

CHASE

Salmon P. Chase College of Law Magazine

NORTHERN KENTUCKY UNIVERSITY | SUMMER 2005 | VOLUME 3, NO.1



TRIAL TEAMS SHARPEN COURTROOM SKILLS

R ecognizing Service in Support of the Chase College of Law



This issue of *Chase* includes our annual Service Honor Roll to recognize the many alumni and friends who have contributed their time and talent to a wide range of law school programs. Every aspect of our law school operation has been strengthened by these dedicated and generous contributions. Our law school and our educational program are significantly stronger because of this generous service.

Our highly successful advocacy competition programs, including both moot court and the trial advocacy program featured in this issue, have benefited enormously from those of you who have served as coaches and judges. These programs have achieved regional and national honors during the past academic year. Our *Law Review* Symposia have been enormous successes thanks to those of you who participated as speakers. Many of you presented successful voluntary academic support programs focused on strengthening our students' organizational, study, time-management, and test-taking skills. Many of you have mentored our students regarding every aspect of their legal education and their preparation for a successful legal career. Many of you participated in the very popular Career Options Program to educate our students and prospective students about the enormous range of career possibilities that a legal education presents.

In a more formal and structured way, many of you have served on boards designed to provide a range of support to the law school. This includes service on the Board of Governors of the Chase Alumni Association, the Chase College of Law Board of Advisors, and the Chase College Foundation Board of Trustees.

Finally, many of you have served as adjunct faculty teaching a range of elective courses. Although these positions provide

compensation, considering the enormous time required to prepare and teach these courses, including the out-of-class time to work with students, the compensation is very modest. In addition, some of you have donated your salaries, thus truly donating all your time.

Your contributions of time and talent have made a significant difference in the quality and quantity of academic and career opportunities for our students. We are extremely grateful for this service that truly enriches the Chase experience.

Your contributions of time and talent also have an even greater and long-lasting impact on our students—our future lawyers—as great examples of professionalism. From my first encounter with our newest law students and throughout law school, we emphasize the noble, service-oriented nature of our legal profession. These discussions within our academic environment are of little value, however, without the reaffirmation by those “in practice” or “in business” – YOU! Your actions in donating your time to benefit our school, to serve our students, and thereby to strengthen our profession have a profound impact on the future members of our profession.

On behalf of the entire Chase College of Law family, I offer my sincere appreciation to all who have dedicated their time and talent to the advancement of our students, our school, and our profession. Your efforts are recognized and valued highly. ⚖️

Gary St. Amant
DEAN

CHASE

Salmon P. Chase College of Law Magazine

SUMMER 2005
VOLUME 3, NO.1

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SHARPEN
COURTROOM
SKILLS

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A BLSA TROPHY

TRIAL TEAMS SHARPEN COURTROOM SKILLS

This issue of Chase magazine features the Chase Trial Teams. Future issues will feature the Chase Moot Court Team and the Northern Kentucky Law Review.

The National Trial Advocacy Team and the Black Law Students Association (BLSA) Mock Trial Team achieved success in trial competitions this year. The National Trial Advocacy Team members were Sharif Abdrabbo, Ray Atkinson, Melody Bennett, Lorelei Bolohan, Robert Calabrese, Sarah Clay, Chrissy Dunn, R. Scott Goff, Michele Gregory, Casey Kimball, L. Scott Miller, Steven Nagel, Dana Nash, Dawn Sommers, Stephanie White, Jennifer Wilkerson, and David Williamson. Assistant Professor of Law Kathleen Hughes is the team's faculty advisor. Chase graduates John Dunn

'04 and Jay Vaughn '02, and Assistant Commonwealth's Attorney Shannon Sexton were the team's adjunct faculty coaches.

Bob Hojnoski and his firm Reminger and Reminger sponsored the team. The BLSA Mock Trial Team members were Casey Kimball, Brenna Penrose, Brionnea Williams and David Williamson. Chase graduate Wende Cross '92 was the team's adjunct faculty coach.

(Team members Calabrese, Goff, Miller, Nash, Wilkerson and Williamson are not pictured above.)

BLSA MOCK TRIAL TEAM WINS SOUTHERN REGIONAL COMPETITION

BY JIM PICKERING

While most of the world recognizes Wheaties as the “Breakfast of Champions,” Brionnea Williams may submit evidence to the contrary.

She might argue that another breakfast item fits that bill. And she’ll probably win her case.



BLSA MOCK TRIAL TEAM

of the final round. The team and coach Wende Cross were reviewing evidentiary objections.

“Ironically enough, one of the scoring judges during that final round was an ‘evidence’ professor,” recalls Williams, 26, who begins her third year at Chase in the fall. “We won that final round. The beauty of our team was that we were learning while eating pancakes for breakfast, and then again in the elevator on the way to a competition.”

Art imitating life in the legal realm. Future litigators cutting their teeth.

Hours later, the Chase team had claimed the winner’s trophy at the Southern Regional Thurgood Marshall National Mock Trial Competition sponsored by the National Black Law Students Association. Team members were Casey Kimball from Corbin, Ky., Brenna Penrose from Dover, Ky., Brionnea Williams from Bradenton, Fla., and David Williamson from Cincinnati, Ohio. Wende Cross, a 1992 Chase graduate, served as the team’s coach. Twenty teams participated in the Southern Regional competition which was held in New Orleans. Among the teams Chase defeated in head-to-head competition were Vanderbilt, North Carolina, University of Georgia, University of Alabama and Tulane.

“However, for me, the highlight of competing has been the relationship we formed as a team,” says Williams, who

joined the team after hearing of BLSA’s success in competition. “I would give away the trophy in an instant, but my team and coach are priceless.”

Much like Chase’s National Trial Advocacy Team, the BLSA team aspires to imbue students with the qualities to become successful litigators. It promotes trial advocacy through training, education and competition.

To join a student must be an active BLSA member and “deeply committed to the team,” says Cross.

Its second year at an end, the BLSA team and its coach are developing a reputation for performing well in competition. This year’s first place finish was preceded by a second place finish last year. The members of last year’s team were Sharif Abdrabbo ’05, Angela Burns (’06), Colleen Kirkpatrick ’05 and Dana Luther ’04. Cross, a veteran litigator, says she cherishes her role as mentor. “I am honored to have coached the BLSA teams. I subscribe to the perspective that ‘if each one teaches one, we’ll all be better off.’”

While rewarding, coaching can also be challenging, Cross admits. “Exercising self-restraint” has been her toughest foe.

“Sometimes I want to jump right in and help them. But I believe students learn more when they are encouraged to try, and are allowed to make mistakes,” says Cross, former Assistant United States Attorney and now the managing partner of Cross, Smith & Associates, a Cincinnati firm that practices defense and civil rights litigation.

The most satisfying side to coaching, she adds, is “watching the students grow from what they have learned ...”

Previous to joining the team, Brenna Penrose had limited exposure to litigation from summer associate positions. The fourth-year, part-time student had just completed a pretrial litigation class and was considering a career in the area, but felt she knew too little about it to make an educated decision.

“I had no idea on how to prepare an opening statement,” she says. “I had no idea how to position myself in the courtroom, conduct a direct examination, conduct a cross examination, use exhibits in a trial or (understand) the basic overall strategy

for a trial.”

That has all changed for Penrose, thanks to joining the team and the lessons learned from her teammates and coach. Today, she is considering combining litigation work with corporate law when she graduates in 2006.

When asked what she considered to be the best aspect of mock trials, Penrose offers a concise response: “Winning.” She quickly qualifies: “But not just for the reason of winning, but all it represented.”

Penrose says competition unearthed a surprising sense of school allegiance. The night before a competition the team was preparing with Cross. The team was “nervous and worried” about not having prepared adequately for the first round.

Their coach reminded the team that they were there as representatives of Chase.

“She also said that we were there because of the success of the prior year, the school supported us and provided for us to attend the competition,” Penrose says. “We were there not for our own selfish reasons, but due to the success of others, and the success of our team would determine future opportunities for teams that may follow.”

When the Chase team won the competition, Penrose says it was the result “of our time and hard work, but also the work of the team before us, the support of Chase, the incredible efforts and dedication of Wende, and our pride in representing the school.”

She adds, “I was so proud to win not to win, but primarily to represent Chase and bring the trophy ‘home.’”

Because of her mock trial experience, BLSA teammate Williams now understands the importance of preparation. “I’ve learned that substance outperforms style. A good judge will distinguish between someone who knows the law from someone who doesn’t.”

Given that she describes herself as a “bit of an activist” and someone who wants to be “at the front line of decision and policy making,” Williams may have chosen the best co-curricular activity offered at Chase. She plans to practice employment law and civil rights law.

“I want to do more than provide services and resources.”

Hold the Wheaties. Pass the syrup.

NATIONAL TRIAL ADVOCACY TEAM PREPARES LAW STUDENTS FOR REAL WORLD COURTROOMS

BY JIM PICKERING



SHARIF ABDRAABBO

As any ripened litigator worth his or her closing argument will tell you, it takes more than a “New York City suit” and a fancy briefcase to pull off the “trial lawyer look.” Sharif Abdrabbo could be a poster boy for this axiom.

When the recent Chase grad becomes a civil litigator for Freund, Freeze and Arnold in September, he won’t show up at the Cincinnati law firm’s door looking like a green tomato in a chef salad. On the contrary, Abdrabbo will be well tilled in the rules and rituals in the legal arena that is the U.S. courtroom.

He owes his spit and polish to joining Chase’s National Trial Advocacy Team last year. The goal of the program is simple: to promote excellence in trial advocacy through training, education and competition.

“As several of my coaches have said, ‘While law school may teach you to think like a lawyer, it doesn’t teach you how to act like a lawyer, especially in the courtroom,’” recalls the 32-year-old Abdrabbo. “That’s what the trial advocacy program is for.”

Before his Chase degree graces his office wall, the Taylor Mill resident knows how to examine a witness on direct and on cross, refresh a witness’ memory, impeach a witness with a prior statement, lay a foundation for and admit evidence, and make and respond to objections during a trial.

Beyond practical skills, he also has prepared trial strategy, such as in what order the witnesses should appear, what questions to ask in order to make the witness more (or less) sympathetic to the jury, the use of demonstrative aids, and more.

The future litigator says, “I can honestly say that I feel prepared to walk into a courtroom and tell a jury that my client should prevail, and then clearly explain and demonstrate the reasons why.”

Chase students learn basic trial skills through the trial skills courses available

to students after their first year. The National Trial Advocacy Team program seeks to take its members to the next level. Students learn advanced trial strategies from expert litigators in a one-on-one setting, explains Kathleen Hughes, the team’s faculty advisor and an assistant professor of law at Chase. “They learn how to take a case and advocate from both sides. They learn how to think on their feet. They learn how to persuade people – juries, negotiators, clients and judges.”

Chase students are selected through a rigorous competition in September. They then train with faculty and practitioners, learning strategies for presenting a case – not just preparing for a trial – and how to prove their case in trial. Members participate in an intensive trial-skills program in the fall to prepare for a state mock trial competition. During the spring semester they compete in national mock trial competitions.



RAY ATKINS

Ray Atkins, 42, joined the team after watching them practice for a national competition in 2002.

“I was enamored with the speaking, presentation, and advocacy skills of my senior peers,” recalls

Atkins, a second-year evening student. “I knew that learning litigation skills was something that had to be done by doing, and that I would not get this type of experience in the classroom.”

The Fort Thomas resident is quick to acknowledge that he is planning to practice either corporate law or real estate law, or both, and not litigation. No matter, he adds, litigation skills are not limited to trial work.

By participating on the trial advocacy team, the student polishes presentation skills that are “transferable to many areas of law, including negotiation skills, taking depositions, and courtroom presence and etiquette,” explains Atkins, a vice president at Kleingers & Associates, Inc., a civil engineering and land surveying firm in West Chester, Ohio.

He adds, “The mock trial student also

begins to understand how his or her client relies on an attorney’s expertise in the courtroom. It truly is a learning process of becoming an advocate for your client.”

In 1999, its first year, the Chase National Trial Advocacy Team helped create the Kentucky Mock Trial Competition and found immediate success, finishing as finalists and semi-finalists against the University of Kentucky and the University of Louisville, respectively.

“They received job offers on the spot,” says Hughes, who is also director of clinical programs at Chase. “We’ve been successful ever since.”

Today, the team competes throughout the Midwest, and is sponsored by Reminger & Reminger, a Cincinnati litigation firm with strong ties to the law school. The team has been a finalist in three regional competitions, and has hosted state and national competitions. It has grown from four to 16 students and six adjunct instructors help Hughes with the coaching. The school now offers more than \$10,000 annually in scholarships.

The National Trial Advocacy Team is a co-curricular activity. Students must try out to become members of the team – only the best participate. Because it requires intense classroom time and is educational, students receive course credit, much like Moot Court and *Law Review*.

However, whereas the Moot Court Team deals with appellate advocacy, writing a brief and making an argument in a Court of Appeals or Supreme Court, the Trial Advocacy Team participates in mock trial competitions. Students take a case and prepare it for trial. And they must prepare to try the case from both sides, because their client might be the plaintiff or state in one round and then their client might be the defendant in the next round.

Students practice about 10 hours a week for eight weeks each semester, not including preparing for practices with their teammates. They then go to competition where they test their skills in front of judges and attorneys throughout Kentucky, Ohio and the entire Midwest. About once a year they perform trial demonstrations for the Chase Inn of Court

– a group of over 100 litigators from northern Kentucky and Cincinnati.

Despite the countless hours that cut into an already-hectic schedule, members say the rewards far outweigh the time constraints. Their advisor shares a sense of gratification as well, albeit from a mentor's vista.

"These students are the best part of my job," says Hughes, unhesitatingly. "Seeing their skills develop and challenging them to be better than they ever thought they could be – it's worth it everyday."

Hughes says she is especially proud of the program "whenever a judge or an excellent trial attorney tells a student they have great litigation skills or that they wish they had an opportunity like trial team when they were in school because the students have trial skills that take most attorneys five years or more to accomplish. Or, when a judge tells a student they look forward to the student practicing in their courtroom."

As an example, she recalls the first year of the competition when a Chase student talked about "red herrings" in his closing.

"This is very common, but it was the way he talked about it," Hughes recalls.

"He told how that phrase became a part of our language and how that related to the case. The way he told the story clicked with the jurors. In every round, at least one of the judges said they liked it so much, they were going to start using it in their closings. It's worth it, when accomplished attorneys pick up an interesting trial tip from a law student."

During this past season, Hughes says she challenged a student to do a very advanced cross-examination. She wasn't sure she could do it. She finally tried it, and earned a perfect score.

"Now she knows she can do very advanced trial techniques."



SARAH CLAY

Team member Sarah Clay, who begins her final year this fall, says the most important quality she has developed through competition is confidence.

"Prior to joining the team, and even during my first semester on the team, I considered myself to be a law student, with emphasis on the word student," says the 24-year-

old Highland Heights resident. "After working so closely with local attorneys with a variety of specialties, judges from different areas in Ohio and Kentucky, and, especially our coach Kathleen Hughes, I have grown confident in my ability to practice law."

Clay, who plans to be a civil litigator in the Cincinnati area, recalls a watershed moment during a competition in which she first spoke. As the judge walked into the courtroom, Clay remembers making eye contact with him as he instructed her team and the opposition to be seated.

"Instinctively and confidently I stood, smiled at the judge and very calmly and smoothly requested he rule in our favor on several motions in limine," she recalls. "It was a fabulous feeling when he did rule in our favor at that time and throughout the competition when my partner and I received other favorable rulings from the judge."

She adds, "I have never felt so successful in law school as I did after that trial. I can't wait to speak my first words in court as a lawyer."

CHASE NATIONAL TRIAL ADVOCACY TEAM ALUMNI SINCE ITS ESTABLISHMENT IN 1999

Sharif Abdrabbo '05
Melody Bennett '05
Robert Calabrese '05
Andre Campbell '05
Whitney Cochran '02
Debbie Davis '02
Chrissy Dunn '05
John Dunn '04
R. Scott Goff '05
Charles Haselwood '04
Rene Heinrich '00

Jason Hennekes '02
Rachelle Higgins '04
Derek Humfleet '04
Colleen Kirkpatrick '05
Dana Luther '04
Raeshon Mansoor '03
Robin McCraw '01
L. Scott Miller '05
Todd Myers '00
Gary Payne '00
Amy Pugh '05

Alexander Ramirez '05
David Ranz '01
Pam Roller '01
Kim Sanders '03
Anna Schmalz '04
Tobi Shartzter '04
Timothy Spille '05
Tad Thomas '00
Richard Vande Ryt '02
Jay Vaughn '02
Nicholas Zingarelli '05

CHASE NATIONAL TRIAL ADVOCACY TEAM MEMBERS COMPETE IN STATE AND REGIONAL COMPETITIONS, FINISH AS FINALISTS IN NATIONAL COMPETITION

Chase National Trial Advocacy Team members participated in four state, regional and national competitions during the past year. Team members were Sharif Abdrabbo, Ray Atkinson, Melody Bennett, Lorelei Bolohan, Robert Calabrese, Sarah Clay, Chrissy Dunn, R. Scott Goff, Michele Gregory, Casey Kimball, L. Scott Miller, Steven Nagel, Dana Nash, Dawn Sommers, Stephanie White, Jennifer Wilkerson, and David Williamson. Assistant Professor of Law Kathleen Hughes is the team's faculty advisor.

In November, National Trial Advocacy Team members participated in the Kentucky Mock Trial Competition at the University of Louisville Brandeis School of Law. Since its inception in 1999, this competition has been sponsored by the three Kentucky

state law schools. Starting next year, the Kentucky Academy of Trial Attorneys will sponsor this competition. In November, the team participated in the Ohio Mock Trial Competition in Cleveland. The team was coached by 1992 Chase graduate Wende Cross and the competition was sponsored by the law firm of Reminger and Reminger. In February, the team participated in the American Trial Lawyers Association (ATLA) Regional Trial Competition at the University of Akron School of Law.

The Chase National Trial Advocacy Team finished as finalists this year in Region Six of the National Trial Competition, which was held in Lansing, Michigan. Team members participating in the national competition were Sharif Abdrabbo, Melody Bennett, Rob Calabrese, and Jennifer Wilkerson. Twenty-

six teams from Kentucky, Ohio, Michigan and West Virginia participated in the competition, sponsored by the Texas Young Lawyers Association. The team's adjunct coaches were Jay Vaughn, a 2002 Chase graduate in private practice, and Shannon Sexton, an assistant Commonwealth's attorney. The Chase team defeated teams from Case Western Reserve University, Ohio Northern University, University of Dayton and University of Akron.

As featured in a previous issue of *Chase* magazine, the National Trial Advocacy Team Program has benefited greatly from the financial support of The Lawrence Firm, Reminger & Reminger, the American Board of Trial Advocates, and Chase Trial Team alumni Tad Thomas '00 and Rene Heinrich '00.

THE SALMON P. CHASE AMERICAN INN OF COURT WAS ESTABLISHED IN 1993 BY MEMBERS OF THE NORTHERN KENTUCKY LEGAL COMMUNITY.

The Inn, which is part of the American Inns of Court program, consists of attorneys classified by experience: Masters of the Bench (15 years), Barristers (at least three years), and Associates (less than three years). In addition, northern Kentucky judges from all levels of the judiciary are honorary members. Finally, and most importantly, students and faculty of the

Salmon P. Chase College of Law are invited to participate in the Inn.

The 2004-2005 president of the Inn is Kenton Circuit Court Judge Gregory Bartlett. The Inn, which has about 100 members, meets monthly from September through May at the Metropolitan Club in Covington. Each meeting is preceded by a social hour and dinner, followed by an educational program which qualifies for continuing legal education credit. In addition to educational programs conducted by the members of the Inn, a number of nationally renowned speakers have been featured guests. The Inn provides Chase law students with the unique opportunity to socialize and

interact with judges and members of the northern Kentucky bar while receiving valuable instruction on specific areas of the practice of law.

The American Inns of Court is patterned after the English Inns of Court, and is dedicated to improving the skills, professionalism and ethics of the bench and bar.



INN OF COURT – LEFT TO RIGHT, JENNIFER WILKERSON, DEAN ST. AMANT, MELODY BENNETT, SHARIF ABDRAABBO, JUDGE GREGORY BARTLETT, DICK LAWRENCE, JENNIFER LAWRENCE.

going *the distance*

FOR SOME, PATH TO J.D. WAS A LONG AND WINDING ROAD TRIP

Many Chase alumni, particularly those who attended the evening division, drove considerable distances to obtain their Juris Doctor. A request was included in the fall 2004 issue of Chase magazine for them to share their stories. Following are tales of triumph over traffic, weather and road conditions, time, and a few anecdotal highlights of several alumni who racked up the miles during their law school years.



by Terri Schierberg

BILLY HOLLIN, JOE WHITE, AND
DEAN ST. AMAND

FRIEND ON BOARD

When Joe White '03 reflects upon the road to his J.D., he sees it as more of a marathon than a sprint, consisting of a 350-mile roundtrip from Manchester, Kentucky, each of the three nights per week he commuted to classes at Chase over most of his four years in the evening division. But thanks to a good friend it was not a lonely ride. That friend, Billy Hollin, decided to accompany White to keep him company and make sure he did not fall asleep at the wheel. White and Hollin would leave Manchester at 3:30 in the afternoon and return home at approximately midnight.

"The local economy here was not very strong, and I had been in a family business before and decided to venture into a new career," White explains. "Since I was young I wanted to be an attorney, and I just decided to pursue that dream. I was self-employed as a partner in a mobile home dealership, and that gave me the flexibility to go to law school."

White received encouragement from another alumnus, the late Larry Roberts '92, who also lived in White's hometown and was formerly a circuit court clerk.

"He set an example for me," White adds.

In fact, White was actually able to work his schedule out one semester so that he would have to commute only one night per week. He then stayed overnight with Roberts' son, John, a 2004 graduate of Chase, to make that possible.

White acknowledged that earning his law degree required sacrifice – but not just on his part. He is quick to credit his wife, Beth, and his best friend, Hollin, whom he describes as "a great guy." White recalls how his mother phoned him every night to make sure he had arrived home safely.

White started law school a year after his elder son, Joseph, now 6, was born. The Whites also have a two-year-old son, Will.

"The Lord gave me the strength, and I promised to share the reward of becoming a lawyer," he says.

White recalls that Hollin got to know Dean St. Amand and many of the professors well during his thrice-weekly trek to Chase with White, who praises Chase effusively for its great academic program and for the personal touch it offers. White says he considers many of the faculty his friends to this day.

"They were good at their jobs and did not treat you like you were a number," White remembers. It was a team effort of support from the faculty and administration, according to White, who says, "Everything had to come together in order for me to attend Chase." He notes proudly that he made the Dean's List a couple of times and missed fewer classes than some students who lived five minutes from the campus.

"Chase gave me an opportunity through its part-time program, and I feel like I am a good attorney," adds White, who worked during his first year as a prosecutor and is now a sole practitioner.

He says Hollin calculated his portion of the shared commute to be 285 trips at 350 miles for a total of 100,000 miles and in excess of 1,700 hours spent on the road.

It was not all downtime on the commute, either, as White points out that he took advantage of the time on the road to listen to *West Law* audiotapes and learn while driving.

"We were fortunate as we were never in an accident," White says. "Entire stretches of road were built during my years commuting to Chase," he points out, saying that he traversed two-lane roads that eventually became three lanes. "I pretty much wore one car out."

He says he and Hollin would pack sandwiches and pop in a cooler and share a "picnic on the road," eventually "graduating" to fast food drive-through restaurants.

"I met Billy because he was a close friend of my wife's family," White explains. "We later became neighbors and best friends."

"During class time, Billy would sit in the car, watch TV in the student lounge, or walk around campus. He made many good friends there. And it is my understanding that satellite TV was installed in the student lounge specifically to accommodate Billy."

Soon after White's graduation, which Hollin of course attended, Hollin's health deteriorated and he was admitted to a nursing home indefinitely. White reports that he is a favorite with the patients and the staff and is very happy.

"Billy Hollin, who is 65, quit school after the third grade, but he realized the importance of an education," White says of his friend, adding that "just because someone doesn't get an education doesn't mean they aren't smart."



LARRY
ROBERTS'
SONS
CONTINUE
the
TRADITION



LUKE AND JOHN ROBERTS

The man who encouraged Joseph White to make the long trek to Chase from Manchester just as he had done, the late Larry Roberts '92, also always wanted to be an attorney.

A circuit court clerk who was elected in 1981, Larry was very civic-minded and "always loved the law," according to his widow, Mary, a retired elementary school teacher.

Mary recalls how their sons, John and Luke, sometimes accompanied their dad on his trips to Chase and would sit through his classes with him. Though they were in their early years of elementary school at the time, their father's example and their exposure to law school obviously influenced their career choices. John, who graduated from Chase last year and worked in the library while attending Chase, now works at the University of Kentucky in the law library and wants to become a law librarian. He also does research for lawyers. Luke will begin his legal studies in the day division at Chase in the fall.

Though the commute from Manchester was certainly not inconsiderable in and of itself, Mary notes that Larry did not get caught in the snow a single time in his four years of making the trip.

"He was just blessed," she says, describing her late husband as a "strong, healthy man with a lot of energy."

"He was determined and he loved the challenge," she adds, saying he was not one to get into a routine and just stay there.

Mary says her husband graduated from Cumberland College magna cum laude when he was barely 20 years of age and had attended college on a baseball scholarship. He had been a social worker who also held a teaching certificate, though he never taught.

"He was a shy man, very unassuming," she says, "not a talker but a listener."

According to Mary, Larry was always very generous in lending support and encouragement to others and made a mark and had a real impact on people with whom he was involved.

"He enjoyed baseball and golf and was very active in his community and church," she adds, pointing out that he was good at anything he tried.

"He used to joke and say that after he got tired of being a lawyer, he would go to medical school."

Sadly, he never got the chance to explore that possibility as he died of a brain tumor on November 25, 2000.

He did, however, enter into private practice after graduating from Chase and served as a master commissioner and assistant Commonwealth's attorney.

"He really enjoyed his time at Chase," she says, relating how he appreciated the diversity of students and found Chase "a comfortable place to learn" and believed it was where he was supposed to be.

"He liked his professors and thought they were very supportive," Mary says.

"He brought the absolute best out in people. It was just second nature to him."

She says he often did not collect fees for legal services he had rendered when he knew doing so would put a financial strain on someone.

In addition to enjoying baseball and rooting for the Reds, Mary says Larry also loved poetry. One favorite poem in particular, Rudyard Kipling's "If," seemed to epitomize how he conducted himself.

Though terminally ill, Larry was a man who always stood on his faith, according to Mary, and the constant stream of people who came to comfort him often found that they were comforted by him instead.

"He had such a unique sense of humor and such wit, but you really had to know him to understand that since he was quiet," she remarks. "He could see the humor in everything and really was just a treat."



PROFESSOR BY DAY, STUDENT BY NIGHT

Dr. Sandra Reeves '00 had always planned to study law but had hoped someday to move to a city where there was a J.D. program. With aging parents, she says such a move looked increasingly unlikely, and the commute from Corbin to Chase became a “bite the bullet” proposition.

During the time she attended Chase, she was chair of the computer science department at the University of the Cumberlands, formerly Cumberland College. She has received numerous recognitions for her scholarship and work as an educator, including the Kentucky Department of Education’s Prism Award.

“I had the flexibility to set my schedule to teach morning classes,” she explains. “I drove from work in Williamsburg, Kentucky, which is on I-75 about 10 miles north of the Tennessee state line, so I drove about 200 miles each way nightly. There was highway construction all along the interstate the length of the state, so sometimes I had to leave around 12:00 or 1:00 in order to get there for night classes. “Then, I had classes until 10:30 or so, and was back home in Corbin by about 1:00 or 1:30. I did homework until about 3:30 or so, and was back at Cumberland the next morning by 7:30.”

Reeves graduated from Cumberland College in 1977 with a B.S. in data processing and business administration. The following year, she earned an MBA in accounting from Eastern Kentucky University. In 1985, she obtained an M.S. in computer science from the University of Evansville and was awarded an Ed.D. in computer technology and adult learning from the University of Tennessee in 1993.

Reeves, Jason Shepherd '00 and Delbert Pruitt '99 worked out a carpool for part of the time they attended Chase and took turns at the wheel.

“Usually I met Del in Lexington and then we picked up Jason in Georgetown,” she explains. “Del only rode with us for one or two semesters. I was about an hour-and-a-half south of Jason, so once I dropped him off I still had another hour-and-a-half to go to get home. We had wonderfully fun times commuting together with lots of laughs.”

Aside from the seemingly endless roadwork, Reeves says she remembers bad weather seeming to hit on the nights she drove alone.

“It was scary, but I learned to drive on snow,” she recalls, “and my little Jeep had more than 200,000 miles on it when school was over.”

As with most Chase students, particularly those in the evening division, Reeves had to balance a day job. She also had two Labrador retrievers and two Tennessee Walking horses in her care.

Her balancing act continues today as Reeves teaches at University of the Cumberlands in addition to serving as chair of her department and also runs her own law firm.

“I concentrate in two areas of the law. One is family law, and I do massive amounts of post-decree change of custody,” she says. “Also, I do extremely contested divorces and adoptions.

“The second area in which I concentrate is mineral law, or more specifically, oil and gas. I represent four fairly large oil and gas companies from Oklahoma to Texas and then do some work for smaller oil and gas companies in Kentucky. It is a very specialized field, and not a lot of attorneys want to do the mineral titles because of how far back you have to run the titles. Also, division order, farm-out agreements, assignments and other documents are pretty difficult to do.

“I had originally thought I wanted to do criminal prosecution when I got out of school, but the budget in our county where I was working for the Commonwealth was not such that I could live on the income, so I went to work for a private firm for a couple of years and then went out on my own and established The Reeves Law Office, PLLC.”

Reeves acknowledges that she loved Chase and would not have been able to attend law school if not for the night program.

“I think it is a quality program,” she adds, “and I am very proud that Chase is where I went to school. I hope it will become a tradition in my family. My brother, Danny, who is now U.S. District Court Judge Reeves '81 attended Chase as I did, and presently my two nephews have plans to attend Chase after college.”

For Jason Shepherd '00, his motivation to drive from Georgetown, Kentucky, to Chase College of Law after spending his day in the classroom at Scott County High School arose out of what he terms "practical reality." As a high school teacher he was searching for more lucrative career options to support his growing family, and so decided to pursue his law degree. He and his wife, Shannon, are the parents of Jackson, 7, James, 5 and one-and-a-half year old twin girls Lexie and Riley.

Shepherd joined the United States Marine Corps after graduating from Virginia Military Institute. He obtained his master's degree in English from Eastern Kentucky University and spent time studying at Oxford. After serving in Desert Storm, he left active duty in 1991. He later joined the KYARNG as a JAG officer in 2001.

"I found the commute to Chase so much fun that I went to work for the IRS in Cincinnati and now work in the Covington office, and I also commuted to Capital University Law School in Columbus where I earned my LL.M. in 2002," he says with a mild chuckle.

Shepherd is an estate gift tax attorney for the IRS now but his first job out of Chase required a much shorter drive as it was with the Department of Public Advocacy in neighboring Frankfort, where he represented people with disabilities.

While attending Chase, Shepherd and two fellow students, Sandra Reeves '00 of Corbin and Delbert Pruitt '99 of Paducah, decided to form a carpool when their schedules would permit them to share the ride.

Asked if they used the time to talk about their legal studies, Shepherd says, perhaps not surprisingly, "we discussed a wide range of stuff that did not have anything to do with our classes at Chase."

His experiences on the road are not unlike those of other Chase long-distance drivers, and he laments that there is unfortunately no end to the stupidity one witnesses on the interstate while traveling the same route day in and day out.

"I once saw a guy who had a device on his steering wheel so he could read a book while driving, and three or four weeks later that same guy was involved in a car accident," he says. "And I have seen people watching TV while they drive."

"When you drive the same stretch of road a lot at the same time of day or night you see a lot of the same vehicles," Shepherd explains.

As far as his education at Chase is concerned, Shepherd says he was "tremendously impressed" with his professors and says they were sympathetic to the fact that he traveled some 70 to 80 miles from his home to attend classes.

His advice to other law students trying to cope with the demands of work, family, and perhaps a considerable commute as well is for them to take a practical, long-range look at the pursuit of their law degree and keep it in perspective.

"Do the best you can with the time you have," he advises.

While he sees a law degree as very utilitarian, he also says he feels it enables a person "to do a whole lot of things that are good for your country and your community."

"It doesn't have to be just about you," he adds.

With a bit more time on his hands these days, Shepherd has learned to fly, obtaining his private pilot's license in 2002.

While he says flying is a purely recreational pursuit, he hints that he may continue to upgrade his license and work toward becoming instrument rated.

"As soon as the wheels leave the runway, I am where I want to be," he says.

He remarks that this pastime has led him to meet some "really fascinating people," such as Chuck Yeager with whom he is pictured, most of the surviving members of the Tuskegee Airmen, and brothers Burt and Dick Rutan, who designed and piloted Voyager, the first airplane to circle the world non-stop without refueling.

His fascination with flying stems from his childhood when he would visit a grass strip that served as an air field close to his home. One day he noticed a big red bi-plane flying overhead and decided to ride his bike there and check it out. He met the pilot who offered him a ride in the plane for \$5. Shepherd pedaled his bike to his father's office and without mentioning the plane ride asked his dad for \$5, which he unquestioningly gave to his young son. The pilot took Shepherd for a ride and flew him over his home. When he returned home later that day, his mother mentioned the plane flying over head, and Shepherd excitedly told her he was aboard that plane, having been given the fare for the ride by his father.

While his schedule is no less full these days with his sons' t-ball games and his own interest in following the Lexington Legends and Cincinnati Reds, he sums up his feelings about his commute to Chase, saying "I am very glad I did it."

JASON SHEPHERD WITH
CHUCK YEAGER



COMPANIONS ON A JOURNEY



AND MILES TO LOG BEFORE I FINISH

Saeid Shafizadeh '00 kept a log of the miles he traveled on the way to earning his J.D. He drove exactly 98 miles from his home in Louisville to Chase. Shafizadeh calculated that he drove a total of 99,000 miles from first trip to last trip, which also included library research time and meeting with other students for group study or projects in addition to time spent in the classroom.

He says he never kept track of the gas consumption over his many trips, but recalls two or three breakdowns late at night, adding that they were nothing serious and he was “able to manage it.”

Shafizadeh rotated between three vehicles, two mini-vans and a Mazda Miata over his three-and-a-half years of making the commute to Chase.

“My first week was terrible,” he says, and recalls thinking “what am I doing?” as he approached the Carrollton exit on northbound I-71, which was about the half-way point.

After a time, he says he just put the car on cruise control and the wheels just seemed to find their own way in the tracks.

His time on the road was not wasted as he was able to conduct business by making calls from his cell phone which were still billed as local calls up to mile marker 44 on northbound I-71. He did the same on his return trip.

“I never got a ticket,” he boasts, “and I was always on time, maybe missing half a class once due to a breakdown.”

His drive made him alert to where to spot the deer traffic (near Bedford) and he says he managed to avoid hitting a couple of deer during his treks home. He also knew to expect fog past Carrollton at night, and he sometimes had an opportunity to be Good Samaritan on a few occasions helping other stranded motorists.

One night during a heavy snowfall and after an exam that had distracted his attention he did miss the turn-off to I-71 and continued down I-75. Realizing he was not recognizing any landmarks, he began looking for a spot to exit and then pick up I-71. He got off I-75 at an exit by the name of a town he recognized from traveling I-71 and found himself on a four-lane road, which turned into a two-lane road, and eventually into a single gravel lane. It was at that point he abandoned the notion of this route being a shortcut and turned around and headed back up I-75 to reconnect with I-71. He says he got home about an hour late that night.

Another time, again during a heavy snowfall, he accidentally rolled down his driver-side window which had a problem with its automatic switch and it got stuck in the open position. He reports noticing a few strange stares from passing motorists who were obviously curious as to why he was driving in a snowstorm with his window down. He decided to try and “look cool” with snow blowing all over his face and stuck his arm in the window to make it appear that he was intentionally driving with the window open.

He says his hat is off to others, namely classmate Sandra Reeves '00 from Corbin, who traveled more than double the distance that he did to obtain her law degree.

Shafizadeh operates the only high security bonded warehouse for U.S. Customs in Kentucky. In part because of the relationship he had through his business with two regulatory agencies, U.S. Customs and ATF, he decided to attend law school so that he would be able to argue legal cases related to importation issues and U.S. customs matters. He holds an undergraduate degree in aviation maintenance management (specializing in helicopter maintenance) from Embry-Riddle Aeronautical University and an MBA from the University of Louisville. Shafizadeh was a reserve sheriff's deputy for Jefferson County through 1999.

Shafizadeh practices general law, taking on a variety of cases in addition to customs and ATF matters, including contract cases and family cases and says he “has a passion for consumer cases.” He also performs pro bono work and received the 2003 Outstanding Volunteer Attorney Award from Legal Aid and for the past two years has been recognized by the Kentucky Bar Association for donated legal services. He also served on the litigation review committee of the ACLU in Louisville.

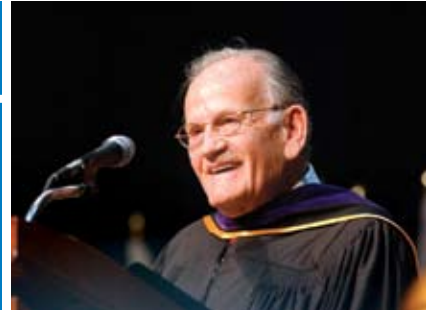
Like many others who had the added hardship of a long drive to and from Chase, Shafizadeh says the only regret he has is the time it took away from his wife, Denise, and two older children, who were then teenagers. His family has grown since his graduation to include three-year-old Arianna and three-month-old Daniel, in addition to Alex, who is 23 and Sharine, who is 20. His older son and daughter are students at the University of Louisville.

“I would probably do it again, it was worth it,” he says, noting that people in big cities like Chicago, New York, and L.A. often face two hours commutes to work each day.

“I am certainly glad I went to Chase as I am very satisfied with the quality of education I received there.”

JUDGE SPIEGEL

receives HONORARY DEGREE *at* CHASE COMMENCEMENT



The Honorable S. Arthur Spiegel, senior judge, United States District Court, Southern District of Ohio, was awarded an honorary Doctor of Laws degree at the Chase College of Law's 2005 Commencement.

Judge Spiegel has served as judge on the United States District Court in the Southern District of Ohio for 25 years, following his appointment by President Jimmy Carter in 1980. In that capacity, he has decided numerous cases of great significance to the community and the region.

Prior to being appointed to the bench, Judge Spiegel was an active civil rights attorney, who fought for equality and justice in the community. He practiced with the firm Cohen, Todd, Kite & Spiegel for 19 years prior to his judicial appointment.

His extensive community service has entailed serving on several boards, including the Cincinnati Human Relations Commission, where he served as its first chairman. He also served on the board of trustees of Bowling Green State University, and as trustee and trustee emeritus on the National Conference for Community and Justice. His community service also includes meeting regularly with students of local high schools to discuss the role of the courts in our society, and he has conducted naturalization ceremonies in the local schools.

His distinguished service has been recognized by numerous organizations. He was awarded an honorary degree, Doctor of Humane Letters by Hebrew Union College, Jewish Institute of Religion; a

Distinguished Alumni Award, College of Arts and Sciences, University of Cincinnati; an award of Recognition from the Black Lawyers Association of Cincinnati; and the Beacon of Light Humanitarian Award from Lighthouse Youth Services. He also received the Distinguished Service Citation of the National Conference for Community and Justice for Outstanding Contribution in the Improvement of Inter-Group Relations in Cincinnati.

Judge Spiegel served in the Pacific during World War II as a captain in the United States Marine Corps. He earned his B.A. from the University of Cincinnati and his LL.B. from Harvard University.

He and his wife, Louise, have four sons, Thomas, Arthur, Andrew and Roger, and seven grandchildren.

CINERGY FOUNDATION GRANT

PROVIDES \$100,000 *for* CHASE'S LOCAL GOVERNMENT LAW CENTER



PHILLIP SPARKES OF CHASE'S LOCAL GOVERNMENT LAW CENTER, RIGHT, WITH NICK JOHNSON '04.

Salmon P. Chase College of Law has been awarded \$50,000 from the Cinergy Foundation for an endowed fellowship in local government law. The grant received matching state funds, bringing its total value to \$100,000. The money will be used to establish an endowment which will help fund one student each year to work in a local government legal office.

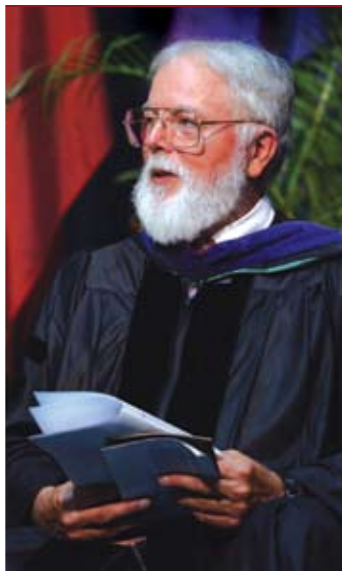
Chase's Local Government Law Center strives to educate law students about a wide range of local government legal issues and to encourage law student interest in serving local governments. The fellowships will provide expanded opportunities for law students to experience firsthand what local government legal service entails and complement Chase's excellent externship

program through which law students are placed in local government legal offices for academic credit.

Chase's Local Government Law Center provides research services, technical support and training to local government officials and their attorneys.

RETIRED BUT NOT RETIRING

BY TERRI SCHIERBERG



Professor Emeritus David Short is looking forward to life on the farm in Stamping Ground, Kentucky, following his retirement from teaching at Chase College of Law. Actually, he owns two farms, one that is 202 acres and another seven miles away that consists of 180 acres.

There are fences to mend, pastures to clear, borders to maintain, horses to tend, and an eventual plan “to get it back in production.” There is also an assortment of vehicles to restore, a long-time interest of a man who spent two-and-a-half years in the Merchant Marine Academy, where he obtained his license as a merchant seaman, machinist, electrician, fireman, oiler and water tender. Over that period of time, he worked on more than 15 ships and visited some 20 to 30 international ports around the world.

Born in Harlan County, Kentucky, Short was one of five children and says he and his siblings had their individual chores and “learned to work together for the good of the family.”

“My father was a miner and my mother was a school teacher for 27 years, with 19 years as principal,” he recalls.

Short says he developed a love of reading early in his life and is easily able to recite lines from familiar poems when he wants to illustrate a particular point.

Drafted in 1962, he spent the next couple of years of his life with the U.S. Army as an armor communications specialist with the 68th Armored Battalion, 8th Infantry Division, in Baumholder, West Germany, during the Cuban Missile Crisis.

Following his military service, Short returned home to complete his education at the University of Kentucky, where he earned both his undergraduate degree and his J.D. He later obtained his LL.M. in international and comparative law from Vrije Universiteit (Free University) in Brussels, Belgium.

Short came to Chase as dean in 1993 after having spent the previous 10-and-a-half years teaching at the University of Kentucky College of Law.

“I was attracted to Chase’s vision of helping the ‘common man,’ and I saw the position as a means to help give law students an opportunity to enter and excel at law careers and to have an impact on their communities and society,” he recalls.

He resigned as dean in 1999 and took an administrative leave in order to recover from surgery. Upon recovering his health he returned to teaching courses in international environmental law, natural resource law, administrative law,

professional responsibility, elder law and national security law. Each area of the law he has taught was complemented by real-life experience.

In addition to his military service and a stint in the Peace Corps as legislative counsel in the trust territories of the Pacific Islands, Moen, Truk from 1970-71, Short has worked in legal services, the public sector, private practice and academia during his career.

In 1967, he organized and operated the first rural legal services program in Kentucky along with Robert L. Caumissar and Stanley C. Nickle for two years. Northeast Legal Services, Inc., which was one of the first two rural legal services in the U.S., covered six counties.

Following that, he worked two years for the Kentucky attorney general as special assistant and general counsel, representing the Kentucky Department of Health, the Kentucky Air Pollution Control Commission, the Kentucky Water Pollution Control Commission and the Kentucky Solid Waste Management Program while also serving as special assistant attorney general for environmental matters.

He also worked as a senior attorney for the Appalachian Research and Defense Fund in 1973. Short returned to the Office of the Kentucky Attorney General in late



“I believe a teacher’s goal should be to empower and enable students to reach their potential.”

Professor Emeritus David Short



1973, serving as director of the Division of Natural Resources and Environmental Law and as assistant attorney general, then assistant deputy attorney general, where he represented the Commonwealth as chief counsel on all major environmental and natural resource issues at all levels of state and federal courts until 1978. He then joined the U.S. Department of the Interior, Office of Surface Mining, where he was a regional director from 1978 to 1981. His duties and responsibilities included organizing, assembling and implementing a new federal regulatory program in an eight-state area, covering surface mining of coal. Region II consisted of the eight southeast states in the U.S. That area had more mines and more coal production at that time than any other coal mining area in the country. Short received the Presidential Meritorious Executive Award in 1980 from President Carter as a result of his efforts and was the first U.S. Office of Surface Mining employee to receive that award. After leaving that post, he entered private practice with the Frankfort office of Sites, McElwain & Fowler, the oldest law firm in continuous operation in Kentucky, from 1981-82, before joining the faculty at University of Kentucky’s College of Law. At U.K. he was a professor of law, director of the Mineral Law Center and editor-in-

chief of the *Journal of Mineral Law and Policy* (now *Journal of Natural Resource Law and Policy*), the first refereed mineral resource law journal in the U.S.

When it comes to teaching, Short says he believes in “maintaining standards but being compassionate and letting students know you care.”

“I try to communicate, empathize and connect with them and try to understand their concerns and to assist them with resolving their problems to the extent possible,” he adds. “I believe a teacher’s goal should be to empower and enable students to reach their potential.”

Short is understandably proud of having the reputation among students for a willingness to assist them with their careers as well as encouraging them to stay on course in spite of family and personal issues. At Chase’s commencement exercises this spring, he was presented with the Robert O. Lukowsky Award by the class of 2005. This award is given to the outstanding professor each year as selected by that year’s graduating class. It is the third year out of the last four that he has been so honored.

“Receiving this award is the most meaningful award I have received,” he says. “I am honored to have been chosen by these outstanding young men and

women and can think of no award that could be more meaningful to any law professor.”

Short says he is contemplating teaching elder law and national security law as an adjunct, mentioning that he also is committed to continuing to teach professional responsibility in the future.

No doubt he will also enjoy having extra time in his retirement to spend with his family. His wife, Terri, lives on the farm in Stamping Ground. His elder son, Carl, works at the University of Indiana at Bloomington in administrative computing and another son, Sam, is a police officer in North Myrtle Beach, S.C. Both sons are considering attending law school in the near future. His youngest child, daughter Rachel, just completed her Bachelor of Science degree in mechanical engineering at the University of Louisville’s Speed School of Engineering and plans to pursue her Master of Science degree next year.

“I have been very fortunate to have good health, a good family and lots of outstanding friends and colleagues along the way,” Short says, reflecting on his life and career. “I will always value them and appreciate the support and assistance others have given me in my profession and private life.”

NORTHERN KENTUCKY LAW REVIEW

holds ANNUAL SYMPOSIUM



Chase's *Northern Kentucky Law Review* presented its annual symposium this year on the topic of "Secondary Liability under the Copyright Act." Prominent legal scholars and practitioners, including Chase Assistant Professor Davida H. Isaacs, discussed current developments regarding the scope of claims for inducement of copyright infringement, specifically addressing the proposed Inducing Infringement of Copyrights Act of 2004 and the Supreme Court's then upcoming decision in *Metro-Goldwyn-Mayer Studios Inc., v. Grokster, Ltd.* Jay H. Knight '05, was editor-in-chief of the *Law Review*, and Professor David A. Elder and Professor Rick Bales are the faculty advisors. Professor Isaacs also served as moderator of the panel. The symposium was sponsored by Wood, Herron & Evans LLP; Deters, Benzinger & LaVelle PSC; Dinsmore and Shohl LLP; Frost Brown Todd LLC; Greenebaum, Doll & McDonald PLLC; and Taft, Stettinius & Hollister LLP.



MOOT COURT TEAM MEMBERS, FROM LEFT TO RIGHT, CARRIE FISCHESSE, JENNIFER CLOYD, AND DORI THOMPSON.

MOOT COURT TEAM FINISHES SECOND in NATIONAL COMPETITION

Chase Moot Court Team members Jennifer Cloyd of Florence, Carrie Fischesser of Ft. Wright, and Dori Thompson of Richmond, KY finished in second place in the final round in the 29th Annual Robert F. Wagner National Labor and Employment Law Moot Court Competition. Thirty-eight law schools took part in the competition, which was held at New York Law School. Jennifer Cloyd also won the "Best Oral Advocate" award. The Wagner competition is the largest student-run, single-site moot court competition in the country. Chase Assistant Professor Lawrence Rosenthal is the team's faculty coach.

The Chase team defeated teams from Southern Methodist University, John Marshall Law School, West Virginia University, University of Memphis, Gonzaga and University of Washington. Some of the other teams that participated were the University of Louisville, University of Cincinnati, Ohio State, Cornell, University of California-Davis, University of Connecticut, University of Minnesota, University of Tennessee, University of Wisconsin, University of Southern California, Wake Forest and last year's champion, Pepperdine.

GALLERY



1



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4

1. STUDENT MUSICIANS AT IMPROMPTU PERFORMANCE: DAVE LASKEY, DENNIS DAVIS '05 AND MICHAEL GRAY CAUDILL 2. MERIDITH OBERKLEIN '05 AND TIM SPILLE '05 CHAT WITH PROFESSOR EMERITUS DAVID SHORT AT THE RECEPTION FOR NEW GRADUATES HELD EACH YEAR AT MONTGOMERY INN BOATHOUSE AND SPONSORED BY THE CHASE ALUMNI ASSOCIATION. 3. DEAN ST. AMAND CONGRATULATES BRIAN WELLS AT THE DEAN'S LIST RECEPTION. 4. CHASE FACULTY AT MAY '05 COMMENCEMENT: PROFESSORS BILL SJOSTROM, DAVIDA ISAACS, MICHAEL MANNHEIMER, SHARLENE LASSITER AND ANNETTE BURKEEN.

FACULTY PUBLICATIONS



BALES

ELDER

GULINELLO

JOLLY-RYAN

KATKIN

KREDER

ROSENTHAL

SJOSTROM

STEPHENS

VALAURI

WHITEMAN

YZENBAARD

Rick Bales

COOPER, NOLAN, & BALES, *ADR IN THE WORKPLACE* (West 2005).

The Employment Due Process Protocol at Ten: Fifteen Unresolved Issues, and a Focus on Conflicts of Interest, 21 OHIO ST. J. DISP. RESOL. ___ (forthcoming 2005).

Adverse Employment Action in Retaliation Cases, ___ U. BALTIMORE L. REV. ___ (forthcoming 2005) (co-authored with Brian Riddell).

Employer Liability for Emotional Distress Arising from Investigation of a Title VII Harassment Complaint, 23 QUINNIPIAC L. REV. ___ (forthcoming 2005) (co-authored with Amanda Jay Mullins).

David Elder

2004 Supplement to *PRIVACY TORTS* (West 2002).

2004 Supplement to *DEFAMATION: A LAWYER'S GUIDE* (West 2003).

Chris Gulinello

Engineering a Venture Capital Market and the Effects of Government Control on Private Ordering: Lessons from the Taiwan Experience, 37 GEO. WASH. INT'L L. REV. ___ (forthcoming 2005).

Jennifer Jolly-Ryan

Coordinating a Legal Writing Program With the Help of a Course Webpage: Help for Reluctant Leaders and the Technologically-Challenged Professor, 22 QUINNIPIAC L. REV. 479 (2004).

Kenneth D. Katkin

Campaign Finance Reform After Federal Election Commission v. McConnell, 31 N. KY. L. REV. 235 (2004).

KENNETH D. KATKIN, Entries on "Angleton, James Jesus," "Blake, George," and "Philby, Harold Adrian Russell 'Kim'" in *M. E. SHARPE ENCYCLOPEDIA OF INTELLIGENCE & COUNTERINTELLIGENCE* (forthcoming 2005).

Jennifer Anglim Kreder

The Choice Between Civil and Criminal Procedure in Stolen Art Cases, 38 VAND. J. TRANSNAT'L L. ___ (October 2005).

Crossroads in the Great Race: Moving Beyond the International Race to Judgment in Disputes over Artwork and Other Chattels, 45 HARV. INT'L L. J. 239 (2004).

Lawrence D. Rosenthal

Association Discrimination under the Americans with Disabilities Act: Another Uphill Battle for Potential ADA Plaintiffs, 22 HOFSTRA LABOR & EMPLOY. L. J. ___ (2004) (forthcoming).

William K. Sjostrom, Jr.

Relaxing the Ban: It's Time to Allow General Solicitation and Advertising in Exempt Offerings, 32 FLA. ST. L. REV. 1 (2004).

Henry L. Stephens

Preparation for Successful Mediations-Kentucky Style, 68 KY BENCH & BAR 21-25 (July 2004).

John Valauri

The Clothes Have No Emperor, Or, Cabining the Commerce Clause, 41 SAN DIEGO L. REV. 405 (2004)

McCulloch and the Fourteenth Amendment, 13 TEMP. POL. & CIV. RTS. L. REV. 857 (2004)

Vladimir Putin, Campaign Finance Reform, and the Central Meaning of the First Amendment, SETON HALL LAW REVIEW (FORTHCOMING, 2005)

Michael Whiteman

Michael Whiteman, *Appellate Court Briefs on the Web: Electronic Dynamos or Legal Quagmire?*, 97 LAW LIB. J. ___ (forthcoming summer 2005).

Supreme Court Editor, *Education Law*, 33 J. L. & EDUC. (2004).

Caryl Yzenbaard

2005 Supplement to *KENTUCKY INTESTACY, WILLS AND PROBATE*.

2005 Supplement to *RESIDENTIAL REAL ESTATE TRANSACTIONS*.

2005 Supplement to *THOMPSON ON REAL PROPERTY*, chapter 56 *Territories & Possessions* and chapter 58 *Antarctica*.

As demonstrated by the list of faculty publications on page 19 of this issue, scholarship is an integral part of the job description for Chase faculty members. It is far less common, however, for law students to publish legal scholarship outside their home law reviews. Chase College of Law is unique in this respect. In each of the past five years, approximately five to ten Chase students have successfully submitted scholarly articles to outside journals for publication. This is a significant achievement – it signifies that journal editors outside the Chase community have deemed these students’ scholarship to be of sufficient interest, quality, and importance to merit publication. It reflects very favorably on Chase’s commitment to student academics and to scholarship generally. I doubt there is a law school in the country that, over the last five years, can even come close to matching the scholarly productivity of the students of Chase College of Law.

Professor Richard Bales

**AMANDA MULLINS (CHASE 2005)
& RICHARD BALES**



PHOTO CREDIT ROBERT GLUTZ



LIABILITY *for* SEXUAL HARASSMENT INVESTIGATIONS

Employer Liability for Emotional Distress Arising from Investigation of a Title VII Harassment Complaint
23 QUINNIPIAC L. REV. __ (forthcoming 2005)

An employer that receives an employee’s complaint of sexual harassment often finds itself between a rock and a hard place. On the one hand, Title VII obligates the employer to thoroughly investigate the alleged harassment. On the other hand, a thorough investigation may offend the purported harassor, who likely will object to any insinuation that s/he did anything wrong. Several purported harassors have sued their employers in tort for emotional distress allegedly caused by a sexual harassment investigation. Thus, an employer must investigate harassment complaints with sufficient vigor to satisfy Title VII requirements (thus avoiding a harassment

suit by the purported victim), but not so vigorously as to precipitate a tort suit by the purported harassor.

This raises the issue of whether, and if so under what circumstances, an employer should be subjected to an emotional distress tort suit for its conduct related to a sexual harassment investigation. Courts recently have delivered inconsistent rulings on the issue. Some courts have appeared to create a per se rule immunizing employers for conduct related to sexual harassment investigations; other courts have distinguished negligent from intentional infliction of emotional distress, and have indicated that an employer may

be liable for the latter but not the former. This article proposes that while accused employees should not have a claim for negligent infliction of emotional distress arising from the investigation of a harassment claim, an employer should be subject to a claim of intentional infliction of emotional distress if the employer’s intentional conduct egregiously exceeds the scope of a necessary and thorough investigation as mandated by federal law.

(Footnotes)

1 *In re Gault*, 387 U.S. 1 (1967).

2 IJA/ABA JUVENILE JUSTICE STANDARDS

ANNOTATED: A BALANCED APPROACH at xviii (Robert E. Shepherd, Jr., ed., 1996).

3 *Id.*

4 See, e.g., Kim Brooks et al., *Beyond In re Gault: The Status of Defense in Kentucky*, 5 *Kentucky Children’s Rights Journal* 1, 1 (1997).

5 See, e.g., National Juvenile Defender Center, American Bar Association Juvenile Justice Center & Central Juvenile Defender Center, *Children’s Law Center, Inc., advancing justice: An assessment of access to counsel and quality of representation in delinquency proceedings* (2002).

BRIAN RIDDELL
(CHASE 2004)



COVENANTS NOT TO COMPETE AND SUCCESSOR EMPLOYERS

The Ability of Successor Employers to Enforce Covenants Not to Compete
33 CAPITAL L. REV. ___ (forthcoming 2005).

Company A has signed covenants not to compete with several of its employees. Company B buys Company A. Can Company B enforce the covenants not to compete that employees signed with Company A? This hypothetical presents the issue of whether a successor employer can enforce a covenant not to compete between an employee and a predecessor employer. Courts are split three ways nationally, and two ways in Ohio.

One group of courts, focusing on contract law, holds that successor employers can enforce covenants not to compete only where employees consent to the assignment of the covenant from the predecessor employer to the successor employer. Some Ohio courts have adopted this approach.

A second group of courts, also focusing on contract law, holds that a successor

employer can always enforce a covenant not to compete between an employee and a predecessor employer because the successor employer is a third-party beneficiary of the covenant not to compete. Ohio courts have not adopted this approach.

A third group of courts ignores the traditional concepts of contract law altogether. This group focuses on property law, holding that successor employers are entitled to enforce covenants not to compete because such covenants are company assets, which are generally transferable where one business is being transferred to another. Some Ohio courts have adopted this approach.

This article argues that Ohio courts should chart a new course, and only permit a successor employer to enforce a covenant not to compete under three circumstances.

First, the employee must give express consent not to compete against the successor employer. Second, the contract of sale/merger between the predecessor employer and the successor employer must specify that any covenants entered into between the predecessor employer and its employees are transferable assets of the predecessor employer, and are being assigned to the successor employer. Third, the successor employer must have an interest to protect by enforcing the covenant. Enforcing noncompete covenants under only these circumstances will ensure that an employee is not bound by the terms of a covenant to which the employee has not consented.

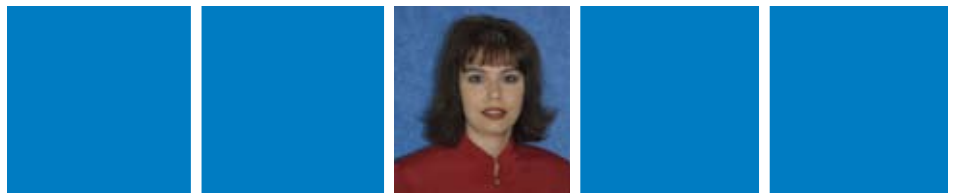
(Footnotes)

See, e.g., *Pestel Milk Co. v. Model Dairy Products Co. et al.*, 52 N.E.2d 651, 657 (Ohio Ct. App. 1943).

See, e.g., *Supplies for Industry, Inc. v. Christensen*, 659 P.2d 660, 662 (Ariz. Ct. App. 1983).

See, e.g., *Safier's, Inc. v. Bialer*, 93 N.E.2d 734, 736-37 (Ohio Ct. App. 1950).

SHARLOTTE THOMPSON
(CHASE 2005)



DISABILITY HARASSMENT

Hostile Work Environment Disability Harassment Under the Americans with Disabilities Act
___ U.M.K.C. L. REV. ___ (forthcoming 2005)

Title VII of the Civil Rights Act of 1964 protects employees from discrimination on the basis of, among other things,

sex and race. The Supreme Court has found that sexual harassment is a form of prohibited sex discrimination;

lower courts have consistently found the same with regard to racial harassment. Within the last several years, courts have

increasingly been presented with the issue of whether the prohibition of disability discrimination in the Americans with Disabilities Act creates a cause of action for disability harassment.

Five federal circuit courts have explicitly followed the Title VII model and have recognized disability harassment as a cause of action under the ADA. Two circuits have considered the issue, but have not yet ruled definitively on whether to recognize disability harassment as a cause of action.

The other circuits have not yet considered the issue.

This article argues that federal courts should recognize a cause of action for hostile work environment disability harassment claims under the ADA, for three reasons. First, such an interpretation is consistent with the statutory text of the ADA, which in this respect is virtually identical to the statutory language of Title VII. Second, recognizing disability harassment claims is consistent with the

Congressional purpose of eradicating disability discrimination through the ADA in the same way that Congress intended to eradicate other types of discrimination through Title VII. Third, recognizing disability harassment claims promotes public policy by protecting disabled individuals and encouraging their active participation in the workforce.

See, e.g., *Fox v. Gen. Motors Corp.*, 247 F.3d 169, 175-6 (4th Cir. 2001); *Flowers v. Southern Reg'l Physician Services Inc.*, 247 F.3d 229, 233-4 (5th Cir. 2001); *Shaver v. Indep. Stave Co.*, 350 F.3d 716, 720 (8th Cir. 2003).
Walton v. Mental Health Assoc., 168 F.3d 661, 666-7 (3d Cir. 1999); *Silk v. City of Chicago*, 194 F.3d 788, 803-4 (7th Cir. 1999).

**BRIAN RIDDELL (CHASE 2004)
 & RICHARD BALES**



DEFINING “RETALIATORY” CONDUCT UNDER TITLE VII

Adverse Employment Action in Retaliation Cases,
 __ U. BALTIMORE L. REV. __ (forthcoming 2005)

Title VII forbids employers from retaliating against employees who have participated in Title VII enforcement proceedings or who have opposed discriminatory employment practices. To prove a Title VII retaliation case, an employee must show, among other things, an “adverse employment action” – i.e., that the employer has done something that detrimentally affected the employee’s job. The federal circuit courts are divided three ways, however, over what it takes for an employee to show this.

The First, Seventh, Ninth, Tenth, Eleventh, and D.C. Circuits, as well as

the EEOC, have adopted an “Expansive” approach, defining “adverse employment action” broadly to include any action that is reasonably likely to deter alleged victims or others from engaging in future protected activity. The Second, Third, and Fourth Circuits take an “Intermediate” approach, holding that “adverse employment action” includes any decision that materially affects the terms and conditions of employment. The “materially affects” restriction permits some employer conduct that would not be allowed under the Expansive approach. The Fifth and Eighth Circuits

have adopted a “Restrictive” approach, holding that only “ultimate employment actions”; such as hiring, firing, promoting, and demoting; constitute actionable adverse employment actions.

This article argues that courts should adopt the Expansive approach. This approach is most consistent with the statutory language of Title VII. It effectively protects employees from retaliation without making employers liable for every trivial utterance that might offend an employee, and it also best effectuates the antidiscrimination policies of Title VII.

See, e.g., *Ray v. Henderson*, 217 F.3d 1234, 1244-46 (9th Cir. 2000).
 See, e.g., *Von Gunten v. Maryland*, 243 F.3d 858, 865 (4th Cir. 2001).
 See, e.g., *Mattern v. Eastman Kodak Co.*, 104 F.3d 702, 707 (5th Cir. 2001).



1. CHASE PROFESSOR RICK BALES RECEIVES HIS AWARD FROM JUDGE GREG BARTLETT. 2. KENTUCKY SENATE PRESIDENT PRO TEMPORE KATIE STINE '84 IS PRESENTED WITH HER AWARD BY JIM KRUER '73. 3. JIM DRESSMAN ACCEPTS THE OUTSTANDING FIRM AWARD ON BEHALF OF DETERS, BENZINGER & LAVELLE 4. JUDGE STEVEN JAEGER '78 HANDS THE SPECIAL ACHIEVEMENT AWARD TO PETE SUMME '77 OF SUMME AND LANTER. 5. ELLEN M. LONGSHORE '83 WAS RECOGNIZED FOR HER LONG-TIME SERVICE AS A MEMBER OF THE NORTHERN KENTUCKY VOLUNTEER LAWYERS. PHOTOS COURTESY OF DEOGRACIAS LERMA

PROFESSOR AND ALUMNI RECEIVE 2005 PRO BONO AWARDS

Chase Professor Richard A. (Rick) Bales received the Distinguished New Volunteer Award from the Northern Kentucky Volunteer Lawyers organization at its annual Pro Bono Luncheon in May. The event was sponsored by the Lawyers Mutual Insurance Co. of Kentucky.

Bales was honored for demonstrating exceptional commitment and concern for clients since joining the panel in 2001. In addition to teaching civil procedure, employment law and employment discrimination, he donates his time and expertise to families needing help with divorce and child custody matters.

The “Nick of Time” Award was given to Ellen M. Longshore '83, a long-time member of the Northern Kentucky Volunteer Lawyers, who was recognized for her tireless efforts in assisting clients with family law issues including custody, visitation and property settlement agreements. Longshore has served on panels of the Northern Kentucky Bar Association and volunteers in her church’s charitable mission.

The firm of Summe & Lanter received a Special Achievement Award for contributing outstanding volunteer legal services to clients in the areas of wills, probate, qualified income trusts, landlord/tenant disputes and property issues. Attorney Pete Summe '77 provides counsel and advice on many Legal Aid cases. Edward Lanter '95, a partner in the firm, focuses on real estate law. Gabrielle Summe '00, member of the firm, practices in the area of bankruptcy and is a staff attorney with the Kenton County Child Support office.

Deters, Benzinger & LaVelle was recognized with the Outstanding Firm Award, an honor bestowed on the firm for its commitment and financial contributions to Northern Kentucky Volunteer Lawyers, Inc. (NKVL) as well as its ethic of service throughout the community. DBL partner, James L. Dressman III, has served on the board of NKVL for several years. The firm’s attorneys have provided assistance with wills, property issues, elder law, qualified income trusts for Medicaid recipients and other special projects, and DBL has contributed generously to NKVL’s annual campaign fund.

State Senator Katie Stine '84 was presented with the Justice For All Award. Stine, who is president pro tem of the Kentucky State Senate, was recognized for her work in Frankfort in support of the Northern Kentucky Volunteer Lawyers.

SBA and BLSA AWARDS

In March, the Student Bar Association presented the “Chase Award of Excellence” to H. “Mac” Riley '86 at the annual Barrister’s Ball. Also in March, the Chase Black Law Students Association presented the following awards at the annual Diversity Gala: “Carrier of the Torch Award” to Bernice Walker '93, “Keeper of the Dream Award” to Wende Cross '92, “Supporter of the Foundation Award” to Chase Professors Adam Todd and Adrienne Noble Nacey, and “Lifetime Achievement Award” to Judge John Burlew '75.



1. H. “MAC” RILEY 2. BERNICE WALKER 3. WENDE MORRIS CROSS 4. CHASE STUDENT LEAH COATES AND CHASE PROFESSORS ADRIENNE NOBLE NACEY AND ADAM TODD 5. JUDGE JOHN BURLEW

CHASE ALUMNA MAKES HISTORY

Senator Katie Stine '84 has served in the Kentucky General Assembly for 10 years, having been first elected to the Kentucky State House of Representatives in 1995 and then to the Senate in 1999. She represents the 24th District of Campbell and Pendleton counties.

In January 2005, she was elected Senate President Pro Tempore, becoming the first woman in Kentucky history to hold that position. As the second highest ranking member, Senator Stine presides over the Senate when the Senate President is absent or unable to preside.

"Going into leadership was a big step," she says. "It is a tremendous amount of work which I gladly accept. It is a 7-to-11 proposition occupying a lot of my daytime hours and I've had to learn to work smarter. Fortunately, I have a staff to help with the workload because I now have not just the people in my own district wanting to meet with me but people all across the state."

Governance Individual Award from the Northern Kentucky Chamber of Commerce. Her list of awards also includes being named Taxpayers Best Friend by Kentucky Taxpayers United; Guardian of Small Business by National Federation of Independent Businesses; Friend of the Merit Shop by Association of Builders and Contractors; and Friend of Tobacco Farmers by Burley Tobacco Cooperative. She received the Friend of Physical Therapy Award from Kentucky Physical Therapists Association; and the highest rating in the Senate by Kentucky Forward, a group representing small businesses in 2000.

Senator Stine hails from a long-line of physicians, including her father and late mother, and though she earned her undergraduate degree in biology from the University of Cincinnati, she says she "broke the trend" when she decided to attend law school and eventually pursue politics. She says she always had an interest in law and



*"Going into leadership was a big step," she says.
"It is a tremendous amount of work which I gladly accept."* SENATOR KATIE STINE '84

She is vice chair of the Judiciary Committee and is a member of the Rules Committee; Committee on Committees; Economic Development, Tourism and Labor Committee; Veterans and Military Affairs and Public Protection Committee; Health and Welfare Committee; and Program Review and Investigations Committee. She currently serves as the chair of the Government Contract Review Committee and is on the Energy Task Force. In the past she has served as chair of the Economic Development, Tourism and Labor Committee, the Program Review and Investigations Committee, the Subcommittee on Families and Children, and the Northern Kentucky Legislative Caucus. She is also a member of the Northern Kentucky Convention and Visitors Commission.

Senator Stine has received several legislative awards. Recently she received the Justice For All Award from the Northern Kentucky Volunteer Lawyers and the A.D. Albright Outstanding Educational

saw obtaining her law degree as a "nice way to round out a liberal arts education." Her husband, Judge Fred "Fritz" Stine V, also graduated from Chase and they are the parents of a daughter, Caroline, and son, Fritz.

Prior to entering politics, she worked for American Airlines during and after attending Chase and later managed her father's 25-employee medical practice and various rental properties. It was at that time she says she learned much about employment law.

"I took seminars to hone my knowledge about all sorts of employment issues and developed an employee manual," she recalls.

Following that, she worked as a travel agent and spent time as a stay-at-home mother, volunteering at her children's schools and her church.

Senator Stine says her background in both biology and law has served to make her "keen on research."

"I really try to research issues, and the

end result is that constituents know that I know what a bill is about," she points out. "We can make a better decision when we are educated."

Looking ahead to the next legislative session, Senator Stine says she will work toward achieving equity in secondary and postsecondary funding, seek a way to deal with judicial workloads and districting across the state, especially trying to add a new circuit judge in Boone County, address issues related to jail overcrowding and adequate funding, and obtain funds for the Campbell County Courthouse.

Senator Stine says she is committed to making sure that infrastructure meets the needs of the extreme growth that this busy region of the state is experiencing.

"It is a blessing to have growth, but it has to be guided and fed or sustained to be beneficial," she adds. "Northern Kentucky is one of the economic engines that is helping to drive our state. When Northern Kentucky flourishes, the whole state benefits."

CHASE ALUMNI NAMED TO BENCH

Fred "Fritz" Stine V '78

was appointed by Governor Ernie Fletcher to fill a vacancy on the Campbell Circuit Court bench in March. Stine will fill the unexpired term of Len Kopowski, who retired earlier this year. The term ends in 2006.

Prior to his appointment, Stine was an assistant U.S. Attorney for the Eastern District of Kentucky.

Admitted to the Kentucky bar in 1978, Stine began work for the U.S. Attorney's Office in 1982, retiring last year. He obtained his undergraduate degree from the University of Cincinnati. Stine is married to Senate President Pro Tem Katie Stine, also a Chase graduate. They have two children, Caroline and Frederick VI.

Stine holds membership in the Kentucky Bar Association, Northern Kentucky Bar Association, the Salmon P. Chase American Inn of Court, St. Andrew Episcopal Church, and the board of St. Paul's Child Care Center, of which he is treasurer.

Deidra Hair '74 was the recipient of



Alex M. Triantafilou '96

was appointed as a Hamilton County Municipal Court Judge for District 6. His term began January 24, 2005. He replaces Judge Ralph E. Winkler. Triantafilou was the administrator of the Hamilton County Clerk of Courts and previous to that the assistant prosecutor for the Hamilton County Prosecutor's office, adjunct professor of law at Salmon P. Chase College of Law, instructor for the American Institute for Paralegal Studies, Inc., and attorney at law for Anderson Publishing Co. He also has served as president of the Board of Trustees for CORE Behavioral Health Centers, volunteer mock trial advisor for Oak Hills High School, and is a graduate of the Cincinnati Bar Association's Cincinnati Academy of Leadership for Lawyers (C.A.L.L.).



LOUIE B. NUNN SCHOLARSHIP ESTABLISHED



TRACEY NUNN, STEVE NUNN AND DEAN ST. AMAND AT THE GOVERNOR LOUIE B. NUNN SCHOLARSHIP RECEPTION.

Chase College of Law and the Chase College Foundation worked with a committee of the late governor's friends, colleagues and family members and the Office of University Advancement to establish the Governor Louie B. Nunn Scholarship Fund. The scholarship fund was established in honor and memory of

Governor Nunn's efforts in the creation of Northern Kentucky University and the subsequent merger of Salmon P. Chase College of Law. Dean Gerry St. Amand, pictured above with State Representative



PROFESSOR DAVID SHORT

Steve Nunn and his wife, Tracey, represented Chase at the reception held in recognition of the new scholarship fund. Professor David Short also attended the reception representing the Chase College Foundation. Louie B. Nunn was Governor of Kentucky from 1967 to 1971. He passed away in 2004.

ALUMNA NAMED YWCA CAREER WOMAN of ACHIEVEMENT

Jakki L. Haussler '88 lawyer, CPA (inactive), and entrepreneur, was honored by the YWCA by being named a 2005 Career Woman of Achievement.

Her achievements are many and varied, and include her founding Opus Capital Management with her husband, Len, in 1996. Opus Capital Management specializes in small cap value stocks and wealth management for institutions and high net worth individuals. The company has more than \$600 million in assets and was ranked in the top one percent of stock managers by Nelson's World's Best Money Managers over the past five years and in the top three percent on a year-to-date basis.

In her role as chair and CEO, she oversees corporate strategy, marketing, and new business development.

Haussler is also a partner with Adena Ventures, LP, a new markets venture capital fund that provides capital and management expertise to businesses in Central Appalachia, and is managing director of Capvest Venture Fund, LP, a small business investment company that invests in companies in the expansion stage.

She is active on several boards, including Victory Funds, the Greater Cincinnati Venture Association and Miami University's Business Advisory Council.



Jakki L. Haussler '88

BLACK LAWYERS ASSOCIATION HONORS CHASE ALUMNA

Bernice L. Walker '93 was honored by the Black Lawyers Association of Cincinnati (BLAC) during its 13th annual Scholarship and Awards Banquet at its 30th Anniversary Celebration in April. She also received the Carrier of the Torch Award from Chase College of Law's Black Law Students Association (BLSA) this year.

Walker has been the director of Hamilton County's Small Business Development Office since 2000, where she assists small businesses that are interested in providing goods and services to County departments reporting to the Board of County Commissioners.

While a student at Chase, she was active in the Black American Law Students Association, the Student Bar Association, and the Volunteer Income Tax Assistance Program.

In addition to being president of BLAC from 1999 until 2001, she also has served on various committees throughout the years and held other leadership positions, including the scholarship and awards banquet committee, 1993-present; nominating committee, 2004-05; chairperson, planning committee, 1995-99; vice-president, 1995-97; and recording secretary, 1994-95.

Walker is a life member of the National Bar Association (NBA), and serves on its board of governors. She also holds membership in the Cincinnati Academy of Leadership for Lawyers, Class VIII (2004); the Cincinnati Bar Association; the BLAC-CBA Roundtable; the Greater Cincinnati Minority Counsel Program; the NAACP; and the National Forum for Black Public Administrators. She serves as a mentor with the Cincinnati Youth Collaborative, is a member of the YWCA Heart-to-Heart Racial Justice Breakfast Planning Committee, and is a facilitator of an adult Sunday school class.



Bernice L. Walker '93

CHASE GRAD EARNS LIFETIME ACHIEVEMENT AWARD

Richard D. Lawrence '71 was honored with a Lifetime Achievement Award at the Northern Kentucky Bar Association's 2004 Personal Injury Seminar, Award Luncheon and Reception. Lawrence, who practices in Kentucky and Ohio, is a member of the Association of Trial Lawyers of America and the Kentucky Academy of Trial Attorneys, where he served as president in 2003. He is currently president of the Kentucky Safety Foundation. Lawrence also is a member of the Ohio Academy of Trial Lawyers, Salmon P. Chase Chapter of the American Inn of Court, American Bar Association, Kentucky Bar Association, Ohio State Bar Association, Northern Kentucky Bar Association, and Cincinnati Bar Association. Lawrence is a member of Chase College of Law's Board of Advisors.

Included among numerous other awards he has received are: the Wiedemann & Wysock Medal Award in 2004; the NKBA Distinguished Lawyer Award in 1997; and the Kentucky Academy of Trial Attorneys Trial Lawyer of the Year in 1996. He was selected by *Cincinnati Magazine* in the category of Best Medical Malpractice Lawyer in the Southern Ohio/Northern Kentucky area in 1995 and has been named in *Who's Who in America* and *Who's Who in Ohio*.



DAVID A. ZISER PHOTOGRAPHY

Richard D. Lawrence '71

FORMER JUDGE *and* CHASE GRAD RECEIVES NKU ALUMNI AWARD

Deidra Hair '74 was the recipient of the 2004 Professional Achievement Award presented by the Northern Kentucky University Alumni Association at its annual awards banquet.

From February 1995 until her retirement in February 2001, Hair presided over Hamilton County's Drug Court in which more than 700 drug addicts received treatment in lieu of returning to jail. It was Ohio's first such court and represented an unconventional approach to dealing with drug-related crimes.

Hair obtained her B.A. from the University of Cincinnati's College of Arts and Sciences in 1967. She held a graduate fellowship there in the Department of Philosophy from 1967 to 1969 when she began a teaching stint as an instructor in philosophy until 1972. While attending Chase, she served as an ombudsman at U.C. from 1972 to 1974.

She began her legal career as an assistant prosecutor for the city of Cincinnati in 1974 and continued with that until 1976, when she entered private practice with Rice and Ladriagan. She assumed the position of executive director of the Legal Clinic at Chase College of Law in 1979 and continued there for a year.

In 1980, she worked as a civil trial referee for Hamilton County Municipal Court until her election in 1981 to the position of municipal judge, where she spent the next 14 years and served as presiding/administrative judge from 1987 to 1988.

She ran for a judgeship on the Hamilton County Court of Common Pleas and served in that capacity from 1995 until her retirement six years later. She also was an adjunct professor of criminal law at the University of Cincinnati for a short time in the early '90s.

Hair is locally well known for a book she wrote, *No Shoes, No Shirt, No Trial*, published by Symetry Publications in 1992. She also authored *Elvis and the Urban Posse*, an edited version of which appeared in *Cincinnati Magazine* in June 1993 and the full text in the *American Judges Association Journal* in 1993.



Deidra Hair '74

CHASE ALUMNI PRESENT CAREER OPTIONS PROGRAM

The Salmon P. Chase College of Law Alumni Association sponsored a Career Options Program for students on March 21 and 22. Dean Gerard St. Amand delivered the welcome address and spoke about opportunities in the JAG Corps. William D. Engel '98, a member of the Chase College of Law Board of Governors, chaired the program and served as moderator. Fourteen Chase graduates, representing 11 different areas of practice, made presentations to nearly 100 students who attended the program. Presenters included: Eliot G. Bastian '99, associate with Frost Brown Todd LLC; Catherine D. Stavros '95, associate, Adams, Stepner, Woltermann & Dusing PLLC; Kelly Farrish '78, sole practitioner; Mary E. Ray '95, corporate counsel, Cincinnati Bell, Inc.; Irene W. Yates '95, associate director, North American Tax, Procter & Gamble; Barbara Barber '97, Assistant Attorney General, Ohio Attorney General's Office; the Honorable Anthony W. Frohlich '80, Circuit Court Judge, 54th Circuit, Boone and Gallatin Counties; James R. Schrand '97, Boone County Attorney; Tracey A. Puthoff '95, partner, Taft, Stettinius & Hollister LLP; Kelly A. Schoening '96, partner, Deters, Benzinger & LaVelle PSC; Bernice L. Walker '93, Director of Small Business Development, Hamilton County, Ohio; the Honorable Douglas J. Grothaus '87, District Court Judge, 16th District, Kenton County; Elaine Korb '04, law clerk to the Honorable David L. Bunning, U.S. District Court for the Eastern District of Kentucky; and John F. Winkler II '89, Vice President and Regional Trust Manager, Park National Bank.



NEW CHASE ADVANCEMENT TEAM IN PLACE

The Chase Advancement office is responsible for advancing the interests of the College of Law, its students, faculty, staff and graduates through alumni relations, fundraising, communications and supervision of the Career Development Office.

David H. MacKnight joined Chase College of Law as Associate Dean for Advancement in December. MacKnight formerly served as Chief of Staff for United States Congressman Ben Chandler, dividing his time each week between the Washington D.C. and Lexington, Kentucky offices. Prior to that, MacKnight was Deputy Attorney General and Chief of Staff of the Kentucky Attorney General's Office and General Counsel of the Kentucky State Auditor's Office. Before entering law school, MacKnight was an administrative assistant for now United States Senator Jim Bunning, and after law school he practiced with the law firm of Adams, Brooking, Stepner, Woltermann and Dusing. MacKnight earned his Bachelor of Science degree from Northern Kentucky University and his Juris Doctor degree from the University of Kentucky College of Law. He also serves on the NKU Foundation Board of Directors.

Terri L. Schierberg is the Associate Director of Advancement and serves as editor of *Chase* magazine. She is a graduate of Northern Kentucky University and formerly worked as Assistant Director in the Office of Alumni Programs, where she was editor of the University's alumni publication, *Northern*, a position she held for 16 years.

Jennifer Baker is the secretary for both the Chase Advancement Office and the Chase Registrar's Office. She formerly worked as a secretary at Florida Atlantic University in the College of Business, Academic Advising Department. Prior to that, she worked at the University of Cincinnati Foundation as a secretary in the Regional Development Office and the Stewardship Office.



< DAVID H. MACKNIGHT



TERRI L. SCHIERBERG >



< JENNIFER BAKER

GATHERINGS



1. PHILIP SCHWORER '86 TALKS WITH DEAN GERRY ST. AMAND, JAY KNIGHT '05 AND HIS WIFE, MELISSA, AT THE RECEPTION FOR NEW GRADUATES HELD AT THE MONTGOMERY INN BOATHOUSE AND SPONSORED BY THE CHASE ALUMNI ASSOCIATION. **2.** A GROUP OF CHASE ALUMNI FROM THE WASHINGTON, D.C. AREA GATHER THERE FOR A RECEPTION IN SEPTEMBER. FROM LEFT TO RIGHT ARE, BRIGHAM MCCOWN '97, DEAN ST. AMAND, BILL SANDERS '79, MAC RILEY '86, MARIA LONGI '93, BERNIE MCKAY '94, JAN OLIVER '91, AND ASSOCIATE DEAN DAVID MACKNIGHT. **3.** WASHINGTON, D.C.-AREA CHASE ALUMNI GATHER AT THE HOME OF MAC AND MICHELE ANNE RILEY IN APRIL. **4.** ALAN HARTMAN '78, PARTNER-IN-CHARGE OF DETERS, BENZINGER & LAVELLE (DBL) CINCINNATI OFFICE, AND DEAN ST. AMAND AT THE FIRM'S OPEN HOUSE SHOWCASING ITS NEW OFFICES IN THE CAREW TOWER. **5.** ELMER REIS '51 TALKS WITH PROFESSOR DAVID SHORT AT SHORT'S RETIREMENT RECEPTION **6.** ASSOCIATE DEAN MACKNIGHT WITH MORLEY THOMPSON '69 AND DEAN ST. AMAND AT THOMPSON'S HOME OVERLOOKING THE SAN FRANCISCO BAY. **7.** JIM FROOMAN '90, PRESIDENT OF THE CHASE ALUMNI ASSOCIATION, HANDS OUT CHASE LAPEL PINS TO MEMBERS OF THE CLASS OF 2005.

CHASE SERVICE HONOR ROLL



THE SPRING MEETING OF THE BOARD OF ADVISORS. PICTURED AT THE TOP ARE, FROM LEFT TO RIGHT, RICHARD LAWRENCE, MARK ARNZEN, ALYSON BARCLAY, BILL CUSSEN, BOB SANDERS, DAVID HAUSRATH, MICHAEL MURRAY, DEAN GERRY ST. AMAND. PICTURED AT THE BOTTOM ARE, FROM LEFT TO RIGHT, ASSOCIATE DEAN DAVID MACKNIGHT, JAN OLIVER, ANN ROBINSON, ASSOCIATE DEAN KAREN OGBURN, GARY COHEN, DIRECTOR OF ADMISSIONS ASHLEY GRAY, PROFESSOR PHILLIP SPARKES, MAC RILEY, PATRICIA HERBOLD, JOHN WINKLER, ASSOCIATE DEAN MICHAEL WHITEMAN, AND EILEEN UTZ.

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 Frohlich
 Grant Helman
 The Honorable Stephen
 Jaeger
 The Honorable Doug
 Grothaus
 Ed Lorenz
 Dawn Rogers
 Candace Smith
 Richard Smith-Monohan
 The Honorable S. Arthur
 Spiegel
 The Honorable Douglas
 Stephens
 Kim Brooks Tandy
 Rachel Vardiman

CONTINUING LEGAL
EDUCATION

Phyllis G. Bossin
 James H. Coogan
 The Honorable Timothy S.
 Hogan
 Michael F. Lyon

GUEST SPEAKERS

Jane Rutherford
 The Honorable S. Arthur
 Spiegel
 LaJuana Wilcher

MOOT COURT TEAM

Barbara Barber
 The Honorable Gregory
 Bartlett
 Randy Blankenship
 Nathan Blaske
 Elizabeth Blincoe

Patricia Block
 David Bross
 Shawn Burdon
 Cynthia Claussen
 Debbie Davis
 Dennis Davis
 Chrissy Dunn
 Amy Gillum
 Ashley Gray
 Tracy Hawkins
 Catherine Howard
 Derrick Humfleet
 Jeniece Jones
 Tara Jones
 Kevin King
 Melissa Lang
 J. Robert Linneman
 Hank Menninger
 The Honorable Richard
 Niehaus
 E. Wednesday Oster
 Sharon Parsley
 Matt Rich
 Brian Riddell
 Jennifer Ross
 Jason Stitt
 M. Patia Tabar
 The Honorable Karen
 Thomas
 Tyson Toles
 The Honorable Frank Trusty
 Erin Wilkins
 Steve Wirthlin
 Thomas Zachman
 L. Beth Zahneis

NATIONAL TRIAL
ADVOCACY TEAM

Mark Arnzen
 The Honorable Gregory
 Bartlett
 E. Andre Busald
 Chase Inn of Court
 Steve Burke
 Wende Morris Cross
 John Dunn
 John Jay Fossett
 Emily Hanna
 Rene Heinrich
 Robert Hojnoski
 Derek Humfleet
 KATA
 Jennifer Lawrence
 Richard Lawrence

Robert Lewis
 Dan Newman
 John Norwine
 Ron Parry
 Reminger & Reminger
 Bob Sanders
 Shannon Sexton
 Linda Smith
 Steve Smith
 The Honorable Patricia
 Summe
 Tad Thomas
 Pierre Tismo
 Debbie Vaughn
 Jay Vaughn

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KENTUCKY LAW
REVIEW SYMPOSIUM

Ann Bartow
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 Ernest Miller
 Jason Schultz

PHONATHON
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*The Chase alumni
 Phonathon raised over
 \$100,000 in eight nights
 of calling. Those dollars
 could not have been
 raised had it not been
 for the time given to Chase
 by these volunteers.*

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 Paige Ellerman
 Bill Engel
 Kelly Farrish
 Jim Frooman
 Ralph Ginocchio
 Nancy Igels
 Rene Heinrich
 Michelle Keller
 Bill Knapp, co-chair
 John Lucas
 Meredith Ludwig
 Chris Marcus
 Laurie McClusky
 John McNally
 Ed McTigue

Jamie Mills
 Terri Mohan, co-chair
 Nancy Perry
 Marianne Pressman
 Ben Rettig
 Jeremy Rettig
 Norton Roberts
 Dean Gerry St. Amand
 Patia Tabar
 Julie Tarvin
 Sara Veuth
 Mike Walters
 John Winkler

REGISTRAR

Peggy DeJaco

TAX MOOT COURT
TEAM

T. Stephen Phillips

CLASS NOTES



Pictured left to right

WILLIAM D. G. BALDWIN
TIMOTHY J. BYLAND
GEORGE FLETCHER
JOY L. HALL
MICHAEL F. LYON
BRIGHAM A. MCCOWN
JACQUELINE S. SAWYERS
BILL SCHOETTELKOTTE

1966

Harvey Dunn, senior counsel in Schottenstein Zox & Dunn's Tax and Business Practice Area, is included in the 2005-2006 edition of *The Best Lawyers in America*.

1971

Judge John Andrew West is a co-convenor of the BLAC-CBA Round Table together with **Judge Timothy S. Black '83**. The Round Table is a joint effort of the Black Lawyers Association of Cincinnati and the Cincinnati Bar Association. Judge West serves on the Hamilton County Court of Common Pleas.

1974

Pal Asija, an intellectual property attorney and small business owner, won a Ronald Reagan Republican Gold Medal Award from the National Republican Congressional Committee. Recipients were selected based on their unyielding support of the Republican Party, outstanding leadership in business and for displaying a commitment to former President Ronald Reagan's vision for an entrepreneurial America.

James V. Magee, Jr., is national legal counsel for the Ancient Order of Hibernians. The order is the largest Irish-Catholic fraternity in the United States. Magee has been very involved in local Hibernian activities and has served on the state level in several capacities.

1975

Michael F. Lyon, a partner at Lindhorst and Dreidame, is president of the Ohio Chapter of the American Board of Trial Advocates (ABOTA). ABOTA is a national organization of plaintiff and defense trial lawyers dedicated to the preservation of the right to trial by jury in civil cases. Lyon is also a fellow in the International Society of Barristers, and is featured in the 2005 *Ohio Super Lawyers Magazine*.

1977

Bill Schoettelkotte, Assistant Campbell County Attorney, was honored by the Kentucky County Attorneys Association as the 2005 Assistant County Attorney of the Year. Schoettelkotte has served in this capacity since 1978. Schoettelkotte's having handled cases not only in the Kentucky Supreme Court but also all the way up to the U.S. Supreme Court was another reason cited for his selection. He was the only assistant county attorney honored by the association this year. Schoettelkotte was nominated by Campbell County Attorney and Chase alumnus **Justin Verst '77**.

Felix C. Wade, partner and chair of Schottenstein Zox & Dunn's Labor and Employment Practice Area, is included in the 2005-2006 edition of *The Best Lawyers in America*.

1978

Fran Niehaus has been helping to raise crucial funds on behalf of Brazilian attorney Marcos da Mata de Oliveira, who is striving to reclaim land for the marginalized in this South American country. Oliveira's efforts are part of APR, a non-profit organization working with the landless, homeless and small farmers in Uberlandia, Brazil. Niehaus, who has made several trips to Brazil to witness the work of Oliveira and APR, returned there in July. He has helped establish a Brazilian attorney education fund to help pay for law school for individuals involved with APR. Niehaus practices in the area of estate planning.

1980

Stephen C. Megerle relocated his law office to 526 Greenup Street in Covington. The phone number is (859) 491-4268.

1982

Teresa A. Daniel has published several peer-review articles that include "HR Compliance Audits: 'Just Nice' or Really Necessary?" in October 2004 and "A Blueprint for Surviving Mergers and Acquisitions" in August 2004.

1983

Judge Timothy S. Black is a co-convenor of the BLAC-CBA Round Table together with **Judge John Andrew West '71**. The

Round Table is a joint effort of the Black Lawyers Association of Cincinnati and the Cincinnati Bar Association. Judge Black is a magistrate judge for the U.S. District Court for Southern Ohio.

1987

Darrell A. Cox announced his new partnership with John A. Berger and the opening of the law firm of Berger Cox Rylee & Bachman. They are joined by **Kenneth E. Rylee, Jr., '94**, M. Brooke Buchanan and R. Leslie Knight. The firm's office is located at 401 Madison Avenue in Covington, (859) 491-9088. Berger Cox Rylee & Buchanan is a full-service firm, concentrating its practice in domestic family and civil and criminal litigation in addition to personal injury, bankruptcy and workers' compensation.

George L. Fletcher announced his new partnership with Renee Mussetter in Lexington, with a practice concentration in estate planning, corporate planning, wills, trusts, guardianships, Medicaid planning and related areas. Mussetter and Fletcher's office is located at 128 Kentucky Avenue, Suite 120, Lexington, KY, (859) 268-1047.

Jacqueline S. Sawyers opened her law office in Fort Mitchell at 2493 Dixie Highway, (859) 578-9555.

TO SUBMIT YOUR CLASS NOTES, PLEASE VISIT THE CHASE WEBSITE AT WWW.NKU.EDU/~CHASE

1988

Anthony Bracke was recently appointed an Assistant United States Attorney for the Eastern District of Kentucky, in Covington. He formerly served as a Campbell County Assistant Commonwealth's Attorney.

1990

Daniel W. Scharff is of counsel with Porter Wright Morris & Arthur LLP. His practice focuses on privately held businesses, mergers and acquisitions, health care and income taxation. He works with physicians regarding formation of physician practice groups, employment agreements, shareholder buy/sell agreements, sale of business, and federal regulatory matters.

Lori A. Schlarman '93 and **L. Craig Kendrick '90** have been appointed to the Panel of Trustees by the Office of the United States Trustees, Eastern District of Kentucky. Schlarman and Kendrick will administer cases filed in the United States Bankruptcy Court for the Eastern District of Kentucky, Covington Division. Schlarman is an associate at Adams, Stepner, Woltermann & Dusing PLLC. Kendrick is a sole practitioner in Florence and concentrates in the area of bankruptcy, family law and personal injury.

1994

Craig C. Dilger has joined the Louisville law firm of Ogden Newell & Welch PLLC. He practices civil litigation and focuses on employment, estate, malpractice, defense and first amendment litigation. He also practices complete white collar criminal defense law. Prior to joining Ogden Newell & Welch PLLC in 2001, Dilger served as an Assistant Commonwealth's

Attorney with the Jefferson County Commonwealth's Attorney's Office. His numerous honors and awards include being named a Business First 40 Under 40 honoree in 2003, Jefferson County Police Service to Law Enforcement Award in 2001, Louisville Division of Police Special Service and Dedication Award in 2001, and Louisville Division of Fire Special Recognition Award in 1999.

Matthew W. Fellerhoff is chair of the 2004-05 Cincinnati Bar Association Local Government Law Committee. He is with Manley Burke and practices in the area of civil litigation and local government law.

1997

William D. G. Baldwin was named a partner of the Ohio-based law firm of Vorys, Sater, Seymour and Pease LLP. He is a member of the firm's commercial and real estate group, and centers his practice on real estate and commercial transactions with a specialty in multi-family housing finance, elderly care finance and HUD/FHA programs. Prior to joining Vorys, he worked in the institutional trust areas at the Northern Trust Company in Chicago and Fifth Third Bank in Cincinnati. Baldwin is a member of the American and Cincinnati Bar Associations. He holds a B.A. from the University of Wisconsin, and resides in Mt. Lookout with his wife and children.

Matthew W. Forsythe has joined the Louisville office of the law firm of Siebert & Johnson, PLLC as an associate. He will be assisting the firm with personal injury litigation. Forsythe is licensed to practice in Kentucky and Indiana.

Brigham A. McCown was appointed to serve as the Chief

Counsel of the Federal Motor Carrier Safety Administration (FMCSA) at the Department of Transportation in the Bush Administration. He is responsible for all agency legal, legislative, and environmental issues involving all commercial vehicle surface transportation laws, regulations, and policies, as well as implementation of the surface component of the NAFTA.

Jeffrey A. McKenzie was recently elected as Member-in-Charge of Greenebaum Doll & McDonald's Louisville office. He is a member of the Corporate and Commercial Practice group and head of the Economic Development and Incentives Team.

2000

Lisa H. Thomas has become associated with the law firm of Woodward, Hobson & Fulton LLP in the firm's Louisville office. Thomas has practiced in various areas of commercial litigation, including disputes involving employee benefits and insurance coverage.

2002

Sean S. Land joined the law office of John W. Stevenson as an associate. The office is located at 401 Frederica St., Corporate Center, Building D, Suite 102, Owensboro, KY, 42301.

Aaron Silletto has joined the Louisville office of the law firm of Goldberg & Simpson, PSC. He focuses his practice in the areas of insurance defense and general litigation.

2003

Timothy J. Byland and **Joy L. Hall** have joined the Horwitz Law Firm, PSC, Crescent Springs, as associates. Byland earned his B.S. cum laude from NKU and is

a member of the Chase College of Law Board of Governors. He concentrates his practice in the areas of commercial and civil litigation, business law, federal and state government affairs, and municipal and county zoning disputes. Hall earned her B.A. cum laude from NKU. She concentrates her practice in intellectual property, public utility law, business disputes, federal and state government affairs, and commercial and civil litigation.

Christina Edmonds Noble is associated with the Law Office of Marcia L. Wireman. She was previously with the law firm of Barret, Haynes, May, Carter & Roark in Hazard. She will continue to focus her practice in the area of insurance defense.

Kelley M. Rule recently became associated with the law firm of Clark & Ward in the firm's Lexington office.

Molly G. Vance joined the Covington law firm of O'Hara, Ruberg, Taylor, Sloan & Sergent. Their office is located at 25 Crestview Hills Mall Road in Suite 201, (859) 331-2000.

2004

Lisa K. Clifton has become associated with the firm of Jones Dietz & Schrand PLLC. Clifton's practice areas include workers' compensation and civil litigation.

John B. Gardner joined the law firm of Richardson, Gardner, Barrickman & Alexander in Glasgow.

Ruth T. Kelly is an associate with the law firm of Freund, Freeze & Arnold in Cincinnati. Kelly previously interned at the U.S. Attorney's Office in the Southern District of Ohio.

in MEMORIAM



Roi E. Baugher II '78 of Naples, Florida passed away on June 29, 2004. He was a member of the Ohio and Florida State Bar Associations. He is survived by his wife of 40 years, Paige, a son, John, a daughter, Juliet Siddons, a sister, Marjorie Adele Pierson, and four grandchildren, Elizabeth and Catherine Baugher and Sarah and Ashley Siddons.

Jeanne F. Stanton '54 passed away on July 28, 2004. She was the first woman lawyer to join Procter & Gamble's legal staff at a time when not many women received law degrees and perhaps even fewer found legal jobs with major corporations. According to colleagues, her principal job was to review advertising copy to ensure that it was accurate and truthful, both in terms of what it said literally and what it implied.

Sydney G. Smith, Jr. '77 passed away on August 20, 2004. He was employed by Procter & Gamble his entire career, working in Baltimore, Staten Island, and Cincinnati. He was a member of the Princeton Alumni Association, Fairfield Sportsmen's Club, and the Brookville Lake Sailing Association. He is survived by a daughter, Susan Mitchell, sons Sydney G. Smith II, David J. Smith, and Peter Smith, eight grandchildren, a brother, Dr. Delbert Smith, and a dear friend, Janet Frazier. He was preceded in death by a son, Jonathon, and former wife, Hannah J. Smith.

Charles G. "Chip" Coulson '81 passed away on September 3, 2004. He was an attorney with Holbrook and Associates

during its beginnings in northern Kentucky, and was a former law partner of fellow Chase alumnus Jim Poston, Jr. He is survived by his mother, Mary K. Coulson, and two sisters, Meredith Brock Kruetzkamp and Cynthia Currier. Memorials may be made to Charles G. Coulson Scholarship Fund, Chase College of Law, Northern Kentucky University, Nunn Drive, Highland Heights, KY, 41099.

Michael S. Griesser '73 of Frisco, Texas passed away on November 15, 2004.

M. J. Earley '78 of Indiana, Pennsylvania passed away on December 3, 2004.

Thomas W. Miller '75 passed away on December 3, 2004. He practiced law in the Cincinnati area for 30 years. He is survived by two daughters, Allison Ginder and Leslie Hattemer, grandchildren Hayden Ginder, Sophia Hattemer, Anna Hattemer, mother, Florence K. Bernstein, brothers Jory Young and Richard Miller, and a dear friend, Kelly Kerr.

John C. Drake '51 passed away on December 5, 2004. Drake, a retired attorney and claims manager for Ohio Casualty Insurance Company and an Army veteran of World War II, is survived by his wife, Catherine, two daughters, Deborah Whittaker and Cheryl Coughlin, and stepchildren Kimberly Presson, Stephen Downey, eight grandchildren, and two great-grandchildren. A step-daughter, Pamela Oditt, preceded him in death.

Harry E. Barch '56 passed away on January 18, 2005.

George S. Heitzler '50 passed away on February 5, 2005. A retired Hamilton County judge, he is survived by his wife, Carol, daughter Diane Bridges, grandchildren, Mike and Mark Chitwood, and great-grandchildren, Jessica and Jake. He was preceded in death by his son, Geoffrey Heitzler, and sister, Margie Baldwin.

Theodore M. Colebrook '57 passed away on February 19, 2005. He is survived by his wife, Lois, sons Theodore, John Thomas, David and daughter Deborah C. Hagerty, grandfather of nine and great-grandfather of three. He served as a pilot in the United States Air Force during World War II in a B-24 Liberator and during the Korean War in an F84E. He was a life-long golfing and motorcycling enthusiast.

Leo C. Voet '42 of Los Altos, California, passed away on March 30, 2005. Retired after 40 years as a senior partner with Deloitte & Touche, he was a member of the Los Altos Country Club, where he swam 15 laps daily, rain or shine. He was also an active participant in the Los Altos Bible Study group until the last two weeks of his life. He is survived by his wife of 61 years, Claire, his seven children, Bette Foley, Paul Voet, Richard Voet, Kathy Simon, Dan Voet, Janet Voet and Nancy Widelin.



James Poston, Sr. '51 passed away on April 7, 2005. Poston retired as senior counsel in the legal department at Cincinnati Gas & Electric in 1993. A resident of Fort

Thomas, Poston once was a candidate for U.S. Congress in the 1960s. He was formerly vice president of the Committee of 500; a member of the Kentucky Constitutional Revision Assembly; a founder of the Campbell Lodge; former chairman of the Campbell County Democratic Party; chairman of the Kentucky Enterprise Zone Authority; a member of the Northern Kentucky University Board of Regents; a member of the Northern Kentucky University Foundation Board of Directors, a member of the St. Luke Hospital Board of Directors; and a Campbell County Juvenile Court judge.

He is survived by his wife, Shirley, of 52 years and eight children, including son James Poston, Jr., a 1981 graduate of Chase, daughters Susan Milius of Highland Heights; Linda Schabell and Amy Carlisle, both of Villa Hills; Cindy Poston and Jennifer Jones, both of Fort Thomas; and Diane Gabbard of Fort Mitchell; two other sons, Jay and John, both of Fort Thomas; an brother, William of Tampa, FL, and 25 grandchildren.

Memorials can be made to the James R. Poston, Sr. Scholarship Fund, Chase College of Law, NKU, Nunn Drive, Highland Heights, KY, 41099.



Bernard J. Gilday, Jr., passed away on May 18, 2005. He taught criminal procedure, evidence and criminal trial practice at Chase College of Law over a total of 36 years as a full-time professor

and adjunct professor. During the 1960s and '70s, he was considered a leading criminal defense attorney in greater Cincinnati, having handled a number of high-profile cases including the theft of Rembrandt paintings from the Taft Museum of Art as well as highly publicized murder trials.

At Chase, he was credited with having developed a unique intern program in which he accepted assignments to defend indigents charged with felonies and then selected three students to assist in preparing all phases of the cases. He later served as a U.S. attorney where he prosecuted white collar crime and corruption. He accepted an appointment as senior trial lawyer and advocacy adviser at the U. S. Attorney's Office in Miami, Florida, before becoming an administrative law judge in 1982 for the Department of Labor, retiring in 1995. He later was a volunteer for Camp Stepping Stones and the Association for the Blind.

Judge Gilday is survived by a daughter and a grandson.

Memorials may be made to the Bernard J. Gilday, Sr. Scholarship Fund or the Mary C. Gilday Award for Excellence in Criminal Law Fund for students at Chase College of Law, NKU, Nunn Drive, Highland Heights, KY, 41099.

Herman J. Guckenberger '46 passed away on June 6, 2005. After graduating from Chase, he spent more than 50 years in private practice, concentrating in the areas of probate and estate work. He also served on the Board of Directors of the First National Bank. He donated his services to Beech Acres, a parent-resource center, providing legal services to the home and he served as president of the board. Beech Acres established a fund for charitable donations and planned giving and named it after him in 1999. He represented the fourth generation of his family to serve in a leadership capacity at Beech Acres.

He received his undergraduate degree in business administration from the University of Cincinnati in 1937, then enlisted in the Army. He retired as a lieutenant colonel in 1965 after spending seven years in active duty and 21 in the reserves. He was a 33rd-degree Scottish Rite Mason who was active with the Hanselmann Lodge No. 208.

He also served on the board of Cincinnati Shriners Hospital, as a past president of the Greater Cincinnati Rose Association, and was a former member of the Western Hills Country Club.

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Salmon P. Chase College of Law
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