completing the manuscript for a novel, a psychological thriller that will be published by Warner Books.

The NFL Executive

"Pure dumb luck" is the explanation Jeffrey Push '60, executive vice president of the National Football League, gives for his entrance into sports law. "I showed up at Covington & Burling in Washington, D.C., after I got out of school," Push recalls, "and was assigned to work for a partner in the firm named Paul Tagliabue. At the time, Tagliabue was a senior partner in charge of the NFL account; when Tagliabue moved to New York to become NFL commissioner in 1989, Push helped take over where the senior partner left off. Later, in a move encouraged by his former mentor, Push signed on with the National Hockey League, where he served four years as general counsel. In 1996 Tagliabue invited Push to come to the NFL. "He's certainly had a lot to do with my professional development," Push says of his off-again, on-again boss.

Push's aptitude for playing in the big leagues does not come from a youth focused on sports. "I played Little League baseball as a kid," he says, "and I played with the other kids in the street, but that's about as far as my athletic career went."

On the field, that is. In the executive offices, Push is now part of the biggest show in sports. In January, NFL owners approved the largest television deal on record: four eight-year contracts to televise the game with ESPN, ABC, CBS, and Fox for a whopping $8 billion.

The important thing, says Push, is that the NFL spend these revenues intelligently. Major investments are being planned for the promotion and development of youth football, which has been losing ground nationally. And a department staffed by professionals to provide

Jeffrey Push at NFL headquarters in front of a mural of Bronko Nagurski, a member of the Pro Football Hall of Fame

Donald Passman

Julia Collins

PHOTOGRAPHERS: MICHAEL A. SMITH/LAWnton INT. {[OPPOSITE] DAVID COVENTRY (ABOVE)}
NFL players with financial services and employee assistance is already up and running. "We're moving away from dealing with players' issues on an ad hoc, player-by-player basis, and we're tackling debilitating behaviors such as drug and alcohol use, gambling, and domestic abuse head-on," says Pash.

"It's a major step forward and a model for sports in general; it says that the league cares as much about how its players live off the field as how they perform on it."

No matter how rich and compassionate it may become, the NFL still faces legal issues that will keep Pash on his toes. Pash and the league, for example, scored a major victory last fall in an antitrust suit brought by St. Louis against the NFL. The court threw out the case, upholding the league's rules on team relocations. But further challenges remain, including similar litigation with Oakland Raiders owner Al Davis.

Pash argues that such issues shouldn't be going to juries in the first place. "How much would you pay to watch a team play by itself?" he asks. "The only way a sports league has any product to sell at all is by joint action, which means you've got to have a series of agreements about who is going to play whom when and where, and about how you're going to divide up the money from tickets or TV rights or whatever." Pash worries that misuse of antitrust laws and the threat of triple damages will force NFL members to act against their own best collective interests. "That's the biggest legal challenge we face," he says. "It goes to the heart of what kind of organization we are."

---

Debra Chase

Ad Debra Chase stayed in corporate practice, she would no doubt be a partner in a major law firm by now, but instead her business partner is diva and film star Whitney Houston. In 1993 the two teamed up on Sunset Boulevard to start BrownHouse Productions, of which Houston is president and Chase is executive vice president in charge of production.

Every day Chase ponders over books, scripts, magazine articles, and plays, hoping to spot a potential film or TV movie. When something strikes her, she floats the idea with Disney, which has a first-look deal with BrownHouse. After securing financing, through Disney or another studio, Chase looks for a writer, and then a director. Next, she turns her attention to casting, and hiring a crew. Finally, there's marketing and publicity.

The process can be protracted, Chase says, recalling that the 1995 film The Preacher's Wife, starring Denzel Washington, was four years in the making. Chase came up with the idea to make the movie when she headed Washington's production company, Mundy Lane Entertainment, from 1992 to 1995.

Describing four new BrownHouse projects, Chase pauses thoughtfully over Dorothy Dandridge, a film about the first black woman to be nominated for best actress, in 1954, for her role in Carmen Jones, in which Dandridge starred with Harry Belafonte. The film is the black version of the original Carmen. "For Whitney and me, this is a fascinating story. On the one hand, it's about a woman who decides that against all odds she's going to fulfill her dream," says Chase. "On the other hand, it's about the tragedy of racism: by sheer force of will and talent this woman became the first black female movie star, but then society said, 'We're not ready for a black leading lady,' and there was no more work for her." Chase, and Houston, who may play Dandridge, are developing the script, based on the 1997 biography of Dandridge by Donald Bogle, an authority on the history of black Hollywood. Also underway are How to Marry a Black Man, a romantic comedy; The Subway Scholar, the true story of a homeless New York City high school student who graduates first in his class and Get Christie Love, starring Houston and based on the 1970s TV show about a black woman police detective. "There has never been an African American female detective film," says Chase, "so we're pushing the envelope with this one." Chase's first project with Houston, the TV Rogers & Hammerstein movie-musical Cinderella, with Houston playing the fairy godmother, attracted over 60 million viewers and gave ABC its best Sunday night ratings in over a decade when it aired last November.

Chase sometimes marvels that any of her projects make it to the screen intact. "There are so many points along the way where things can go wrong. It's a wonder anything ever gets made at all, much less anything good," says Chase, who holds sacred "the integrity" of each project. "My name is on it. I have to be able to hold my head up. In this business I think we have a tremendous responsibility, because people derive a lot of their values from movies and television."

Of her completed projects, Chase is proudest of "Hank Aaron: Chasing the Dream," the 1995 television documentary about the black baseball player who broke Babe Ruth's home run record. The documentary was nominated for both an Oscar and an Emmy. "It was the first film I ever produced and a real labor of love."

Chase moved to Los Angeles in 1989 intending to become a producer, after working since her HLS graduation at several law firms and Fortune 500 corporations in Houston and Manhattan. She landed a job in the legal department at Columbia Pictures and got her big break a year later, after a chance encounter with Columbia Pictures' then-chairman, Frank Price, whom she impressed with her creative savvy. Price hired her as his executive assistant. A year later she joined Columbia's creative staff, soon moving on to Mundy Lane Entertainment and then to BrownHouse.

If Chase finds filmmaking far more alluring than lawying, her law background nonetheless comes in handy every day, she says, noting that "the bottom line of everything is the deal." Adds Chase, "I often don't tell people I'm a Harvard Law School graduate, because it can be threatening. But then again, there are times when I want to be threatening."

Nancy Waring
ON BASS '67 worked in entertainment law for seventeen years before he became one of Hollywood's most sought-after screenwriters. In 1986, just five years into his second full-time career, he took home an Oscar for his screenplay of Rain Man and last year earned $2 million for scripting My Best Friend's Wedding, a box-office hit that has pulled in more than $26 million. Thanks to his easy rapport with a No. 2 pencil, Bass comfortably turns out six or seven scripts a year.

That he is remarkably prolific might be a result of the concentration on reading and working Bass developed as a child while confined to his bed for years with an undiagnosed illness; the symptoms eventually vanished, but they left him permanently in love with words. Still, when he was in his teens, the critique of his first novel by his English teacher - the writing was very good, she said, but too personal to be published - had him burning his first manuscript and burying his literary aspirations. He remembers that "it was like the voice of God telling me I didn't have what it takes to be a writer, and I should find something practical to do with my life."

Bass followed a practical path to Stanford, then Yale, then Harvard. "When I learned there was such a thing as entertainment law," he says, "I thought, 'This is where I belong.'" He returned to his hometown of L.A. to practice law, reserving his predawn hours for his old hobby, writing. Eventually he published three novels, negotiating for the job of writing the screenplay for the last. The film went nowhere but the script did, when Bass's agent showed it around to the studios, who pronounced it good and began to call with other projects.

Bass's destiny has a different look to it now, transformed by the likes of Francis Ford Coppola, who helped the budding screenwriter when they worked together in 1985, on Gardens of Stone at Coppola's home in the Napa Valley. On the last day of their collaboration, Coppola told Bass they were going to read the entire script through using the voice of Marlon Brando as Don Corleone. "It wasn't silly," says Bass, who was given a quick lesson in Godfatherese before they started. "It was liberating to use a voice so inappropriate to the role, because it wasn't about trying to play the part. Some very good changes grew out of that exercise."

Bass counters the notion that Hollywood is peopled by hacksters trying to devise formulas for hauling in hits. "Hollywood is about the business and the art of creating. Some people may not be very good at it, but being formulaic is the best way to go down," Bass says. "Everyone's thrashing around now trying to find the best way not to be formulaic."

One way Bass has avoided that pitfall is by assembling a crack team, mostly of women, who help with the research and development of his scripts. And he has successfully collaborated with many other authors, including Al Franken, on When a Man Loves a Woman, Amy Tan, on The Joy Luck Club, and Terry McMillian, on Waiting to Exhale. This openness to others' input has helped to earn him his reputation for handling complicated, emotional material with unusual understanding and finesse.

Maybe Bass will relax his standard of beginning his day at 4 a.m. now that he has signed an exclusive three-year contract with Sony Pictures Entertainment, which took effect in January. But probably not. He speaks to us at 5 in the morning, the only time he had available, because at around 6 he starts helping his younger daughter, Sasha, get her things in order for school, and then he'll be in meetings all day putting the finishing touches on What Dreams May Come - a fitting task for a man who has so thoroughly realized his own.

Janet Hawkins

Ron Bass

THE MUSIC COMPANY ATTORNEY

Nancy McCullough '92 has pulled up to work each weekday morning at what she calls a budding media row in Santa Monica, California - an enclave that so far includes Sony Music, MGA, MTV, and a cluster of other facilities that service the music industry. As a member of Sony Music West Coast's legal staff, McCullough spends her days on a host of legal matters that attest to the industry's vitality: drafting recording contracts and film soundtrack agreements; supervising and litigating trademark infringements and contract disputes; reviewing album releases for infringing photos, logos, or lyrics; and drawing up employment contracts for executives whose insider knowledge increasingly calls for legally binding loyalty oaths.

McCullough's ability to speak in detail about what she does is itself governed by the confidentiality clauses she writes into contracts, like the one she drew up for actor/singer Will Smith last year. In one
of the company's biggest deals of 1997, Smith signed on with Sony, contributing music to the soundtrack for Sony Pictures' Men in Black. the album was a top seller for Sony, and Smith's single on it won him a Grammy in February for Best Rap Solo Performance. But negotiations for Smith’s contract involved sensitive matters; McCullough can say only that others credit her with being instrumental in driving the deal home. “That one kept me up around the clock for several days of several weeks, doing coast-to-coast conference calls at all hours, drafting agreements in the middle of the night, and faxing them to the parties involved,” she says. “It was exhausting but satisfying.”

McCullough has sorted out more than a few problems at the intersection of business and popular culture. One such problem presented itself when a popular group named Korn came up with a winning idea for their “Life is Peachy” album cover. Playing off the title of the album, the proposed cover pictured a replica of a Pee-Chee folder — a distinctive school supply marketed to students by the Mead Corporation. McCullough approached the company to negotiate a license to use its folder design for the album. The folks at Mead were intrigued, but after they heard Korn’s lyrics, they regretfully declined. McCullough remembers that “the last thing they said was, ‘If Mariah Carey or Bruce Springsteen wants to use Pee-Chee folders, you call us back.’”

McCullough describes her own musical tastes as eclectic, including everything from the artist formerly known as Prince to disco and heavy metal. When she started at Sony Music, she made a point of listening to every band whose contract — an average of 60 to 80 pages — she drafted, but she finds it harder now to attend concerts and also wake up for work. “In some ways this is a glamorous business,” she says, “but at the end of the day, you’re negotiating with other attorneys the way you would in just about any other transactional context. I still do try to go to concerts, because otherwise I might as well be any other kind of lawyer.”

McCullough now occupies a seat on the board of the Black Entertainment and Sports Lawyers Association, a position she earned in part by getting BSLA-certified as an official provider of continuing legal education for California attorneys. This year she will serve as one of two program chairs for the annual BSLA conference to be held in the Bahamas in November. “BSLA is a wonderful tool,” McCullough says. “It provides mentoring for law students interested in the industry and serves as an information-sharing resource for practitioners.”

That’s helpful, because McCullough figures she’s in the business for the long haul. Although many in entertainment law are themselves creative types waiting for the break that will carry them to the “better” side of the industry, McCullough says: “I don’t sing or dance, so I expect to be drafting contracts for a long time to come.”

Janet Hawkins

in 1984, 30 years after the construction of Disneyland, ABC Capital Cities was led to the altar by the Disney Conglomerate in a merger pulled off with the help of Warren Buffett.

These days, the news is about the only TV Goldenson watches, a reflection, perhaps, of the fact that he regards “ABC News” as his proudest achievement. With help from the likes of Rowan Arledge and Peter Jennings, he built the division out of a 15-minute news spot that wasn’t even a contender in the ratings war. “I think the news comes closest to serving the public good and giving people what they want,” says Goldenson. “That’s broadcasting at its best.”

Janet Hawkins

Leonard Goldenson

in 1984, 30 years after the construction of Disneyland, ABC Capital Cities was led to the altar by the Disney Conglomerate in a merger pulled off with the help of Warren Buffett.

These days, the news is about the only TV Goldenson watches, a reflection, perhaps, of the fact that he regards “ABC News” as his proudest achievement. With help from the likes of Rowan Arledge and Peter Jennings, he built the division out of a 15-minute news spot that wasn’t even a contender in the ratings war. “I think the news comes closest to serving the public good and giving people what they want,” says Goldenson. “That’s broadcasting at its best.”

Janet Hawkins

Leonard Goldenson

In 1984, 30 years after the construction of Disneyland, ABC Capital Cities was led to the altar by the Disney Conglomerate in a merger pulled off with the help of Warren Buffett.

These days, the news is about the only TV Goldenson watches, a reflection, perhaps, of the fact that he regards "ABC News" as his proudest achievement. With help from the likes of Rowan Arledge and Peter Jennings, he built the division out of a 15-minute news spot that wasn't even a contender in the ratings war. "I think the news comes closest to serving the public good and giving people what they want," says Goldenson. "That's broadcasting at its best. ~

Janet Hawkins

In 1984, 30 years after the construction of Disneyland, ABC Capital Cities was led to the altar by the Disney Conglomerate in a merger pulled off with the help of Warren Buffett.

These days, the news is about the only TV Goldenson watches, a reflection, perhaps, of the fact that he regards "ABC News" as his proudest achievement. With help from the likes of Rowan Arledge and Peter Jennings, he built the division out of a 15-minute news spot that wasn't even a contender in the ratings war. "I think the news comes closest to serving the public good and giving people what they want," says Goldenson. "That's broadcasting at its best. ~

Janet Hawkins
CINEMA VERITAS:

Bulletin editor Nancy Waring asked our versatile vice-dean, David Smith '50, for thoughts about Harvard Law School and the movies. Besides pondering cinematic verities, and teaching courses on transnational companies and foreign investment in natural resources, the vice-dean is author of two mysteries set in Africa (The Leo Conversion and Timbuktu) and is a contributor to the forthcoming Oxford Companion to Crime and Mystery Writing. Many of his former students remember with amusement his last-class magic show in his natural resources course. Smith also advises developing countries around the world on foreign investment policy and contract negotiation.

NW: Where did you see these movies? And could you get free refills on your king-size Coke?

Vice-Dean: Only if you bought the super jumbo popcorn. The Brattle Theatre showed old movies, and the University Theatre — the UT — showed 8 movies. Or 8 and 9. The UT movies usually didn’t make much of an impression on us except for the wicker seats in the balcony. Before the Criminal Law exam, we saw Duck Soup at the Brattle. Groucho, who is president of Freedonia, inexplicably ends up representing Chico, who is found guilty of spring. Groucho recommends "ten years in Leavenworth or eleven years in Treadwell." Chico says, "I take five and ten in Woodworth!" Duck Soup was double-billed with At the Circus, in which Groucho plays a lawyer, J. Cheever Loophole. It contains Groucho’s own formula for getting to yes. Chico says, "How we gonna get back $10,000?" Groucho: "That’s easy. Offer a reward of 15,000." More recently students have liked Star Wars, which was popular. Pryor and Gene Wilder. That’s the one where they are mistaken for bank robbers and sentenced to 130 years. Pryor says, "I’ll be 169 when I get out!"

NW: They should have hired Alan Dershowitz. By the way, Tom Cruise visited the Law School a few years ago. How did that come about?

Vice-Dean: The dean’s assistant, Joan Noel, who has seen most movies at least five times, heard that Cruise was going to receive an award from the Hasty Pudding Club and suggested to the dean that we invite Cruise to the Law School since he had played a Harvard Law School graduate in The Firm and A Few Good Men. Cruise, amazingly, accepted the invitation. He was very charming. I was particularly impressed by the fact that he had never heard of Alan Dershowitz, who joined the dean, Professor Paul Weiler, some students, and me to meet Cruise. Alan, by the way, has written two books that have been made into movies, Reversal of Fortune and the made-for-TV Advocate’s Devil, which showed recently. The dean presented Cruise with a certificate that read, "Awarded to Tom Cruise in recognition of your outstanding contributions to the reputation of Harvard Law School." We also gave Cruise a
Harvard Law School sweatshirt for his then one-year-old daughter, Isabella. On a television interview that night Cruise mentioned the sweatshirt and said, "This is going to put a lot of pressure on her."

NW: I hope we won't have to wait for Isabella Cruise to grow up before we see a woman Harvard Law graduate portrayed in the movies. There is Ally McBeal in the current television series, but not by my knowledge, no movie character yet. Are there any other actors we can invite for tea?

Vice-Dean: We should have invited Sean Connery. In Just Cause he plays a Harvard Law School professor, Paul Armstrong, asked to save a death-row inmate, Bobby Earl Ferguson, played by Blair Underwood. Kate Capshaw, who plays Connery's wife, says to him that helping Ferguson will put Armstrong "in the real world." Armstrong says, "Why is every [expl etive] thing the real world except teaching? Just Cause, by the way, has some echoes of Orson Welles's Touch of Evil, a superb noirish study of corruption and law enforcement in a small town.

In Murder in the First, another HLS graduate prevails. Christian Slater plays James Stampphill, an idealistic Harvard Law school graduate who defends a man who had been put in solitary confinement in a cramped cell in Alcatraz and kills the man who had blown the whistle on his escape plan. If Stampphill lived in a Gropius dorm, he probably had a lot of empathy for his client.

So as you can see, the ratio of all-law and courtroom-related movies to Harvard law-graduate-law and courtroom movies is almost as good as Harvard's student/faculty ratio. That's precisely the sort of statistic that U.S. News & World Report over looks in its annual ranking of law schools.

NW: Despite the Harvard connections, it doesn't seem too likely that the recent rash of lawyer and courtroom movies will have the same staying power as the classics from the late fifties and early sixties. What do you think?

Vice-Dean: Well, films such as To Kill a Mockingbird, Anatomy of a Murder, and Inherit the Wind strike a very deep chord. Many students today tell me that one or another of these films was their inspiration for coming to law school. Besides being great movies, there's a lot that a law student can learn from them on the day before an exam, either on video or at the Brattle. Anatomy of a Murder teaches you almost as well as Charles Oglectt could that you never ask a witness a question to which you don't already know the answer.

NW: The recent movie Amistad, as you know, continues the Harvard connection. Gore Vidal, in the New Yorker last fall, noted that John Quincy Adams, who is featured prominently in the film, "glumly gave up his exciting life [in 1875] to enter Harvard and prepare to be a lawyer."

Vice-Dean: I suppose a lot of AMS can relate to that. Actually, Adams prepared for law at the College. He came to Cambridge about 30 years before the Harvard Law School was established. Nonetheless, he did an outstanding job in the Amistad case.

NW: And Justice Story, played by Justice Blackmun, who graduated from the School in 1933, heard the appeal in the case.

Vice-Dean: Yes, and as you know, Justice Blackmun held the same seat on the Court that Story did. Story himself had very strong Law School connections. He taught at the Harvard Law School while still on the bench, commuting from Washington. He was not only a distinguished justice, but he was also one of the founding fathers of the Law School. The School, though established in 1817, really came into its own only after Story started teaching here in 1839.

Incidentally, another alumus in the movies is Ruben Blades, who received his LL.M. here in 1989. Blades has acted in over 20 movies, including the Robert Redford-directed Mileage Beaufield War and Crossover Dreams. He was also a candidate for president of Panama and is, of course, a great salsa singer. Professor Clark Byse has an off-screen cameo role in another Robert Redford-directed movie, Quiz Show, written by Paul Attiasos, a 1994 graduate of the School who also wrote Donnie Brasco and cowrote the newly released Sphere.

NW: What about the neo-classical films that incoming students routinely see because they portray life at Harvard Law School? What impact do these have?

Vice-Dean: Sometimes they make quite an impression. Take Love Story, which is set here and at the College. When I was managing the Graduate Program some years ago, we received a letter from a Japanese student whom we had just admitted. He wrote back thanking the School for admitting him. He added, "I have just seen the movie Love Story with Ryan O'Neal and Ali MacGraw and I am looking forward to a very romantic time at the Harvard Law School."

NW: We have managed to get through this interview without once mentioning The Paper Chase. Can you give us your views?

Vice-Dean: I can't. Since my law school roommate and I lived it, we decided not to see it. ~

PHOTOGRAPHIC ART BY ILLUSTRATION: KATHRYN ADAMS
the High-Tech Entrepreneur, with Berkman Center Executive Director Jonathan Zittrain '95, during the January winter term.

The Berkman Center, directed by Professor Charles Nesson '93, will explore information technology's effects on such areas of law as intellectual property, privacy, and antitrust. Courses affiliated with the Center include the High-Tech Entrepreneur; a research seminar; Internet and Society; and Truth, Evidence, Internet, taught by Nesson; as well as several cyber courses that are free and open to the public and taught over the Internet. Professor Arthur Miller '58 is teaching the first such course, Privacy in Cyberspace. The Center will host the second International Harvard Conference on Internet and Society (May 26-29), featuring dialogue with CEOs of IBM, SUN, and America Online, and other industry leaders, concerning the direction of the Internet and its impact on society.

The late Jack Berkman '29 was a pioneer in the communications industry. He was chairman of The Associated Group, Inc., and its predecessor, Associated Communications Corporation. Associated was one of the nation's first cellular telephone companies (sold in 1990 to SBC Communications Inc.) and today remains a leader in fixed wireless telephony. Mr. Berkman's wife, Lillian Berkman, is a vice president of Associated. She is a charter member of the Harvard Law School Dean's Advisory Board and serves on the HLS Visiting Committee.

Sold to the Highest (On-Line) Bidder!

Chiefs extraordinary, Professors Todd Rakoff '73 and David Wilkins '80, and members of the Student Public Interest Auction Committee, invite alumni to the 11th Annual Student Public Interest Auction on Thursday, April 26, at 7:30 p.m. in Austin Hall. Assistant Professor Carol Steiker '86 and Professor Philip Heymann '80 will preside at the live auction, and for the first time participants can enter bids on silent auction items and preview hundreds of auction items on the Students for Public Interest Law Web page at www.law.harvard.edu/Students/opia/auction.htm.

The auction is one of the primary sources of funding for students' summer public-interest employment.

Last year's event raised $55,000, a ten percent increase over the previous year. This year's growing list of auction items includes a one-week vacation at a hotel in Cape Cod, a baseball autographed by former Red Sox player Bernie Carbo, and a script from the NBC show "Frazier," signed by the entire cast, in addition to Wilkins' and Rakoff's detectable four-course meal for eight, each course served with a different wine.

For more information or to donate an auction item, please call the Student Public Interest Auction at Harvard's Office of Public Interest Advising (OPIA) at 617-495-3088 or e-mail auction coordinator Neal Higgins '80 at nighnag@law.harvard.edu.

Gorelick Advises Women Law Students on Legal Life

Former Deputy Attorney General Jamie Gorelick '75 visited the campus for three days in the fall to share with students her views on issues that confront women in the legal profession. She was the first speaker invited by the School's new Three Guineas Fellowship Program, established last fall to give women law students at Harvard the opportunity to meet with alumnae role models who can inspire and educate them about life as women lawyers. It is offered through the career development services of the HLS Office of Student Life Counseling.

"Most students were interested in learning about alternatives to traditional practice and to spending the rest of their lives in a large law firm," says Gorelick. She told students of her experiences in private practice as a litigator with Miller, Cassidy, Larroca & Lewin in Washington, D.C., in government service at the Justice Department, the Defense Department, and the Energy Department, and now in the private sector as vice chair of the Fannie Mae Foundation. Gorelick, a federally chartered company that is the nation's largest source of funds for home mortgages, "Students were pleased to hear that you can have an interesting career moving in and out of private practice," says Gorelick. This year's other Three Guineas fellows were Vera Myers '85, deputy chief of staff for the Massachusetts attorney general, and Anne Lillian '75, a labor attorney and partner with Pillsbury, Madison & Sutro in San Francisco. The program is supported by a $15,000 gift from the Three Guineas Fund and a matching gift from the Nettie M. Havers Fund, which was established by Harvard Law School alumnae in 1993.

Debut for European Law Prize legal theory

This fall Richard Posner '61, chief judge of the U.S. Court of Appeals for the Seventh Circuit, delivered the 20th Holmes Lecture. He joined a roster of distinguished and influential jurists and scholars who have been Holmes lecturers, including U.S. Supreme Court Justices.

HLS's Newest Love Story

Professor Emeritus Clark Bryce hardly expected that a 1994 film about cheating on TV quiz shows in the 1960s would change his life. Bryce's interest in Quiz Show was sparked when he learned from a colleague that his name popped up during a dialogue between the leading characters, and he attended a showing in Harvard Square, soon after the film's Boston opening. Two years later and hundreds of miles away, Elizabeth Anne Myers, a woman Bryce had met over 50 years ago while serving as a U.S. Navy lieutenant, saw the movie too. Curious if the Clark Bryce mentioned in the movie was the same one she had known, Myers wrote to Bryce from Mexico, where she had retired after a career as a protocol assistant at the U.S. Mission to NATO in Brussels and a public affairs assistant at the Defense Department in Washington. After a series of letters, Myers and Bryce married. Then there were telephone calls and eventual meetings," says Bryce. "I'm happy to say, we were married last summer." The newlyweds are living in Lexington, Massachusetts.

Gorelick advised an Italian jurist who serves on the European Court of Justice, the highest jurisdiction in the European Union.

The creation several years ago by Professor David Kennedy '80 of the European Law Research Center, the establishment by the European Union of a Jean Monnet chair at HLS — the only one of its kind in the United States — and the recent founding of the HLS European Law Student Association are all testimony to the vibrancy of European Law as Harvard," says Professor Joseph Weller, who will choose the winning paper. "The Manzini prize is a particularly fitting icing on an already dense cake," he adds.
Charles Hamilton Houston's Legacy Celebrated

Civil rights leader Charles Hamilton Houston '2a, S.J.D., '23, chief architect of efforts to defeat the country’s Jim Crow laws, was honored in March with a weekend of panel discussions and ceremonies celebrating the 75th anniversary of his graduation from HLS, where he was the first African American editor of the Law Review.

As Howard Law School vice dean and the first NAACP special counsel, Houston mentored and trained some of the leading civil rights lawyers of the century, including Thurgood Marshall, who succeeded Houston at the NAACP. Robert Carter, and Spottswood Robinson.

Houston and his colleagues and students contributed to every legal victory in civil rights from the 1950s through Brown v. Board of Education, including Missouri ex rel. Gaines v. University of Kansas, which ruled that states cannot deny legal education to African Americans, and Hard v. Hodge, which ruled that racially restrictive real estate clauses are unenforceable agreements.

At an unveiling of Houston's portrait, Dean Clark called Houston "a great teacher, an outstanding practitioner, and a shaper and leader of the civil rights movement."

Over 200 participants, including Houston's son and other family members, and scholars and civil rights leaders such as North Carolina Central University Chancellor Julius Chambers, University of North Carolina Professor Genna Rae McNeil, a biographer of Houston; Columbia Law School Professor Jack Greenberg, a former director-counsel of the NAACP Legal Defense Fund; and former Law School Dean James Vorenberg '51, discussed Houston's commitment to legal education, the effect of his civil rights advocacy on the American legal order,

The portrait of Charles Hamilton Houston by C. Gregory Staple (1977) will hang in Langdell Library's main floor Lehmann Lounge.

The Passing of the Baton

Solly Donahue became the School's new director of Career Services January 1, after serving as director of Financial Aid for ten years. "It's a privilege to work with such intelligent, accomplished, and creative students and to help them formulate their career plans," says Donahue, who is collaborating with other Law School offices in creating the School's first formal career path study in ten years. Donahue's predecessor, June Thompson, was director of Career Services for 17 years. She retired in December after 38 years at the School, first in the Development Office, then in Admissions, where she became assistant director in 1973, and finally in Career Services. Elisabeth Turnquist is the School's new director of Financial Aid.
is technologically equipped for the 21st century, yet the grandeur of the original Langdell . . .

"...the sweet relief of the new Langdell has vanished...with all that gleaming, boundless, leather-scented atmosphere that offers little about them compared to the library we had before. . .

We lack a whispering nook, or even a quiet reading area."

Jane Lee '95, Harvard Law Record, September 12, 1995

The students and others have been [-]ecting for the podium for years, a small # of the students who have gathered around the podium...and others have been...

Tony Martin, Professor and Librarian

"The students and others have been [-]ecting for the podium for years, a small # of the students who have gathered around the podium...and others have been...

Tony Martin, Professor and Librarian

"The students and others have been [-]ecting for the podium for years, a small # of the students who have gathered around the podium...and others have been...

Tony Martin, Professor and Librarian
and its beloved ghosts remain.

— DEAN ROBERT CLARK '72

The Quran says, "There is no compulsion in religion. Accept the religion you love."

"If you believe in the Quran and the messengers, and you have a strong belief in God, you will not be asked anything."

— Prophet Muhammad

At the Crossroads of Islamic Law and Modern Finance

Assistant Professor Derek Vogel spoke with皈依者 about how the Qur'an shapes Islamic banking. The focus of our conversation centered on how the Islamic finance system—distinct from conventional banking—addresses issues such as interest rates, equity, and the growing need for sustainable investment strategies.

NW: What are some of the misconceptions about Islamic finance?

Professor Vogel: The prohibition on interest is often misunderstood. People think that Islamic banks do not offer any financial products. In fact, Islamic banks provide a wide range of financial services, including savings, loans, equity financing, and other financial products.

NW: How does Islamic finance differ from conventional banking?

Professor Vogel: Islamic finance is based on the principles of equity and profit sharing, which are embedded in the Quran. In contrast, conventional banking is based on the concept of risk and return, where banks lend money to borrowers at a higher rate than they earn from the loan.

NW: What are some of the benefits of Islamic finance?

Professor Vogel: Islamic finance promotes social responsibility, environmental sustainability, and ethical investing. It also provides a way to invest in Agenda 2030 projects and support the United Nations Sustainable Development Goals.

NW: How has Islamic finance evolved over time?

Professor Vogel: Islamic finance has evolved from a small, niche market to a global industry. Today, it is estimated that the global Islamic finance industry is worth over $2 trillion, with over 5,000 institutions operating in the field.

The Qur'an on Usury

Those who demand usury will not stand except as on a sheet in a stormy sea. They will say, 'We are being caught chasing a false hope and want to die. Come then! What is sure, it is only death. And you are then led to the ways of your own desire.' And they believe in the promise of death. And they are deceived.

— Prophet Muhammad

NW: What are some of the ethical considerations in Islamic finance?

Professor Vogel: Islamic finance is based on ethical principles such as honesty, fairness, and justice. It promotes the values of equality, cooperation, and mutual benefit. It also promotes the values of social responsibility and environmental sustainability.

NW: How can Islamic finance contribute to sustainable development?

Professor Vogel: Islamic finance can promote sustainable development by providing financing for projects that align with the UN Sustainable Development Goals, such as renewable energy, green infrastructure, and social entrepreneurs.

NW: What is the future of Islamic finance?

Professor Vogel: The future of Islamic finance is bright. The Islamic finance industry is expected to continue to grow as more people seek ethical and sustainable investment options. It is also expected to continue to grow as more countries and institutions adopt Islamic finance as a way to promote social, environmental, and economic sustainability.

NW: What are some of the challenges facing the Islamic finance industry?

Professor Vogel: Some of the challenges facing the Islamic finance industry include regulatory and legal issues, the need for more qualified professionals, and the need for greater awareness and acceptance of Islamic finance in the global financial system.
The Qur'an on Gambling

Intoxicants, games of chance [maysr], worship of idols, and [divination by] arrows are but an abomination, Satan's handbook; avoid it then so that you might prosper! By means of intoxicants and games of chance Satan wants only to sow enmity and hatred among you, and hinder you from the remembrance of God and to prayer. Will you not, then, desist?
[5:90-91]

The Prophet Muhammad on Risk

Do not buy fish in the sea, for it is risk [ghazar].

The Qur'an on Gambling

Intoxicants, games of chance [maysr], worship of idols, and [divination by] arrows are but an abomination, Satan's handbook; avoid it then so that you might prosper! By means of intoxicants and games of chance Satan wants only to sow enmity and hatred among you, and hinder you from the remembrance of God and to prayer. Will you not, then, desist?
[5:90-91]

MARTIN GIDEONSE REMEMBERED

Martin Gideonse ’71, supervising attorney and a clinical instructor at the Prison Legal Assistance Project (PLAP) since 1976, died on January 3.
He was 59.
Before beginning his legal career, Gideonse studied economics in the doctoral program at Harvard University. He taught Economics at Union College in Schenectady, N.Y., for four years before attending Harvard Law School.
As a student at the School he was active in the Harvard Voluntary Defenders and served as its president from 1970 to 1971. After graduating, he was staff attorney at the Roxbury Defenders Committee, a community-based criminal defense organization that represents indigent people in the Roxbury area. He began his own law practice in Cambridge in 1974, which he continued for 27 years.
In 1990 he returned to HLS as supervising attorney at PLAP, where over the course of two decades he worked with hundreds of students.
Gideonse was also involved with the School’s Trial Advocacy Workshop and taught a course in prison law and post-conviction remedies. In addition, he served as a field supervisor for prison law courses taught by other faculty.
During a memorial gathering held at the School in January, Professor Charles Ogletree ’78 recalled his friend, colleague, and former teacher. Excerpts from Ogletree’s remarks follow:

In 1975 I joined PLAP as a means of getting involved in the real practice of law. In 1976, Marty Gideonse became the organization’s supervisor, and was the person who helped me figure out what it meant to be a lawyer. He was an amazing supervisor, a difficult supervisor. I was the type of student who always wanted the answer to the question. Every question that I would raise would be answered by two or three questions by Marty. It was not simply that he would bring up questions, but he would use poetry, literature, philosophical materials, and other references that were far beyond my comprehension, when I was asking him whether my client was charged with a major or minor disciplinary violation. When I tried to talk about what witnesses to call, he would talk about the great trial of Socrates, important people like Clarence Darrow.
Marty’s style was always non-directive. He did not believe in telling you what to do, but forcing you to think through what needed to be done. He also was non-directive in his criticism. When I would describe what I had done to prepare my case with my client, he would politely, diplomatically, but clearly identify the 13 ways in which I was engaging in malpractice. When I had ideas about how to protect my client’s interest, he would subtly talk about the rules of professional responsibility, and not infrequently point out the questionable ethics of my judgment. . . . Marty was a brilliant clinical instructor. He never failed to make me realize that I, ultimately, had both the responsibility and the authority to represent my clients effectively.
Marty also practiced what he preached. While remaining lawyers to abide by high ethical standards, he demonstrated exceptional integrity, commitment, and professionalism throughout his legal career. He was a distinguished advocate for clients, who was well respected by judges, prosecutors, and clients. His enormous talent and generous contributions to the legal profession will be sorely missed.

Charles Ogletree ’78

A memorial service for Gideonse will be held April 17, at 3:00 p.m. at Christ Church of Cambridge.

Martin Gideonse

PHOTOGRAPHIC ASSISTANT PRADEEPA KANTELU

PHOTOGRAPHIC ASSISTANT PRADEEPA KANTELU
Professor Emeritus Louis Loss died on December 13 at age 83. Loss, who taught at the School for more than 30 years, is considered the father of securities law in the United States. His 11-volume treatise, Securities Regulation, helped define the field and has been cited in more than 1,000 court rulings (50 times by the Supreme Court). The treatise was first published by Little, Brown in 1932—with a second edition ten years later, and subsequent editions written with Joel Seligman ’74, a former student, now dean of the University of Arizona Law School.

After graduating from Yale Law School, Loss joined the Securities and Exchange Commission (SEC) in 1937, where he worked until 1952, rising to the rank of associate general counsel. He helped to shape the agency’s regulation practices, including their approach to combating insider trading. In fact, The Oxford English Dictionary attributes to him the term “tippee” to describe a person who illegally trades stock based on an insider’s tip.

In 1952 Loss joined the Law School faculty, becoming William Nelson Cromwell Professor of Law in 1962. A year earlier he had turned down an offer from President Kennedy to chair the SEC, choosing instead to stay at HLS, where he taught well beyond his retirement in 1984. Loss served as director of the School’s Program of Instruction for Lawyers from 1977 to 1984. His many publications include a 108-page treatise on Japanese securities law and his autobiographical work, Anecdotes of a Securities Lawyer (Little, Brown, 1997).

Professor Dietler Voge ’51 remembered his colleague at a memorial service held at the School in January. Excerpts from Voge’s remarks follow.

Louis Loss’s central academic achievement was, of course, the production of the treatise on securities regulation. In its massive and comprehensive quality it resembled the achievements of his predecessors Austin Scott and Samuel Williston. Although it started as a one-volume work alongside their multi-volume rows it came ahead of them in size by the second edition and pulled ahead by the third. But it was unique in that it created the field it analyzed and described since nobody before then had thought of securities law as a field or imagined its structure. Loss also had the ability to find a colleague with whom he could work on equal terms so that the project could be carried on after him in a manner that transcends the cut-and-paste works of so many successor editions.

A secondary but important part of his life’s work was the American Law Institute’s project to develop a model securities code. In the 1950s he had his predecessors and contemporaries—Scott, Williston, Scott, Seavey, Causer, Bruscher. It is demanding work and requires putting one’s scholarly individualism in reserve as one struggles to achieve formulations that one finds acceptable while at the same time getting a majority vote for them from a very diverse group of people. In particular, the play of powerful interest groups challenged Loss’s ability to pull the draft together but careful balancing and patient persuasion succeeded again and again. That the U.S. Congress failed to give the force of law to this monumental achievement reflects badly on that body rather than on the drafters.

As a teacher Louis adapted quickly to the requirements of the Harvard Law School even when they were different from those of his alma mater, a smaller and more intimate institution. He could control the largest classroom spaces we had to offer, even the cavernous Langdell North and South Middle rooms. Students appreciated the realism and worldliness he brought with him into the halls of academe—as well as his capacity for relieving the dryness and complexity of the subject with revealing and amusing anecdotes. They knew that there was nothing unlawful about receiving and using insider tips in that context. It was indeed a chastening experience to have to teach a section of Corporations alongside such a spellbinder, and I was fortunate to be able to start under a regime in which the administration assigned students to sections regardless of their preferences. Their preference would clearly have been Louis. Looking back at the very first student evaluation from the 1960s I find the summary lavish in its praise of Louis. It ends by warning that there may be a bit too much securities regulation for the basic Corporations course but concludes—"consider the alternatives." He was generous in his interest in helping younger faculty in solving teaching problems though he could never, in the nature of things, quite pass along the unique qualities of his teaching.

While his focus on Harvard was intense he also knew himself to be part of a broader, even international, community. He was on close terms with his British counterpart Jim Gower, who like him was a leader in teaching and improving corporation law, and would have been saddened by the knowledge that Gower survived him by only a few weeks. Louis took a special interest in South Africa, sharpened by his own experience of discrimination as a Jewish person looking for employment in the Wall Street of the 1930s. He became involved at a time when South Africa was mired in the deadlock produced by its policies of apartheid and did what he could to encourage dissenters from that regime and to keep alive the possibility of change. …

In the midst of this whirlwind of academic activity, Louis somehow found time for quite a substantial amount of practice. Given his years of litigation for the government and the scarcity of comparable expertise in the civilian sector this was a natural extension, and he enjoyed hearing the noises of combat and smelling the odor of gunpowder again. There were times when he was offered more work than he could handle. He would then favor his juniors with the opportunity. On one occasion he was asked to work on a case in which the firm that consulted him had been sharply criticized by the Court of Appeals for the unnecessary length and verbosity of its brief. In giving me the chance he smiled and said, "I told them that you would say less than anybody else I could think of." I think I hear him now clearing his throat and saying "Det, that reminds me. . . ." And so I will come to an end. In ending I’ll refer to the old Harvard lines "time like an ever-rolling stream bears all its sons away." It does that but they leave their contributions for others to build upon. —

Dietler Voge ’51

LOUIS LOSS'S CENTRAL ACADEMIC ACHIEVEMENT was, of course, the production of the treatise on securities regulation. In its massive and comprehensive quality it resembled the achievements of his predecessors Austin Scott and Samuel Williston. Although it started as a one-volume work alongside their multi-volume rows it came ahead of them in size by the second edition and pulled ahead by the third. But it was unique in that it created the field it analyzed and described since nobody before then had thought of securities law as a field or imagined its structure. Loss also had the ability to find a colleague with whom he could work on equal terms so that the project could be carried on after him in a manner that transcends the cut-and-paste works of so many successor editions.

A secondary but important part of his life’s work was the American Law Institute’s project to develop a model securities code. In the 1950s he had his predecessors and contemporaries—Scott, Williston, Scott, Seavey, Causer, Bruscher. It is demanding work and requires putting one’s scholarly individualism in reserve as one struggles to achieve formulations that one finds acceptable while at the same time getting a majority vote for them from a very diverse group of people. In particular, the play of powerful interest groups challenged Loss’s ability to pull the draft together but careful balancing and patient persuasion succeeded again and again. That the U.S. Congress failed to give the force of law to this monumental achievement reflects badly on that body rather than on the drafters.

As a teacher Louis adapted quickly to the requirements of the Harvard Law School even when they were different from those of his alma mater, a smaller and more intimate institution. He could control the largest classroom spaces we had to offer, even the cavernous Langdell North and South Middle rooms. Students appreciated the realism and worldliness he brought with him into the halls of academe—as well as his capacity for relieving the dryness and complexity of the subject with revealing and amusing anecdotes. They knew that there was nothing unlawful about receiving and using insider tips in that context. It was indeed a chastening experience to have to teach a section of Corporations alongside such a spellbinder, and I was fortunate to be able to start under a regime in which the administration assigned students to sections regardless of their preferences. Their preference would clearly have been Louis. Looking back at the very first student evaluation from the 1960s I find the summary lavish in its praise of Louis. It ends by warning that there may be a bit too much securities regulation for the basic Corporations course but concludes—"consider the alternatives." He was generous in his interest in helping younger faculty in solving teaching problems though he could never, in the nature of things, quite pass along the unique qualities of his teaching.

While his focus on Harvard was intense he also knew himself to be part of a broader, even international, community. He was on close terms with his British counterpart Jim Gower, who like him was a leader in teaching and improving corporation law, and would have been saddened by the knowledge that Gower survived him by only a few weeks. Louis took a special interest in South Africa, sharpened by his own experience of discrimination as a Jewish person looking for employment in the Wall Street of the 1930s. He became involved at a time when South Africa was mired in the deadlock produced by its policies of apartheid and did what he could to encourage dissenters from that regime and to keep alive the possibility of change. …

In the midst of this whirlwind of academic activity, Louis somehow found time for quite a substantial amount of practice. Given his years of litigation for the government and the scarcity of comparable expertise in the civilian sector this was a natural extension, and he enjoyed hearing the noises of combat and smelling the odor of gunpowder again. There were times when he was offered more work than he could handle. He would then favor his juniors with the opportunity. On one occasion he was asked to work on a case in which the firm that consulted him had been sharply criticized by the Court of Appeals for the unnecessary length and verbosity of its brief. In giving me the chance he smiled and said, "I told them that you would say less than anybody else I could think of." I think I hear him now clearing his throat and saying "Det, that reminds me. . . ." And so I will come to an end. In ending I’ll refer to the old Harvard lines "time like an ever-rolling stream bears all its sons away." It does that but they leave their contributions for others to build upon. —

Dietler Voge ’51
FALL REUNIONS 1997

Newton Lane '39 tries out one of the Langdell Library's 114 new computers. ~

A light moment during a panel discussion honoring Professor Emeritus Archibald Cox '37 for his accomplishments as a public servant. Panelists, from left: Professor and former Dean James Vorenberg '33, former Dean and University President Derek Bok '51, Professor Philip Heymann '40, Ken Gormley 'No, author of Archibald Cox: Conscience of a Nation (Addison-Wesley Longman, 1997), and Professor Emeritus Clark Byrne. Cox participated in the event. ~
Alumni Books

David Brodsky ’67, partner, litigation department chair, and executive committee member at Schulte Roth & Zabel in New York City, and Daniel Kramer, Federal Securities Litigation: A Deskbook for the Practitioner (Data-TRAC, Publishing, 1997). Litigating significant matters under the federal securities laws.


Joanna Cripol ’90, Roussane and Alexander (Schnickluth, 1997). Fictional memoir of the wife of Alexander the Great.

Michael Fischel ’78, professor of law and associate dean of student academic affairs at the University of Miami School of Law in Coral Gables, Fla., and Jeremy Paul ’96, professor of law at the University of Connecticut School of Law, Getting to Maybe: How to Excel on Law School Exams (Carolina Academic Press, 1998). Guide to performing well on law school exams.


Joel Handler ’76, Richard C. Maxwell Professor of Law at the School of Law, University of California, Los Angeles, and Yehudacoh Hassenfeld, We the Poor: People, Work, Poverty, and Welfare (Yale University Press, 1997). Critique of welfare reform, arguing for initiatives that alleviate poverty through living-wage jobs.


David Hoffman ’84, partner at Hill & Barlow in Boston and lecturer at HLS for 1997–98, and David Mata ’85, professor of law at University of Massachusetts Law Center in Boston, Massachusetts Alternative Dispute Resolution (Michie & Butlerworth, 1994, 1996). Summary of strategies, procedures, and issues related to alternative dispute resolution in Massachusetts.


Barbara Milman ’65–’84, artist, Lights in the Shadow (Jonathan David Publishers, 1997). Black and white linocuts depicting the stories of five Holocaust survivors, based on interviews conducted by Milman.


Mark Radeloff ’81, partner at Gray Cary Ware & Freidenrich in Palo Alto, Calif., and J. Dianne Brinson, Internet Legal Forms for Businesses (Ladtera Press, 1997). Practical guide to legal issues in developing, publishing, and protecting multimedia and Internet products.


Evan Slavitt ’84, partner at Gaddy & Hannah in Boston, and Linda Ouellette, Massachusetts Civil Practice: Evidence (West Publishing, 1997). Practical guide designed to provide answers to common evidence questions faced by attorneys dealing with civil litigation cases.
Honoring more than 5,000 women graduates of Harvard Law School 1953–1998

SAVE THE DATES!
November 13–15, 1998

C E L E B R A T I O N

Sandra Miller ’53, vice president of the HLSA of New York City; Charles Brog ’63, president of the HLSA; Jeanne Jacob Goldberg ’65, chair of Celebration 45; and Elizabeth Strong ’82, program chair of Celebration 45, participated in the HLSA of New York City luncheon in January. Celebration 45, honoring the more than 5,000 women who have graduated from HLS since 1953, will be held in Cambridge, November 13–15, 1998. —

DISTINGUISHED ALUMNI SPEAKER SERIES

Former Massachusetts governor Michael Dukakis ’64 (above) was one of eight alumni who discussed their work this fall, as guests of the HLS Distinguished Alumni Speaker Series. The other speakers were Caesar Weinberger ’41, former secretary of defense, and publisher of Forbes; Judge Herbert P. Wilkins ’54, chief justice of the Massachusetts Supreme Judicial Court; Mitt Romney ’79, venture capitalist and nominee for Massachusetts U.S. Senate seat in 1994; Gun Hauser ’63, chairman and CEO of Hauser Communications; Richard Alderson ’76, president of the Oakland A’s; Judge Pierre S. du Pont IV ’69, former governor of Delaware, and former Republican candidate for President in 1988; and Alan Mendelson ’73, managing partner of Cooley Godward in Palo Alto, California. —

PHOTOGRAPH: RICHARD CHASE
1967 classmates John Connor and William Levit tour the renovated Langdell Library.

Read the Bulletin on the Web at www.law.harvard.edu/alumni/bulletin/
Michael Somberg '75, HLSA executive committee member; Dorothy Chin Brandt LL.M. '75, new trustee of the HLSA of New York City; Bruce Hubbard '72, outgoing president of the HLSA of New York City; and Professor Reiner Krakman were among those attending the New York association's November dinner.

Will your news be in the next Bulletin?

Class Notes deadlines are:
April 30, 1998 (Summer issue)
July 14, 1998 (Fall issue)
December 2, 1998 (Spring issue)
HLS CLASS NEWS ISSUE RETURNS THIS FALL!

In response to readers' enthusiasm, our fall issue will again feature an expanded Class News section, including stories about alumni careers, big cases, special interest projects, and more.

Send us your career news, tell us about your cutting-edge work, and don't forget to fill us in on travel, family, hobbies, and other non-legal pursuits.

E-mail us at hisbltn@law.harvard.edu, fax us at (617) 495-3501, or write to us at the Harvard Law Bulletin, Harvard Law School, Cambridge, MA 02138.
Catch up with your classmates

_Spring Reunions_
April 23–26, 1998
NEVER MISS A MESSAGE!

E-mail forwarding is now available free of charge to HLS graduates who have existing e-mail accounts. Sign up for Post.Harvard through the Law School's Web page, www.law.harvard.edu, by clicking on "Alumni" or through the University's Harvard Gateways, www.hog.harvard.edu. An on-line directory lists Post.Harvard subscribers. Messages will be forwarded to graduates' preferred e-mail accounts.
HARVARD LAW SCHOOL ASSOCIATION

Francisco Oswaldo Neves Donelley ITP ’66, (fourth from left) Brazil’s minister of industry and commerce and a director of the HLSA of Brazil, was the featured speaker at an inaugural lunch for the association. Among association officers and friends present were, from left, Robert Klein MBA ’60, regional director of the Harvard Alumni Association; Antonio Rodrigues de Almeida LL.M. ’54, association president; Marcelo Prédicio Callari LL.M. ’96, association secretary; Minister Donelley; João Augusto Morais de Vasconcelos ITP ’76, association vice president; Barbara Schrauk LL.M. ’95; Ayr Oswaldo Matos Filho ITP LL.M. ’66, association director; Peter Grauer MBA ’88, HBS Club of Brazil president; Gustavo Miguel de Mello ITP ’69, association director; Roberto Macedo-Nieves, member of the Graduate School of Arts and Sciences Club, and Marcelio Uchôa da Veiga, Jr. LL.M. ’66.

For overseer of Harvard College:
Jamie S. Gorelick ’79,
Washington, D.C., vice chair,
Fairline Mac Corp.
Regina T. Montoya ’79,
Dallas, Texas, president, Work Rules; national president,
Girls Inc.
Deval Patrick ’82, Boston,
Massachusetts, partner, Day, Berry & Howard

For director of the Harvard Alumni Association:
Karen Falkenstein Green ’83,
Boston, Massachusetts, senior partner, Hale and Dorr
James E. Johnson ’86,
Washington, D.C., assistant secretary for enforcement, U.S. Treasury Department
Pamela Thomas-Graham ’86,

Bullet will be mailed by April 15 and must be returned by May 29. Election results will be announced Commencement afternoon, Thursday, June 4, at the Annual Alumni Meeting. Please vote.

For overseer of Harvard College:
Jamie S. Gorelick ’79,
Washington, D.C., vice chair,
Fairline Mac Corp.
Regina T. Montoya ’79,
Dallas, Texas, president, Work Rules; national president,
Girls Inc.
Deval Patrick ’82, Boston,
Massachusetts, partner, Day, Berry & Howard

For director of the Harvard Alumni Association:
Karen Falkenstein Green ’83,
Boston, Massachusetts, senior partner, Hale and Dorr
James E. Johnson ’86,
Washington, D.C., assistant secretary for enforcement, U.S. Treasury Department
Pamela Thomas-Graham ’86,
Wilson R. Barnes ’38–’39, August 19, 1997. Lutherville, Md. Mr. Barnes was a former judge of the Maryland Court of Appeals. After practicing law for several years he was appointed an assistant city solicitor in 1940, and served as deputy city solicitor from 1940 to 1943. In 1943 Mr. Barnes joined the law firm Anderson, Barnes, Coe, Brandt and became an expert on zoning cases, building contracts, and constitutional questions. He practiced there until 1965, when he was appointed to the Supreme Bench of Baltimore. A year later, he was appointed to the Court of Appeals and returned to private practice with the Baltimore firm of Beall, Hall & Steinman, retiring in 1982.

W. A. Delmar ’32–’39, July 1944.
R. David R. Bishop ’39, July 1944.
J. Elmer Matthews ’39, October 24, 1997. Lakewood, N.J. Mr. Matthews practiced law in New Jersey for many years. He served as the assistant county counsel of Ocean County from 1933 to 1937, Jackson Township attorney from 1934 to 1935, and Lakewood Township attorney from 1935 to 1947. President of the Lakewood Board of Education from 1935 to 1947, he was also a director of People’s National Bank and a trustee of Kimball Medical Center.

Paul W. Williams ’39, August 4, 1997. North Palm Beach, Fl. Mr. Williams was a state Supreme Court justice and assistant attorney general. He began his career as assistant U.S. attorney for the Southern District of New York in charge of investigations in Saratoga and Columbia Counties, many dealing with corruption, gambling, and prostitution. In 1954 he served as a justice of the New York State Supreme Court and was then named U.S. attorney for the Southern District of New York, a position he held from 1953 to 1958. As a U.S. attorney, he fought against union corruption and was one of many people over the years to prosecute Jimmy Hoffa. Until his retirement in 1979 as senior partner, Mr. Williams continued to work for government, taking time off for public posts and military service. He was a Navy lieutenant in the South Pacific during WWII.


1930–1939
James Cooley ’30, October 13, 1997. Washington, D.C. Mr. Cooley was a member of the CIA’s National Board of Estimates. He practiced law in New York City before serving as chairman of the Board of Water and Light for Middle South and was its general counsel until he retired. Mr. Cooley was an attorney and counsel to Cummins Engine Co., Miles Laboratories, and Bigelow Sanford Carpet. He also worked for Goodyear Tire and Rubber. He was a trustee of the Legal Aid Society of New York.

Charles M. Merryl ’32, March 29, 1996. Mr. Merryl served three terms on the Nevada Supreme Court and wrote more than 500 opinions as judge for the U.S. Court of Appeals, Ninth Circuit. His years on the Nevada Supreme Court, where he specialized in water law, included two terms as chief justice.

Sydney A. Warn ’31, September 23, 1997. Hyde Park, Ohio. Mr. Warn was a partner of the law firm Conklin & Conklin in Cincinnati. Joining his father in the family business—then known as Conklin & Conklin, and later known as Conklin & Conklin—Mr. Warn was the driving force behind the establishment of the present-day Warn Bros. construction and related real estate companies, which are run by his two sons. He retired in 1980. Mr. Warn served in the Navy during WWII, becoming a lieutenant commander.

Charles H. Welles ’28, August 8, 1997.

Yale Wilbur ’30, July 1, 1997. Rye Brook, N.Y. Mr. Wilbur co-owned and operated the King Street Nursing Home in Rye Brook. He also helped organize and was an officer-at-large of the Westchester County Nursing Home Association and the New York State Health Care Association.

Elliot P. Dodge ’31, November 15, 1997. Mr. Dodge had a 42-year career in the Simsbury, Conn., schools. He was a geometry teacher, hockey coach, vice principal, and principal at Simsbury High School from 1953 to 1960, when he was appointed general supervisor for secondary education, a post he held until his retirement in 1979. In honor of his service, the Simsbury school district gives out the Elliot P. Dodge Award every year to those who make a significant contribution to education in the town.

Samuel N. Evans ’32, May 25, 1997. Mr. Evans practiced law in Atlanta for many years and retired as an administrator for the federal government.

Inxton, Ill. Mr. Fowl was a lifelong resident of Wilmette, Ill., practiced law in Chicago for more than 60 years. He was a partner with the law firm Pope, Ballard, Shepard & Fowl from 1940 to 1994. Mr. Fowl served as a lieutenant commander in the U.S. Naval Reserve during WWII.

tion, of nearly 500 acres, completed a 20-foot black bear migration corridor in central Vermont. Spiegel served with the Navy in the South Pacific during WWI.

Arthur S. Drinkwater was a student at the University of Michigan, where he was a member of the Michigan Law Review. He later served with the Navy in the South Pacific during WWI.

Taylor W. Hanavan ’30.
Taylor W. Hanavan was a student at the University of Michigan, where he was a member of the Michigan Law Review. He later served with the Navy in the South Pacific during WWI.

Frank G. Parker ’30.
Frank G. Parker was a student at the University of Michigan, where he was a member of the Michigan Law Review. He later served with the Navy in the South Pacific during WWI.

1950–1959

Robert B. Bruce ’50.
Robert B. Bruce was a student at the University of Michigan, where he was a member of the Michigan Law Review. He later served with the Navy in the South Pacific during WWI.

Jesse E. Marlett ’50–51.
Jesse E. Marlett was a student at the University of Michigan, where he was a member of the Michigan Law Review. He later served with the Navy in the South Pacific during WWI.

Ernest R. Marlett ’50–51.
Ernest R. Marlett was a student at the University of Michigan, where he was a member of the Michigan Law Review. He later served with the Navy in the South Pacific during WWI.

1980–1989

John P. Patterson ’82.
John P. Patterson was a student at the University of Michigan, where he was a member of the Michigan Law Review. He later served with the Navy in the South Pacific during WWI.

Mario A. Williams ’82.
Mario A. Williams was a student at the University of Michigan, where he was a member of the Michigan Law Review. He later served with the Navy in the South Pacific during WWI.
"I began buying books when I was about ten years old," says Herbert Robinson, a passionate bibliophile who has donated thousands of books to libraries and educational institutions, including HLS. "Growing up, I practically lived in the New York Public Library. When I was a law student I often went to Harvard's Law School to read up on economic subjects, because of my interest in the social sciences."

A senior counsel with Migdal, Pollack, Rosenkranz & Sherman in Manhattan, Robinson says his regular "book binges" take him far afield to England, Italy, and India, and back to the Boston-Cambridge area. He estimates his private library numbers at least 3,000 volumes, with concentrations in the English Civil War of the 17th century, early architecture, rare volumes dating back to the first quarter of the 17th century, and early English law.

Last fall, the Herbert Robinson Anglo-American Rare Law Book Collection, an endowed gift from Robinson to the Law School, was dedicated in Langdell. Among its treasures is a valuable first edition Robinson donated in 1992, of Henricus de Bracton’s De Legibus et Consuetudinibus Angliae Libri Quinque (London, 1599), a cornerstone of common law literature. Robinson's other gifts to the School include a three-volume set of Sir James Fitzjames Stephen's A History of the Criminal Law of England (London, 1883); a copy (believed to be unique) of Frederick Pollack's Archaeon in Modern Law: Address to the Glasgow Juridical Society (Glasgow, 1892); a two-volume set in pristine condition of Felix Franklin's The Case for the Shorter Work Day (New York, 1916), books on white-collar crime, and funds for book purchases.

Robinson is a life fellow of the Pierpont Morgan Library; conservator of the New York Public Library; director of the General Society Library, chair of the Friends of City College Library; and a member of the American Printing History Association. Listening to the collector discuss his beloved books and libraries, it comes as a surprise to learn of his globe-trotting years pursuing swindlers and graft-takers.

In 1952, "long before white-collar crime was recognized as a field or factor in the law," recalls Robinson, "the general counsel of Sears Roebuck called me in to investigate possible bribery in its New York office." He was then a young lawyer in a Manhattan firm he joined as name partner after serving three years in the army in India. Robinson already had some experience with the retail industry: an anti-trust seminar he took with the late HLS Professor Milton Katz '51 helped him get his first job working for a former assistant attorney general in Massachusetts, on a federal anti-trust case involving alleged price-fixing by retailers.

Following the Sears cases, Robinson focused his practice on commercial bribery and embezzlement cases. "Some involved petty conflicts of interest that violated company rules," he notes. "Other cases were more exciting, and had me tracking malfeactors who had stolen enormous sums all over the United States, in many countries in the Far East, the island of Jersey, Italy, Canada, and many other places." Following the merger of his firm with another law firm, in 1950 Robinson joined Migdal, Pollack as senior counsel.

How did Robinson build such a superb collection in the midst of a long and busy practice? "When you're obsessed," he says, "you find the time."