

Three Join Faculty and Eleven Visit

Three professors with backgrounds in philosophy, the humanities, and intellectual property join the faculty this year. Making the announcement, Dean Rudenstine noted, “Professors Stone, Hughes, and Stack are welcome additions to our accomplished faculty. Their talents and experiences from academia and practice will bring fresh ideas to the classroom and further enhance the Law School’s vibrant scholarly climate.”

Martin J. Stone, who spent 2001–02 as a visitor at

Cardozo, joins the Law School faculty after 10 years at Duke University, where he held a joint appointment in the law school and the philosophy department and was an adjunct professor in the literature program. Professor Stone said, “I am thrilled to be a part of the intellectually ambitious community at Cardozo. Last year I had a great experience with my students and now am looking forward to teaching Torts and Elements in the first-year curriculum.” He has previously been a visiting professor at Cornell University and the University of Michigan. Among his many honors, he graduated from

Brandeis summa cum laude with highest departmental honors, was a Marshall Scholar at Balliol College, was a fellow at the National Humanities Center, and won the George Plimpton Adams Prize for his doctoral dissertation. A leading scholar of the philosophy of law, Professor Stone has written on Wittgenstein, formalism, and interpretation, as well as on problems in tort law. In addi-

tion to his scholarly pursuits, Professor Stone is an accomplished pianist, having studied at the California Institute of the Arts and the Tanglewood Music Festival. He received a J.D. from Yale University, a B.Phil. from Oxford University, and a Ph.D. from Harvard University.

Justin Hughes is a familiar face at Cardozo as well; he taught Law of Cyberspace in 2000–01, when he was voted best adjunct professor by the students. Formerly attorney-advisor at the US Patent and Trademark Office, where he was at the center of a wide variety of national and international policy debates, Professor Hughes brings to Cardozo a unique background in government, private practice, and academe. His areas of expertise include the Internet, WIPO copyright treaties, database protection, and audiovisual performers’ rights. Professor Hughes has also been active in democracy development projects, working on elections in El Salvador, Haiti, Mali, Bosnia, and Albania. In 1998, he spent his summer as the deputy producer

of the first televised presidential debates in Bosnia since the Dayton Peace Accords. A magna cum laude graduate of both Oberlin College and Harvard Law School, he was articles editor of the *Harvard International Law Journal*. Professor Hughes was a Henry Luce Scholar and Mellon Fellow in the Humanities at Harvard from 1988 to 1991, after which he clerked for the Lord President, Supreme Court of Malaysia, Kuala Lumpur. From 1986 to 1988, he worked at Coudert Frères in Paris, concentrating on international commercial arbitration, and from 1991 to 1996 he was at Manatt, Phelps & Phillips in



Hughes



Stone

Los Angeles where he concentrated on intellectual property litigation and transaction work, civil litigation, and international arbitrations. A nationally known expert in intellectual property law, Professor Hughes is a frequent witness at congressional hearings

Professor Stack graduated magna cum laude from Brown University in 1991, where he was elected to Phi Beta Kappa. Following his studies there, he was awarded a Fulbright Scholarship to attend Oxford University. He received a master's degree in philosophy from Oxford and attended Yale Law School, from which he received a J.D. in 1997. He was an editor of the *Yale Law Journal* and an articles editor of the *Yale Journal of Law & the Humanities*. After law school, Professor Stack clerked for the Honorable Kimba M. Wood of the United States District Court for the Southern District of New York, and then for the Honorable A. Wallace

Tashima of the United States Court of Appeals for the Ninth Circuit.

Returning Visitors

Several professors familiar to the Cardozo community will be among those visiting this academic year. **Aviva Orenstein** will be spending her second consecutive year at Cardozo teaching Civil Procedure, Evidence, and Professional Responsibility. From Israel, frequent visitors **Uriel Procaccia**, who will teach Economic Approaches to Corporate Law, and **Alex**

Stein, who will teach Torts and Constitutional Criminal Evidence, will spend the fall here. **Barton Beebe** will return in the spring to teach Copyright and Advanced Copyright after a year clerking for Judge Denise Cote, US District Court for the Southern District of New York.

Bernhard Schlink, a regular visitor from Germany, will teach in the spring as well. The five have been featured in previous issues of *Cardozo Life*.

New Faces at Cardozo

James F. Ponsoldt is the Joseph Henry Lumpkin Professor of Law at the University of Georgia, where he joined the faculty in 1978. He is best known to students for representing a group of University of Georgia Law School graduates in an antitrust class action challenging certain agreements between providers of bar review courses. The US Supreme Court ruled in the students' favor, resulting in a reduction in the cost of bar review courses. He also has extensive experience in litigation involving antitrust enforcement and was senior trial attorney at the US Department of Justice during the Ford and Carter administrations. He served as appellate counsel for the Justice Department in *United States v. AT&T*, which ultimately resulted in the consent agreement breaking up the communications monopoly. Professor Ponsoldt has testified on

antitrust matters before the US House of Representatives Judiciary Committee and the Georgia Public Service Commission. He holds a B.A. from Cornell University and a J.D. from Harvard University. This fall, he will teach Corporations and Antitrust.

At the Law School for the fall and spring, **David Franklin**, who was a visiting professor at George Washington University Law School, will teach Torts, Elements, and Conflicts of Law. Upon graduation from the University of Chicago Law School with high honors, Professor Franklin clerked for Judge Stephen F. Williams of the US Court of Appeals for the DC Circuit and then for US Supreme Court Justice Ruth Bader Ginsburg. He was a litigation associate at Covington & Burling in New York and has written for *The New Republic*, *Slate*, and *Green Bag 2d*. He received a B.A. from Yale University.

Four others will visit in spring 2003. They are **Renata Salecl**, University of Ljubljana; **Roger S. Berkowitz**, Amherst College; **Daan Braveman**, former dean, Syracuse University College of Law; and **Frank M. Tuerkheimer**, University of Wisconsin.

EDITOR'S NOTE: *Frank Emmert*, dean and *Jean Monnet Professor of European Union Law at Concordia International University Estonia* will visit in the fall, teaching *International Trade and European Union Law*.



and has written extensively on Internet, copyright, and patent law. Last year, he was a visiting professor at UCLA Law School. Professor Hughes said, "It's great to be back at Cardozo. For me, one of the School's great strengths is the number of older students and people returning for LL.M. degrees. They add maturity and perspective to classes."

Kevin M. Stack's principal interests include legislation, administrative law, and civil procedure. He comes to Cardozo from practice as an associate at Jenner & Block in Washington, DC.

Scott Shapiro coedited *The Oxford Handbook of Jurisprudence and Philosophy of Law*, a one-volume reference work covering the whole of legal theory, published by Oxford University Press.

Peter Tillers coedited *The Dynamics of Judicial Proof: Computation, Logic, and Common Sense*, published in the spring by Physica-Verlag & Springer-Verlag.

Peter Yu edited *The Marketplace of Ideas: Twenty Years of Cardozo Arts & Entertainment*

Law Journal and was coeditor, with Monroe Price and Andrei Richter, of *Russian Media Law and Policy in the Yeltsin Decade: Essays and Documents*. He spoke at the UN, at Fordham Law School, and at the US-China Lawyers' Society on intellectual property and

China. An article, "Toward a Nonzero-sum Approach to Resolving Global Intellectual Property Disputes: What We can Learn from Mediators, Business Strategists, and International Relations Theorists," was published in the *University of Cincinnati Law Review*.

Hughes Visits China for Media Law Program

EDITOR'S NOTE: *Between grading exams at UCLA and moving from California to New York, Prof. Justin Hughes, who joins Cardozo's full-time faculty this fall, took time out this summer to lecture in Beijing and deliver a paper in Paris. At a conference at the Institut Français des Relations Internationales, in cooperation with the Institute of Information Studies at the University of Maryland, he presented a paper comparing transatlantic developments in database protection and "information" patents.*

His lectures in Beijing were part of a program in media law and policy that marks a new collaboration between Peking University's School of Journalism and Communication and Oxford University's Programme in Comparative Media Law and Policy, founded by Monroe Price, who also participated. We asked Professor Hughes to contribute some thoughts to Cardozo Life about his impressions of Beijing.

This was my third trip to Beijing, but the first one in summertime. It's a wonderful city, but growing too fast for its own good. A decade ago, Beijing gave one the sense of what Paris or London might have been like before the rise of the bourgeoisie: beautiful palaces and temple grounds scattered around the city, with very simple, poor neighborhoods in between. These traditional neighborhoods, called "hutongs," were similar to those you'd see in small towns and villages; containing single-story buildings, alleyways too narrow for cars, and limited running water. The city's hutongs are being bulldozed to make way for high-rise apartment buildings and office towers. While this may be good for raising the living standards of the Beijingers, it is destroying some of the distinctive character of the city.

Peking University—yes, they still call the university "Peking"—is in the northwest corner of the city, far from the traditional diplomatic and international business centers, but in the midst of Haidin district, the part of Beijing

where local high-technology companies are concentrated. The university is absolutely beautiful—one of the most stunning campuses I have ever seen. Imagine traditional Anglo-American university quads with classical Chinese architecture and gardens. A large part of the campus is a traditional Chinese garden that surrounds a small lake. I'm told the lake is called "Nameless Lake" and it contains inlets, grottos, stone bridges, and an island in the center. In the late afternoon and at dusk, you can find people scattered along the lake shore, talking in small groups, or lone souls reciting poetry, fishing, or programming their cellphones. The new buildings on campus have been built

with a sense of proper scale and are well-thought-out postmodern structures that refer to traditional buildings.

About 60 to 75 graduate students and a few journalists participated in the five-day program. Peking University is mainland China's most celebrated all-subject university; admissions are very competitive. In fact, they were so proficient in English, they laughed at my jokes

before the interpreter had time to translate them. All the professors giving lectures—from Germany, the United Kingdom, and the United States—were struck with how good the students were.

Prof. Kun Li, who received a Ph.D. from the University of Oregon, and Professor Price organized the program to introduce students to a wide range of legal issues affecting mass media, journalism, and communications. My lecture focused on international standards for copyright and trademark law, how Chinese law is moving to meet those standards, and some of the complex problems that Internet technology creates for intellectual property law. Other participants covered regulatory structures for mass media in western countries, different standards for protecting free expression, licensing issues, and cultural diversity in media.



David Bleich participated in a series of panels, discussing bioethics from a Jewish perspective. Most recently, he spoke on stem cell research and cloning at Harvard Law School and gave the annual Pearl and Troy Feibel Lecture on Judaism and Law at the Milton Center of Jewish Studies and Michael E. Moritz College of Law at Ohio State University, where he spoke on "Pain Relief: Legal, Medical and Halachic Ramifications." He also appeared on BBC-Four TV, speaking on animal rights.



Shapiro

In July, she spoke at the Knesset in support of a proposed law that would require the prime minister to get approval by two-thirds of the Knesset before entering into binding international agreements on behalf of Israel. Professor Halberstam drafted the proposal, modeling it on the US Constitution. Also in July, she participated in War, Crimes and Terrorism: The Role of International Courts and Tribunals, at the University of Nice School of Law.

Marci Hamilton was a main speaker at the AALS/American Political Science

Hamilton



Lester Brickman was the featured speaker at a luncheon held by the Manhattan Institute, where he discussed "Asbestos Litigation: Malignancy in the Courts?" At a conference held by the Center for Legal Policy at the Manhattan Institute, which released new statistics and research on class actions/aggregations in state courts, he presented "Anatomy of a Madison County (IL) Class Action: A Study of Pathology."

Toni Fine was elected a Person of Stature in the Association of Legal Writing Directors and has joined the board of the *Index to Legal Periodicals*.

Malvina Halberstam spoke at the ABA International Law Section Spring meeting, held in New York, on Islam, Islamic law, international law, and terrorism.



Bleich

Association Conference on Constitutional Law. She spoke about federalism, church/state issues, and litigation. In June she was invited by the US State Department and the French High Ministry to brief the High Ministry on religious liberty. She gave a lecture on religious liberty in Lyon as well.

At the Legal Educators' Colloquium at the ABA Section of Dispute Resolution Conference in Seattle, **Lela Love** organized and moderated "The Lawyer as Problem-Solver," was a panelist on "What is Mediation?"

Stone



The Emergence and Consequences of Multiple Processes," and delivered a skills workshop on "Advanced Techniques for Complex Mediations."

Suzanne Stone was a respondent at a panel on "The Jewish Influence on Justice Benjamin N. Cardozo" held at the Center for Jewish History, at which the major address was given by Andrew L. Kaufman, Charles Stebbins Fairchild Professor of Law at Harvard.

Paul Verkuil's paper "Alternatives to Judicial Review of Social Security Disability Decisions," submitted to the Social Security Advisory Board (SSAB), was sent to all members of Congress and all federal judges. He is now writing a report for the SSAB on government representation before social security administrative law judges.

ADJUNCTS:

Gary Galperin coauthored articles on the defense of extreme emotional disturbance in New York County in *Behavioral Sciences and the Law* and *Psychology, Public Policy, and Law*. He has presented papers and served as a panelist at the American Psychological Association's Psychology-Law Society biennial conference in Austin, Texas, and the New York Neuropsychology Group annual conference, speaking on violence and criminality.