

Ekow Yankah Appointed to Cardozo Faculty



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YANKAH

When Ekow Yankah speaks about his new appointment, his passion for his work is palpable. “Cardozo is an exciting law school with a remarkable range of philosophy,” he said. “It has a welcoming intellectual environment and it’s a fun place to teach.”

A visiting professor from the University of Illinois School of Law last year, Yankah joins Cardozo as associate professor of law. He will teach Torts, Criminal Procedure, and Jurisprudence during the 2008–09 year. “All of my classes tend to focus on the philosophical aspect of the law,” he explained. “The questions are important. Is this really right? Is it moral? What are our obligations? My philosophy class is very intimate and very demanding. Criminal Procedure is a lot about how we govern ourselves in society, especially in this age of terrorism. Torts is about what we owe each other. What a wonderful discussion to have!”

Yankah continued, “Whatever class I teach, I always think, what could be better than teaching this right now?” Professor Yankah’s scholarship addresses the inter-

section of analytical jurisprudence, criminal punishment, and political philosophy. His current project focuses on the appropriate roles of virtue and duty in law generally and criminal punishment in particular. His article “Good Guys and Bad Guys: Punishing Character, Equality and the Irrelevance of Moral Character to Criminal Punishment” was published recently in *Cardozo Law Review*. At the University of Illinois, he was a member of the Law and Philosophy Program as well as the Criminal Law and Criminal Procedure Program.

Previously, Yankah was an associate in complex commercial litigation at Boies, Schiller & Flexner in New York, where he represented Fortune 500 companies and high-net-worth individuals in a variety of matters, including contract disputes and alleged RICO violations.

Yankah holds a B.A. in political science from the University of Michigan, received a J.D. from Columbia University School of Law in 2000, and, in 2002, received a B.C.L. from Oxford University.



Reception Celebrates Publication of Marci Hamilton’s Book

A reception hosted by Dean David Rudenstine honored Marci A. Hamilton on the publication of *Justice Denied: What America Must Do to Protect Its Children* by Cambridge University Press.

In her book, Hamilton discusses how such recent events as the clergy scandal have increased public awareness of the problem of childhood sexual abuse. Hamilton calls for a grassroots civil rights movement for children and legislative reform that will give victims increased access to redress in court.

Professors from the US and Abroad are Visiting

During the course of the 2008–09 year, visiting professors from around the globe, teaching in many areas, will be at Cardozo. Several are familiar to the Cardozo community.

Christian Delage, a documentary filmmaker and specialist in the films of Charlie Chaplin, World War II history, and films made by both the Nazis and the Allies at the liberation of the concentration camps, will teach Law and Film for the second consecutive year. **Eric Alexander Freedman**, an independent research consultant, affiliated with the Simon Wiesenthal Centre, Paris, France, and an active participant in the Program for Holocaust and Human Rights Studies, will teach Vichy France, Europe, and the Holocaust in the fall. **Renata Salecl** of the University of Ljubljana in Slovenia and the London School of Economics returns in the spring to teach the popular Psychoanalysis and the Law.

Bernhard Schlink, professor of public law and legal philosophy at Humboldt University in Berlin and a best-selling novelist, will be on campus in the fall co-teaching Comparative Constitutionalism with Michel Rosenfeld and Law and Literature with Richard Weisberg.

Among those visiting Cardozo for the first time will be **Ian David Campbell**, Department of Law,

University of Durham, Durham, UK, who will be on campus for the full year teaching Contracts, Advanced Contracts, and Law and Economics. Other first-time visitors will be on campus during the spring semester; they include **Robert Brauneis** from The George Washington University Law School, where he is codirector of the intellectual property law program, who will teach Copyright and Trademark; **Robert Burrell**, reader in law, University of Queensland, St. Lucia, Australia, teaching Comparative Copyright; **Alberto M. Musy**, University of Eastern Piedmont, Novara, Italy, teaching European Union Law; and **Michael A. Simons**, St. John's University School of Law, teaching Evidence and Criminal Law.

Gerald Blidstein of Ben-Gurion University, Israel, will be the Ivan Meyer Visiting Professor in the spring. Originally from the United States, Dr. Blidstein

received his Ph.D. and later an honorary doctorate from Yeshiva University. He is an internationally renowned scholar in Maimonides, Halakic law, and philosophy, with a special emphasis on political philosophy. Among his honors is the 2006 Israel Prize in Jewish Thought.

Several other professors will be at Cardozo either as visiting scholars or teaching

mini-courses. In September, comparative constitutional law expert **Susanna Mancini** of the University of Bologna will visit under the auspices of the Floersheimer Center. Her countryman **Giuseppe de Palo** will visit then also, teaching Negotiation. **Yair Lorberbaum** of Bar Ilan University, who writes and teaches on Jewish law and legal philosophy, will be a visiting scholar in the Center for Jewish Law and Contemporary Civilization. Frequent Cardozo visitor **Andras Sajo** of Central European University, who is now a judge on the European Court of Human Rights, will visit for a week in October. **Kenneth Feinberg** will teach a mini-course on the 9/11 Victim Compensation Fund, which he oversaw, and **Stanley Fish** will be in residence during November and December.



LOVE NAMED CHAIR OF ABA SECTION

Lela Love was honored by colleagues and friends at a reception held at Cardozo as she began her duties as chair of the ABA section of dispute resolution. Among those attending was Tricia Ferrell '98, who was recently named a judge in the Second District Court of Nassau County.



Salecl



Schlink

Public Patent Foundation Moves to Cardozo, Students to Gain Greater Patent Law Opportunities

The Public Patent Foundation (PUBPAT), a not-for-profit legal services organization that represents the public interest against the harms caused by errors in the patent system, will now have its offices at Cardozo. Simultaneously, the organization's executive director, Dan Ravicher, who has been an adjunct at Cardozo since 2006, was appointed lecturer in law and associate director of Cardozo's Intellectual Property Program. He will assist Justin Hughes, director of the IP Program, who has joined the PUBPAT Board of Directors.

Prior to the founding of PUBPAT in 2003, Ravicher was an associate at Patterson, Belknap, Webb & Tyler LLP, and Brobeck, Phleger & Harrison LLP for two years before that. While at the University of Virginia, from which he received his J.D. in 2000, Ravicher worked in the chambers of the Hon. Randall R.

Rader, US Court of Appeals for the Federal Circuit, for one summer. Ravicher received his undergraduate degree in civil engineering from the University of South Florida.

Among his increased responsibilities at Cardozo, Ravicher, who was named in 2008 to the *IP Law & Business* magazine list of "Top 50 under 45," will continue to teach an advanced patent course, the Patent Practicum, engage in advanced patent research, and oversee students' independent research projects. According to Vice Dean Michael Herz, the new collaboration between Cardozo and PUBPAT will expand experiential opportunities for students in the Intellectual Property Program. "As PUBPAT works to improve the patent system through patent office proceedings, students will get great clinical training while serving the public good," said Herz.

PUBPAT files requests at the US Patent and Trademark Office (USPTO) for "reexaminations" of issued patents where the organization has uncovered evidence that the patent does not meet the statutory standards of utility, novelty, and nonobviousness. The organization has been particularly active in scrutinizing dubious patents for medical technologies. The nonprofit has also filed amicus briefs in important patent cases and been involved in patent law reform efforts in Washington.

In Ravicher's course, students are assigned clinical projects in which they review specific patents or patent portfolios for validity issues. Their work product has been used by PUBPAT in its requests for USPTO reexamination proceedings.

"I'm extremely pleased that Cardozo has opened its arms to PUBPAT and offered us a home from which we can base and expand our public service work," said Ravicher.

"Students will get great
clinical training
while serving the public good."



Dan Ravicher

HONORS, APPOINTMENTS

Daniel Crane has been awarded a Fulbright to teach antitrust law in spring 2009 at the Portuguese Catholic University in Lisbon. His article "Antitrust Antifederalism" was published in the *California Law Review*, and "Technocracy & Antitrust" was published in the *Texas Law Review*. In fall 2007, he coedited with Eleanor Fox *Antitrust Stories*, published by Foundation Press. In spring 2008, he presented several papers, including "Private Enforcement against International Cartels in Latin America" at the Sao Paulo Latin American Competition Policy Conference; a benchmarking report on competition advocacy in Organisation for Economic Co-operation and Development countries to the Canadian Competition Policy Review Panel in Montreal; "Bargaining in the Shadow of Rate-Setting Courts" at the ABA conference on remedies for monopolization at the University of Virginia; and a historical paper on *United States v. Socony-Vacuum* at the January 2008 AALS Annual Meeting and the ABA Antitrust section spring meeting.

Lela Love, who was named chair in August 2008 of the ABA Dispute Resolution section, is organizing an International Mediation Leadership Summit to be held in fall 2008 at the Peace Palace in The Hague. Her new book, *The Middle Voice: Mediating Conflict Successfully*, coauthored with Josh Stulberg, was published by Carolina Academic Press.

David Gray Carlson and **Jeanne Schroeder** were visiting lecturers during the spring semester at Radzyner Law School of the Interdisciplinary Center in Herzliya, Israel. Schroeder taught American Securities Law, and Carlson taught a course on Chapter 11 reorganizations under United States law, using Adelphia Communications Corp. as a case study.

Paul Verkuil was named acting dean of the University of Miami Law School for the 2008–09 academic year. Verkuil, who was dean of Cardozo from 1997 to 2001 and held the same position at Tulane Law School from 1978 to 1985, has agreed to assist the Miami faculty and its president, Dr. Donna Shalala, in preparing for a new permanent dean. He will return to the Cardozo faculty in fall 2009.

PAPERS, PANELS, SPEECHES

Paris Baldacci participated in An Obvious Truth: Creating an Action Plan for a Civil Right to Counsel in New York State, an invitation-only conference sponsored by the New York State Bar Association.

Early in 2008, **Justin Hughes** sat on a Ph.D. defense committee at the Copenhagen Business School. Later in the semester, he gave talks at the University of Houston, the University of Bonn, and Johann Wolfgang Goethe-University in Frankfurt. During summer 2008, he lectured for a third year at the University of Amsterdam Copyright Institute and gave a talk at the sixth annual "Rencontres Internationales de la Propriété



Immigration Justice Clinic Director Appointed

Peter L. Markowitz was appointed clinical assistant professor and director of Cardozo's new Immigration Justice Clinic (see page 3). Prior to his recent appointment, Markowitz taught at the NYU and Hofstra schools of law. From 2001 to 2002, he clerked for the Hon. Frederic Block, US District Judge for the Eastern District of New York. In 2002, he was awarded a Soros Justice Fellowship to develop an immigration project at The Bronx Defenders, the first full-service, in-house immigration project at a public defender's office in the United States. His scholarly writing and litigation experience focus on the intersection of criminal and immigration law. Markowitz received his J.D. from NYU School of Law summa cum laude, winning the University Graduation Prize for academic achievement and Sommer Memorial Award for outstanding scholarship, character, and service.

Blasser Receives Clinical Appointment

Jennifer Blasser, who has been teaching in Cardozo's Criminal Defense Clinic since 2003, has been named associate clinical professor of law. Prior to coming to Cardozo, Blasser, who holds a J.D. from NYU School of Law, was for five years a staff attorney in the Criminal Defense Division of the New York Legal Aid Society. After receiving a B.A. from Tufts, she was a fifth-grade bilingual teacher at a New York City public school through the Teach for America program.

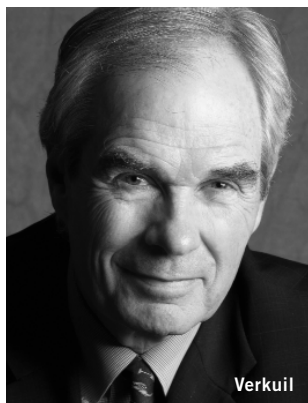
FACULTY briefs

Industrielle” in Paris. Hughes also returned to China, where he, **Stewart Sterk**, and **Max Minzner** taught at the SIPO-Cardozo summer school in Beijing. Hughes, who is chairman of the Thomson Foundation for Film and TV Heritage, headquartered in Paris, attended the Cannes Film Festival, where the Foundation’s first restoration project—the 1955 film *Lola Montes*—was chosen to open the Festival Classics series.

Eric Pan, director of The Heyman Center, has been advising the expert panel on securities regulation, established by Canadian Finance Minister Jim Flaherty, which is seeking to modernize Canada’s financial regulatory system using lessons from the US and European financial regulatory systems. In June 2008, he presented “Theories of Regulation, Globalization, Convergence and Competition” at Osgoode Hall Law School, York University, Toronto; in April he addressed the International Association of

Law Schools at Bucerius Law School in Hamburg, Germany, on “International Finance as International Business Transactions”; and in February he spoke on “Single Stock Futures and Cross-Border Access for US Investors” at Harvard Law School.

“Iraq and the Making of State Media Policy” by **Monroe Price** was published in *Cardozo Arts and Entertainment Law Journal*. Price coauthored “Governance of Global Information Flows” for a special issue of *Global Media and Communications Journal* on European Satellite Cultures: Challenges to Media Policies and National Identities, and “New Technologies and International Broadcasting: Reflections on Adaptations and Transformations” for a special edition of *The Annals* (with Susan Haas and Drew Margolin). “Approaches to Plurality in the US Media Market,” which Price cowrote with Ellen Goodman, was published in *Public Television and Pluralistic Ideals*, an Ofcom/Reuters Institute



Verkuil



Price

FACULTY MEMBERS BLOG ON HUFFINGTON POST

The Huffington Post, a major and very influential news Web site and Weblog, now boasts three Cardozo professors as bloggers:

Monroe Price and **Edward Stein** are regular contributors; **Marci Hamilton** is occasionally posting there as well as writing a regular column on findlaw.com. You can find their posts at www.huffingtonpost.com.

book; “Foreign Policy and the Media” appeared in *International Encyclopedia of Communication*, published by Oxford University Press; and “Religious Communication and Its Relation to the State: Comparative Perspectives,” a paper he delivered at the OSI and Central European University conference Free Speech and Religion—The Eternal Conflict in the Age of Selective Modernization, was published in *Censorial Sensitivities: Free Speech and Religion in a Fundamentalist World*, edited by Andras Sajó and published by Eleven International Publishing in 2007.

Price gave several papers and presentations, including “The Role of the News Media in the Governance Agenda: Watch-Dog, Agenda-Setter, Gate-Keeper” at a Harvard University workshop in May; “Complexity of Media Reform in a Time of Polarization and Commercialization” at the New School conference 1989 and Beyond: The Future of Democracy, in April; “Technology and New Themes in Media Regulation” in Amman, Jordan, in March; and “NGOs as Gatekeepers” at the Open Society Institute in January.

In addition, Price sits on committees for the National Endowment for Democracy, Center for International

Media Assistance, and is a member of the peer review board of the Communication for Governance and Accountability Program at the World Bank.

Sheri Rosenberg, director of the Program in Holocaust and Human Rights Studies, was invited by the International Institute for Law and Human Rights, a Washington-based NGO, to assist the Iraqi government in drafting new legislation. Her article “Promoting Equality after Genocide” was published in the spring 2008 issue of the *Tulane Journal of International and Comparative Law*, and “Equality After Genocide: Jurisprudence of the Legal Institutions Established in Dayton’s Bosnia” is forthcoming in *Deconstructing the Reconstruction of Post-Conflict Bosnia and Herzegovina*, to be published by Ashgate Press. Rosenberg delivered “Intentional Act of Remembering,” the keynote speech for Holocaust Remembrance Day at the New York Supreme Court. “What’s Law Got to Do With It? The Bosnia v. Serbia Decision in the Bosnian Context,” a paper she delivered at the United Nations Genocide Convention: A 60th Anniversary Commemoration, at Rutgers University School of Law in April, will be published in

the *Rutgers Law Review*. She also presented "Reconstruction and Reconciliation in BiH Srebrenica: A Case Study" at the Human Rights and Minority Rights in the Life Cycle of Ethnic Conflicts International Conference held in February at the University of Cologne, Germany.

Michel Rosenfeld, who spent much of the year in Europe as the Blaise Pascal Research Chair, continued his research in constitutionalism during an era of globalization and privatization, gave a series of public lectures, and presented a number of papers at conferences. During the summer, he participated in the third meeting of the Franco-American Legal Network, headed by Justice Steven Breyer, US Supreme Court, and Guy Canivet, French Constitutional Council, and was a panelist at the third Galilee Colloquium on Social, Moral, and Legal Philosophy, co-organized by Hebrew, Tel Aviv, and Bar Ilan universities, where Rosenfeld presented "Does Distributive Justice Have a Place in the Constitution?" Among the several lectures he gave during the spring was the magisterial lecture at the University of Bologna in March on "Interpretation, Truth, and Justice." He spoke in April on "Balancing Human Rights and Security in an Age of Terror" at the Johns Hopkins University Bologna Center in Bologna and was a panelist in a public debate on legal posi-

tivism held by the department of philosophy at the University of Paris I, speaking on "Positivism, Naturalism, and Pluralism." In May, he delivered "Principle or Ideology? A Comparative Perspective on the US Controversy over Supreme Court Uses of Foreign Authorities" at the Max-Planck Institute for Comparative Public Law and International Law at the University of Heidelberg and was the chair and a panelist at the European University Institute workshop in Florence on Religion in the European Public Sphere: A Secular Dilemma? His presentation there was "Religious Symbols in Public Schools: Majority/Minority Perspectives."

David Rudenstine spoke at the naming ceremony of the Earle Mack School of Law at Drexel University. Ambassador Mack is former Chairman of the Cardozo Board of Directors and served recently as Ambassador to Finland. Rudenstine was among a small group of people who offered remarks, including Governor Edward Rendell of Pennsylvania and former NY governor George Pataki.

Alex Stein's article, cowritten with Gideon Parchomovsky of Penn Law School, "Torts and Innovation," will be published in the November 2008 issue of the *Michigan Law Review*. He also wrote a chapter on self-incrimination for the *Encyclopedia of Law and*

TWO RECEIVE TWO-YEAR APPOINTMENTS AS VAPS

Vijay Padmanabhan and **Verity Winship** have been named visiting assistant professors, each for a two-year appointment. Before coming to Cardozo, Padmanabhan was attorney-adviser, political-military affairs, Office of Legal Adviser, at the United States Department of State, where he was the department's chief counsel on Guantanamo and Iraq detainee litigation. Winship was most recently a visiting professor at Fordham Law School, prior to which she was an associate at Wilmer Cutler Pickering Hale and Dorr in the area of securities enforcement and litigation. She is an honors graduate of both Harvard College and Harvard Law School.

Economics (3rd ed., Edward Elgar, 2009). In July, Stein presented "Torts and Innovation" at the Kauffman Foundation Legal Institute Conference on Law, Innovation, and Growth, in Laguna Beach, California. In June, he presented "The Epistemic Authority of Courts" at Evidence and Law, organized at Dartmouth College by *Episteme*, a leading journal in social epistemology that will publish the paper. In May, he participated at the Conference on Law, Economics, and Neuroscience at the University of Southern California Law School and presented a comment, "Economizing Neuroscience." In March, Stein organized, with *Cardozo Law Review*, The Future of Self-Incrimination: Fifth Amendment, Confessions, and Guilty Pleas, at which he presented "The Right to Silence Helps the Innocent: A Response to Critics."

Peter Tillers was the Julius Stone Professorial Visiting Fellow at the University

of New South Wales School of Law in Sydney. While there, he gave several talks on "a scheme for computer-assisted pretrial fact investigation."

Ellen Yaroshefsky testified in May as an ethics expert before New York State Attorney General Andrew Cuomo's commission on attorney pension abuse. Under the auspices of the Jacob Burns Ethics Center, she has created the Prosecutorial and Defense Attorney Accountability Project, which is researching attorney misconduct in various jurisdictions and creating proposals to improve the system of justice. Her article "Zealous Lawyering Succeeds Against All Odds: Major Mori and the Legal Team for David Hicks at Guantanamo Bay" was published in the *Roger Williams Law Review*. She presented "Lawyering at Guantanamo" at the Association of Professional Responsibility Lawyers Fifth International Conference, held in May.