



Henry J. Fletcher
Law Review Founder

Symposium to Focus on Financial Crisis, Aftermath

The *Minnesota Law Review* will host its annual symposium, **“Government Ethics and Bailouts: The Past, Present, and Future,”** from 8:00 a.m.–4:00 p.m. on Oct. 15, 2010 at Mondale Hall.

Panelists with diverse backgrounds, expertise, and points of view from prestigious legal and governmental institutions will address complex legal and ethical issues related to the financial crisis and government bailout of private industry. Commissioner Troy Paredes of the U.S. Securities and Exchange Commission (SEC), a noted scholar of securities regulation and corporate governance, will deliver the lunchtime keynote address.

Robert Hoyt, former general counsel for the U.S. Department of the Treasury under Treasury Secretary Henry Paulson, will provide insights into ethics in times of crisis. Paul Atkins, former SEC Commissioner, and Jack Katz, former SEC Secretary, will lead discussions on transparency as a fundamental regulatory principle and analyze who benefited from the bailout.

Leading corporate law scholars, including Steven Davidoff, “The Deal Professor” of the *New York Times* “DealBook,” and Stephen Bainbridge, widely read political and legal blogger, will analyze hot-topic ramifications of the bailout,

including federal corporate ownership and Dodd-Frank. Economics and law professor William Black and contracts and business law expert Jeffrey Lipshaw will discuss the question: Did capitalism fail? Leading government ethics scholars Kathleen Clark and Richard Painter will address conflicts of interest as they relate to bailout contractors and the erosion of personal responsibility in government and banking. Lisa Fairfax, co-chair of the ABA Governmental Corporation Law Committee, will consider additional questions regarding government bailouts, corporate governance, and

(Continued on page 4)



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Catching Up With...

Jonathan Rose Volumes 51–52

Jonathan Rose is Willard H. Pedrick Distinguished Research Scholar at the Sandra Day O'Connor College of Law at Arizona State University. The message at his University of Minnesota Law School orientation was “if you want to succeed, be on the law journal.” *Law Review* members received special treatment: keys to the building, their own coffee room, and access to faculty offices that was uncommon for other students. Professor Rose remembers that the *Law Review* provided education in reading and writing that was not available through the lecture process. He also remembers his Editor prowling the library late at night, looking for staff who were preparing for classes rather than attending to *Law Review* responsibilities.



While most of his peers went into private practice after law school, Professor Rose went to work for the Antitrust Division of the Department of Justice. In 1968 he joined the faculty of Arizona State University, where he teaches Legal History, Antitrust, Contracts, and Legal Ethics. More recently, Professor Rose's research has taken a new direction, focusing on medieval and early modern English legal history, the history and regulation of the legal profession, and the operation of the medieval legal system.

Professor Rose is a member of the Selden Society, the American Society of Legal History, the American Law Institute, the European Society for Comparative Legal History, and the BNA Antitrust and Trade Regulation Report Advisory Board. He has been a visiting member of the Faculty of Law at the Universities of Cambridge and Oxford and is a life member of Clare Hall, University of Cambridge. He has served on numerous committees and boards and as a consultant for various departments of the state of Arizona, including as a Special Assistant to Governor Bruce Babbitt. He is an affiliate Faculty of the Department of History and has won several awards for outstanding teaching. He is the author of numerous articles on legal history, antitrust, economic and occupational regulation, and legal ethics, including *The Ambidextrous Lawyer: Conflict of Interest and the Medieval Legal Profession*, University of Chicago Roundtable, Vol. 7 (Spring 2000) and the forthcoming *Studying the Past: The Nature and Development of Legal History as a Academic Discipline* (Journal of Legal History 2010).

Joseph V. Kennedy Volumes 66–67

Joseph V. Kennedy was tempted to go into private practice after law school, working for two years at Bishop, Cook, Purcell, & Reynolds (now the Washington D.C. office of Winston & Strawn). But he was always pulled in a different direction, as the partners at the firm realized when he started working on his Ph.D. in Economics at George Washington University at night.



Kennedy left the firm to become an Attorney/Economist to the United States House of Representatives Budget Committee. Kennedy went on to become General Counsel to the Senate Permanent Subcommittee on Investigations, Senior Economist to the Joint Economic Committee, and Chief Economist for the Department of Commerce. He also served for over ten years as an economist and attorney for the Manufacturer's Alliance. Today he is a Senior Officer in the Economic Policy Group at the Pew Charitable Trusts.

Kennedy has found that lawyers and economists each view institutions through a different lens, and his ability to understand public policy from both perspectives has been invaluable to his career. He credits his *Law Review* experience, particularly editors who broke down his every sentence, with teaching him to write.

Kennedy is the author of *ENDING POVERTY: CHANGING BEHAVIOR, GUARANTEEING INCOME, AND REFORMING GOVERNMENT* (Rowman & Littlefield Publishers 2008). While single he adopted a young boy who is now 19. Three years ago he married for the first time. He and his wife Jeanette are expecting their first child shortly. They live in Falls Church, Virginia. Kennedy teaches a Law and Economics course at Georgetown University, and his brother **Daniel L.M. Kennedy** (vol. 73-74) is an adjunct professor at the University of Minnesota Law School.

WANTED:

Interesting stories from your time on *Law Review*.

Send us your announcements and suggestions for alumni profiles for the Spring 2011 issue today!

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Annual Banquet Celebrates Alumni, Commemorates Recent Achievements

The 2010 *Law Review* banquet was held at Windows on Minnesota for a third time on April 8, 2010. The evening followed the now traditional format of a cocktail hour, followed by dinner and an awards program. Dean David Wippman drew laughs by providing a healthy dose of intellectual wit in his opening remarks, and welcomed journal members and alumni to another evening of celebration.

Distinguished Alumni Awards were presented to two deserving alums, **Ralph Strangis** (vol. 44–45) and **Lee R. Mitau** (vol. 55–56). Both men spoke to the crowd, offering a welcome mix of humor and wisdom in their remarks. Their comments, as well as their great successes, were an inspiring testament to the achievements of *Law Review* alumni. Members of volumes 44, 69 and 84 were present by invitation to celebrate their 50-, 25- and 10-year anniversaries.

In addition to honoring and recognizing alumni, the banquet also highlighted the accomplishments of Volume 94's board and staff. **Allen Saeks** (vol. 64) presented the Leonard

Street and Deinard Award for excellent student notes to board members **Moire Heiges** (vol. 93–94) and **Nick Tymoczko** (vol. 93–94) for their respective published student notes. **Richard Lareau** (vol. 36) presented the Volumes 35 and 36 Memorial Awards to staff members **Nathaniel Nesbitt** (vol. 94–95) and **Eva Stensvad** (vol. 94–95) for their published notes. Staff members were recognized for outstanding cite-checking.

The board of Volume 94 presented its Editor-In-Chief, **Kristin Zinsmaster** (vol. 93–94) with a gift to recognize the time and effort she contributed the *Law Review* over the course of her tenure. Finally, the Editor-In-Chief of Volume 95, Reed Schuster, was introduced and the metaphorical torch was passed to the incoming board. Faculty advisor and now-Justice David Stras closed the program with a few remarks looking back on the accomplishments of Volume 94 and challenging the next volume to continue in the footsteps of the alumni that have made the *Law Review* what it is today. //

Remembering....

Hon. Sandra Gardebring Ogren *Volume 56*

Law Review alumni often become involved in public service at some point in our careers, but the Honorable Sandra Gardebring Ogren took it to another level. A warm personality who was ready for any challenge, Gardebring Ogren held many titles in service to the State of Minnesota and higher education.

She is perhaps most often recognized for her service as an Associate Justice of the Minnesota Supreme Court from 1991 to 1998, but her legacy started well before that.

Gardebring Ogren started her legal career as special assistant attorney



general in 1973. In 1977 she became a commissioner for the Minnesota Pollution Control Agency and director of the EPA's Region 5 enforcement division, covering most of the great lakes states.

In 1984, she answered Gov. Rudy Perpich's call to chair the Metropolitan Council. Two years later she assumed the additional role of Minnesota Department of Human Services Commissioner.

Impressed with her service in the state's executive branch, Gov. Perpich appointed Gardebring Ogren to the Minnesota Court of Appeals in 1989. After three years, Judge Gardebring Ogren became Justice Gardebring Ogren, making Minnesota the first state to have a female-majority

(Continued on page 4)

Editor's Desk

Volume 95 is off to a great start! With Professor David Stras's appointment to the Minnesota Supreme Court, we are excited to welcome Professor Kristin Hickman as our new faculty advisor. The Managing Department has been busy getting acquainted with the newly released 19th edition of the Bluebook and is polishing the manuscripts for publication. The Note and Comment Department continues to work with



our student authors to produce quality scholarship. The Online Articles Department is expanding *Headnotes*, our online companion journal, to include book reviews and hopes to publish three issues this year. Lastly, we have finalized our Symposium roster, which includes such notable names as SEC Commissioner Troy Paredes, former Treasury Department General Counsel Robert Hoyt, and the New York Times "Deal Professor" Steven Davidoff.

In addition, we are thrilled to be publishing articles from such esteemed professors and jurists as Judge Richard D. Cudahy (7th Circuit Court of Appeals), David Zaring (University of Pennsylvania), and Stephen Bainbridge (UCLA). We are particularly honored that our lead piece is from U.S. Supreme Court Justice Ruth Bader Ginsburg. In her piece, Justice Ginsburg, with roughly thirty years of judicial experience, offers her perspective on the utility of dissenting opinions in modern American jurisprudence.

I am honored to be leading Volume 95 and am fortunate to have an outstanding Board and Staff as my teammates in this endeavor. Though we are certain to encounter unforeseen challenges along the way, it is with the guidance of the 94 volumes that preceded us that we move forward. To that end, I welcome any comments and ideas from our alumni. With your support, we look forward to building upon the *Law Review's* tradition of excellence. //

Reed Schuster is the editor-in-chief of *Volume 95*.

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The *Fletcher Files* is published twice annually.

Send news, articles for submission, updated contact information, or feedback before February 1, 2011 to ensure inclusion in the spring issue.

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Alumni News

Joseph M. Price (vol. 55–56) was selected as one of the 10 Most Admired Product Liability Lawyers in the United States by *Law360*. He is a partner at Faegre & Benson, LLP.

Jill R. Radloff (vol. 83–84) was named a 2010 Up & Coming Attorney by *Minnesota Lawyer* magazine. She is a partner at Leonard Street and Deinard.

Law Review Advisor Joins MN Supreme Court

On July 1, 2010, David R. Stras became an Associate Justice of the Minnesota Supreme Court. Justice Stras had been a member of the faculty of the Law School since 2004 and had served as the *Law Review's* faculty advisor since 2007.



During his time on the faculty, Justice Stras enhanced his reputation as an authority on the United States Supreme Court in part by publishing two pieces in the *Law Review*, first as a participant in the 2006 symposium regarding the future of the Supreme Court with his essay, *Incentives Approach to Judicial Retirement* (vol. 90.5), and again in 2007 his an article, *Why Supreme Court Justices Should Ride Circuit Again* (vol. 91.6).

Visit www.mncourts.gov for more information regarding Justice Stras's recent appointment. //

In Memoriam

Thomas A. Clure (vol. 46)

May 23, 2010 — Duluth, MN

Hon. Sandra Gardebring Ogren (vol. 56)

July 20, 2010 — San Luis Obispo, CA

Paul J. Scheerer (vol. 54)

May 10, 2009 — Tucson, AZ

Hon. Lawrence J. Vaubel (vol. 39–40)

August 19, 2009 — Minneapolis, MN

(*Gardebring Ogren* – continued from page 3)

supreme court.

After seven years on the Supreme Court, Gardebring Ogren made the surprise announcement that she was joining the administration of the University of Minnesota's then-new president, Mark Yudof, as vice president for institutional relations. This role put her knowledge and warm demeanor to work as the U's face for alumni, the legislature and the public, or as she called it "the problem-solving business."

In 2004, already planning to retire to the San Luis Obispo area of California, Gardebring Ogren took on a familiar challenge in a new environment by accepting a similar position as vice president for advancement at California Polytechnic State University.

Gardebring Ogren will be remembered thoughtfully as a spectacular example of public service and determination. //

(*Annual Symposium* – continued from page 1)

directors' fiduciary duties.

Attendees will have a unique opportunity to engage with both recognized governmental and scholarly authorities regarding recent federal legislation that has had, and will have, far-reaching consequences for businesses, attorneys, and governmental actors. Attendees, panelists, and legal scholars will have the opportunity to continue this dialogue at a reception following the symposium.

The *Law Review* has requested Continuing Legal Education (CLE) credit (5 standard, 2 ethics). For more info, visit www.minnesotalawreview.org. //

2010 SYMPOSIUM

GOVERNMENT ETHICS AND BAILOUTS

> OCTOBER 15, 2010

RECEPTION TO
FOLLOW
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