Max M. Kampelman Papers

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Version 3
August 20, 2018

Recognizing the growth of political and economic interdependence among nations, as well as the increasing complexity of transnational relationships among citizens of the world community, New York Law School has traditionally placed strong emphasis on international law as an integral part of its academic program.

The Law School takes great pleasure in announcing the addition of the Otto L. Walter Distinguished International Fellow Program to its curriculum in international affairs. Made possible through the generosity of Dr. Otto L. Walter, a distinguished alumnus, adjunct faculty member and prominent author in the field of international law, the program is intended to bring distinguished scholars, practitioners and public officials in the international field to the Law School for substantial dialogues with students, faculty and special guests.

New York Law School is honored to name Ambassador Max M. Kampelman as the inaugural Walter Fellow. Ambassador Kampelman is head of the United States Delegation to the current negotiations on nuclear and space arms in Geneva.

Schedule of Events

Monday, April 21

4:30 pm – 6:00 pm — Open forum with students and faculty.

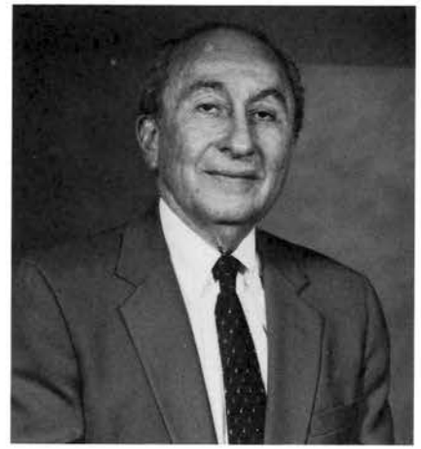
6:00 pm – 7:20 pm — International Law with Professor Lung-Chu Chen (to be co-taught by Ambassador Kampelman). Attendance limited to students enrolled in the course.

Tuesday, April 22

8:30 am – 9:30 am — Breakfast with the faculty. By invitation.

9:30 am – 10:00 am — Meeting with student editors and leaders of the International Law Society. By invitation.

10:00 am – 11:30 am — Colloquium to be conducted by Ambassador Kampelman with faculty, students and guests, on the topic "Negotiating with the Soviets." By invitation.



Max M. Kampelman

A partner, until his retirement in 1985, in the law firm of Fried, Frank, Harris, Shriver & Kampelman, Ambassador Kampelman has lived and worked in Washington since 1949. He has had an active career in the law, government service, education and public affairs.

In addition to his current diplomatic assignment, he serves by Presidential appointment as a member of the Board of Directors of the recently created United States Institute of Peace, and as a Trustee of the Woodrow Wilson International Center for Scholars, which he previously served as Chairman. He was appointed by President Carter and reappointed by President Reagan to serve as Ambassador and Head of the U.S. Delegation to the Conference on Security and Cooperation in Europe, which took place in Madrid from 1980 to 1983. He previously was a Senior Advisor to the U.S. Delegation to the United Nations and served as Legislative Counsel to U.S. Senator Hubert H. Humphrey.

Ambassador Kampelman received his J.D. from New York University and his Ph.D. in Political Science from the University of Minnesota, where he taught from 1946 to 1948. He has also served on the faculties of Bennington College, Claremont College, the University of Wisconsin and Howard University. He continues to lecture frequently in the U.S. and abroad and has written extensively in scholarly and public affairs journals. He has served on the governing boards of Georgetown University, the Hebrew University of Jerusalem, Haifa University, the University of Tel Aviv, New York University School of Law, Mt. Vernon College and the College of the Virgin Islands. He has received honorary doctorate degrees from Georgetown University, the Hebrew University of Jerusalem and Hebrew Union College.

Ambassador Kampelman was the founder and moderator of the public affairs program on public television, "Washington Week in Review." He served as Chairman of the Washington public broadcasting radio and television stations from 1963 to 1970.

He served, until his present diplomatic assignment, as Chairman of Freedom House, Vice Chairman of the Coalition for a Democratic Majority, on the Executive Committee of the Committee on the Present Danger, Honorary Vice Chairman of the Anti-Defamation League, Chairman of the National Advisory Committee of the American Jewish Committee and Vice President of the Jewish Publication Society.

The 1986 Otto L. Walter
Distinguished
International Fellow Program

Ambassador Max M. Kampelman

Head of the United States Delegation
to the
Negotiations on Nuclear and Space Arms, Geneva

New York
Law School

REMARKS BY

MAX M. KAMPELMAN

NEW YORK LAW SCHOOL COLLOQUIUM

New York, New York April 22, 1986

These are dangerous times. They will require our inner strength, understanding and faith; and most particularly they will require the energy and intelligence of the generation now coming into its own.

Each generation faces its own unique challenges. But through the ages they appear to have one common characteristic. Men and women seem capable of mobilizing their talents to unravel the mysteries of their physical environment. We have learned to fly through space like birds and move in deep waters like fish. But how to live and love on this small planet as brothers and sisters still eludes us. In every age, that has been the essence of the challenge.

In the onward evolution of the species homo sapiens toward the species human being, we are being asked in each generation to stretch toward the supremacy of that which religious people call the God-like in us. The obstacles

that we face are opportunities provided us to fulfill that evolutionary goal. The immense challenge to this generation is to find the basis for lasting peace among the people of the world so that they might live in dignity. In this nuclear age, the significance of that goal is overwhelming.

Six years ago, I was asked by President Carter to head the American Delegation to a 35-state meeting in Madrid taking place pursuant to the Helsinki Final Act of 1975. This responsibility, renewed in 1981 when I was reappointed by President Reagan, led to three intensive years of negotiations with the Soviet Union, which ended in 1983. Early last year, President Reagan asked me to head the American Delegation to the Arms Control Negotiations in Geneva. Those duties now fully occupy my energies.

The 1975 agreement was based on the assumption that "detente" was the governing principle of East-West relations. Yet, there was no "detente" then and there is none now. East-West tensions are deep. In spite of the provisions of the Helsinki Agreements, Soviet repression of human rights is taking place on a massive scale; political and religious dissidents are imprisoned; incarceration in psychiatric hospitals is a frequent form of political

punishment; emigration has declined to its lowest levels; and 120,000 Soviet troops are brutalizing Afghanistan and its people. The Soviet Government behaves as if it never signed the Helsinki Final Act.

We quickly learned that to proclaim "detente" in words did not automatically produce it. We face the challenge of how to cope with a negotiating partner who cheats persistently on agreements entered into. Today, we must face the reality that the Soviet Union is an aggressive society seeking, with its massive military and police power, to expand its influence; and a repressive society determined to defend its totalitarian power, whatever the human cost.

I suspect that we who value freedom will pay a heavy price and suffer great anguish as we come to grips with this reality. The integrity and strength of our society and of our people will undergo the greatest challenge of our history as we learn how to live with Soviet military power, challenge it, and simultaneously strive to maintain the peace with human liberty that we seek.

We look upon ourselves as a nation committed to the values of freedom. Liberty to us is not abstract. We know it is not abstract to those unable to enjoy it.

But let us explore for a moment whether our "rights of man" values, which we look upon as a source of our strength, may not complicate our pursuit of peace. What are the implications of injecting morality considerations into American foreign policy? Is there not a tension created when we engage in moral condemnation of totalitarian and authoritarian societies and then undertake to negotiate toward understanding with those we condemn?

The alternative, of course, is silence. But is silence not a form of acquiescence? And if silence is morally unacceptable, is verbal condemnation adequate when we know it is likely to be ineffectual? Is "action" by us then called for? If so, what kind?

Do we have the moral right to encourage people who live under repressive regimes and seek to change their conditions? Is there a moral duty to intervene? Would this not be in conflict with international law? Or does intervention depend on whether it will work and at what cost?

I am aware of the assertion that the best way to help those who are victims of authoritarian or totalitarian regimes is to set a fine example. I suspect this fudges the question. The example we set, no matter how noble, will do little to alleviate the condition of those victimized by repression. We should also understand that even setting an example may produce increased tension. The good example set by West Germany only led to a wall of concrete and fire around Communist Germany. A good example may well be perceived as a threat. That threat, in turn, could produce fears and lead to increased repression.

The peoples of the Soviet Union, who comprise hundreds of different nationalities, share the same values of human dignity that we proclaim. They are as dedicated to the elimination of war as any other peoples. They have no wish to be isolated from their neighbors and from the forward movement of civilization. This creates an insecurity on the part of their authorities, who then go to extraordinary lengths to fence in their own citizens.

There is a related set of questions. Are we consistent with our values if we have allies who do not share them? Our founding fathers accepted an alliance with

a France governed by a tyrannical monarch, at the same time as we forcefully expressed our detestation of absolute monarchies. During World War II we entered into an alliance with Stalin, whom history will record as perhaps the most brutal human butcher of the Twentieth Century, certainly a close competitor of Hitler for that title.

Must we be consistent? Some would have us seek to improve our relations with Castro's Cuba, increase our trade with Communist Russia, and apply sanctions against racist South Africa.

To raise these questions in this academic environment is not to undermine the legitimacy of morality in our foreign policy. Morality must be a major component of our foreign policy. It may, indeed, be an indispensable ingredient for the domestic consensus that is required if any foreign policy in our democracy is to be effective. But strategic self interest must also be a major consideration of an effective and desirable foreign policy.

There are some who respond to the danger to us represented by Soviet military power and theology by ignoring or denying its existence. That would be fatal for us. There are others who are so overwhelmed by the

difficulties as to place all of their trust in military power and its use alone. That view carries with it the seeds of tragedy as well.

We dare not and cannot blow the Soviet Union away. We cannot wish it away. It is here and it is militarily powerful. We share the same globe. We must try to find a formula under which we can live together in dignity.

All responsible people understand that we must define our objectives consistent with Hobbes' first law of nature: "to seek peace and to follow it." We must engage in that pursuit of peace without illusion, but with persistence, regardless of provocation. Thus, in Madrid, we talked, debated, negotiated, argued, dined, condemned, talked some more. We do the same in Geneva. We achieved some results in agreed-upon words at Madrid. We have not yet achieved a change in attitude or in patterns of behavior.

The Soviet Union is not likely soon to undergo what Jonathan Edwards called "a great awakening," or see a blinding light on the road to Damascus. Yet, the imperatives for survival in the nuclear age require us to persist -- through the deterrence that comes from military

strength, through dialogue, through criticism, through negotiation -- to persist in the search for understanding, agreement, peace.

We hope the time will soon come when Soviet authorities comprehend that repressive societies in our day cannot achieve inner stability or true security. We hope they will come to understand the need to show the rest of us that cruelty is not indispensable to their system and is, indeed, thoroughly counter-productive to their ideals.

We hope, but if we are to be prudent, we cannot trust. We must negotiate; and we must be firm and patient. Both we and the Soviet Union must appreciate that negotiation means more than talking. It means listening as well. It is particularly important for us both also to understand that our superpower status does not necessarily confer on us super wisdom. Our objective must be an understanding that no country's national security interests can be fostered through aggression and through a lack of respect for the sovereignty of its neighbors.

Finally, we Americans must understand that policy in a democracy requires public support; and that must encompass the understanding that if the possession of power is to be

effective as a deterrent, there cannot be a renunciation of its use in the pursuit of our national interests and values. We are entering a period in which this may well be the ultimate determinant in whether we can achieve the peace with dignity which we seek.

We must never tire of our efforts toward lasting peace. The problems that divide us are real and numerous. We trust our negotiating efforts will produce results. By the nature of things, however, we understand that even with agreement we will still be nearer to the beginning than to the end of our pursuit. We must have patience and be clear-headed.

All of us and our societies fall short of our aspirations. We grow by stretching to reach them. As we do so, however, let us be reassured by the conviction that the future lies with freedom because there can be no lasting stability in societies that would deny it. Only freedom can release the constructive energies of men and women to work toward reaching new heights. A human being has the capacity to aspire, to achieve, to dream, and to do. We seek these values, within the limits of what the great Protestant theologian, Reinhold Niebuhr, called "moral realism," for all the children of God. Your task -- our task -- is to stretch ourselves to come closer to that realization.

Thank you.

United States Department of State

Washington, D.C. 20520

September 2, 1986

Dean James F. Simon
New York Law School
57 Worth Street
New York, New York 10013

Dear Dean Simon:

I have just returned from a trip to Australia to find your gracious note of August 19, along with the photograph and a copy of In Brief. Thank you very much for your thoughtfulness.

All my best.

Sincerely,

Max M. Kampelman
Head of Delegation
Negotiations on Nuclear
and Space Arms

New York Law School
57 Worth Street
New York, NY 10013
212/431-2840

NANCY—
FOR PHOTO BOOK—GET DATES
THANK YOU.

Office of the Dean

August 19, 1986

Ambassador Max M. Kampelman
Head of Delegation
Negotiations on Nuclear
and Space Arms
United States Department of State
Washington, D.C. 20520

Dear Ambassador Kampelman:

I enclose a photo taken during your visit to the Law School as our first Walter Distinquished In ternational Fellow. I also have attached a copy of our In Brief with a feature article on your visit, which was a highlight of our year.

With best wishes,

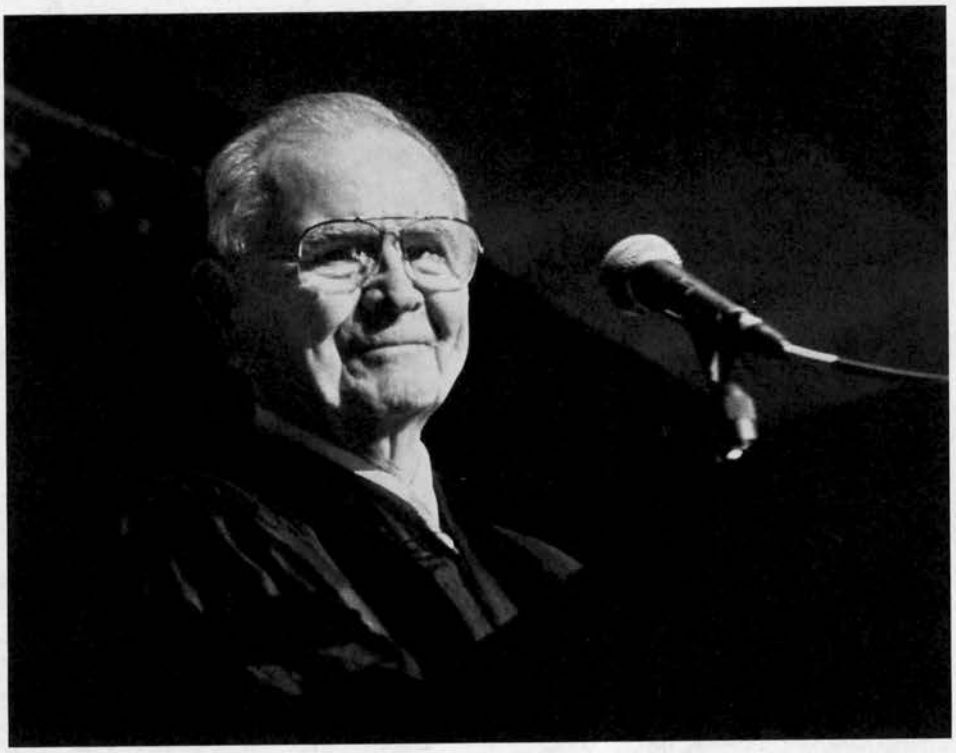
James F. Simon
Dean

JFS:lb

Enclosure

Volume 9 Number 1 Summer 1986

New York Law School
IN BRIEF



Associate Justice William J. Brennan, Jr., keynote speaker at New York Law School's 94th Commencement Ceremonies.

Commencement '86

An unusually large and enthusiastic crowd of nearly 3,000 people gathered at the Jacob K. Javits Convention Center on June 8 to hear William Joseph Brennan, Jr., Associate Justice of the Supreme Court of the United States, give the keynote speech at the Law School's 94th Commencement ceremonies. The Justice delivered a terse and sincere address concerning the public service obligations of attorneys.

"I start from the premise that the occasional dabblings of the busy private practitioner are inadequate," the Justice stated. "I reject the easy solution which concentrates on the public service opportunities open to practising lawyers on the traditional type of spare-time basis. Poverty and civil rights law ... are as specialized and demanding as private practice .... What we primarily need, rather, are more and better ways to combine, with a legal career, consecutive periods of full-time private and public service."

Recognizing the very limited free time available to working lawyers, the Justice suggested that structural changes in the profession may be necessary to build more effective bridges between private practice and the public sector. Calling for a more "affirmative, responsible and progressive attitude" on the part of the profession as a whole, he said that if pro bono work is to have any significant existence at all, law firms must not only tolerate but actively encourage their employees to undertake such work. Without practical concessions, which he pointed out some firms are now making, "however public-spirited the associates might have been and however tolerant the firm, the probability is that nothing would have happened."

Today, more than ever, the Justice said, lawyers "are uniquely situated to play a creative role in American social progress." "Society's overriding concern today is with providing freedom and equality of rights and opportunities in a realistic and not merely formal sense, to all people of this nation," particularly those disadvantaged or displaced groups and individuals "who do not partake of the abundance of American life." The legal help and representation these people require, he added, "transcends that constitutionally mandated for the indigent in the criminal and juvenile courts, which has the most traditional sort of legal coloration rooted as it is in rights guaranteed by the Federal Constitution." "Many of these problems will not yield to the traditional methods of solution through counseling, negotiation, or judicial or administrative proceedings," he said. "Their solution will demand the formulation of public policy in every area of life where lawyers apply their abilities, in all branches of government, with responsibility at each level to see at the very least that all classes of men and women are effectively represented by lawyer-spokesmen," Justice Brennan said.

The Justice concluded by saying that such changes would be of little use if lawyers did not actively grasp the opportunities afforded by them. "In the final analysis the obligation rests on the individual lawyer, whatever may currently be his position within the profession. Every lawyer should have at any given time, I think, at least one public-service project to which he is in some manner actively devoting his professional ability."

Continued on page 2

Justice Brennan was awarded an honorary doctor of laws degree for his "guardianship of individual liberties, his devotion to equal protection under the law and his historic contributions to the Court and to the Nation."

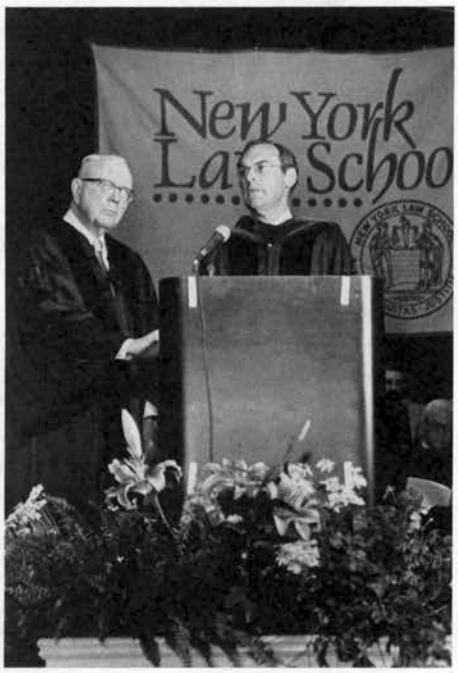
The three other distinguished honorary degree recipients were: Spottswood Robinson III, Chief Judge of the U.S. Court of Appeals for the Washington, D.C. Circuit, for "addressing the conscience of the nation" through his pioneering work in civil rights law; Myres Smith McDougal, Distinguished Visiting Professor at NYLS for "his belief in the law as an instrument of human betterment and social change" and "his life-long commitment to furthering our understanding of international processes" and Barbara Aronstein Black, Dean of Columbia University Law School, for "her outstanding academic accomplishments, her commitment to educational excellence and exemplary achievements in legal education."

photo credits:
Steve Friedman: Commencement, Otto Walter Colloquium; *Daniel Root:* Harlan Dinner; *Scott Starr:* Snow Dinner, Harlan Moot Court, Media Center Colloquium, Law Review Symposium, Law Review Froessel Award. Thanks to Mr. Luis Caso and Mr. Robert Gregory for their efforts in preparing articles on Harlan Moot Court and Law Review Symposium.

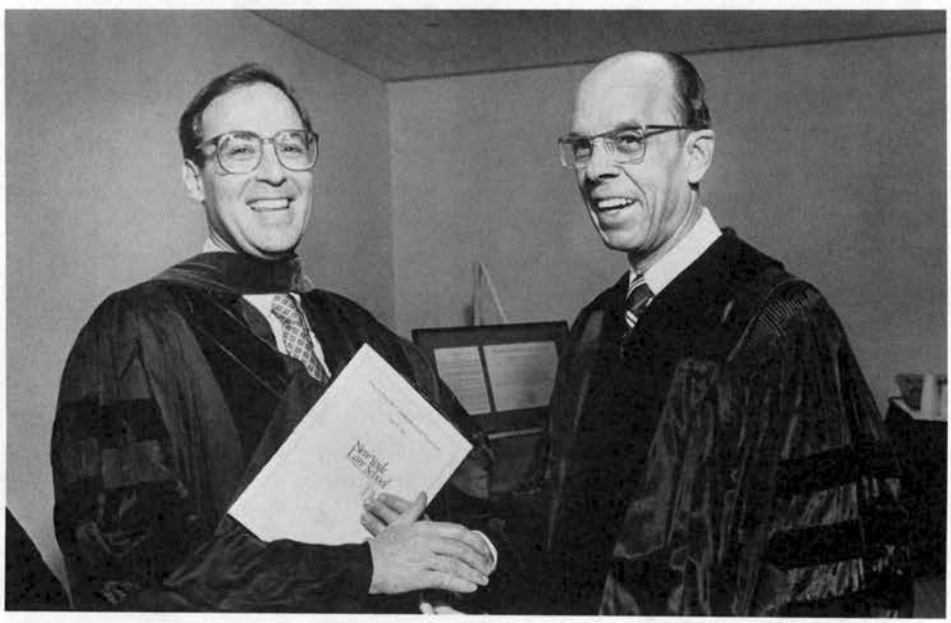
Continued from page 1

Justice Brennan was born in Newark, New Jersey, on April 25, 1906, the son of Irish immigrants. He went to the University of Pennsylvania, graduating from its Wharton School of Business in 1928. Next, he turned to the study of law and earned his LL.B. from Harvard University in 1931. Justice Brennan was admitted to the New Jersey Bar in 1932 after joining the Newark law firm of Pitney, Hardin and Skinner, in which he was later to become a partner. In 1949, he was appointed to the bench as a trial judge on the New Jersey Superior Court. After two years, he was elevated to a judgeship in the appellate division of the same court, and, in March, 1952, he was named an associate justice of the New Jersey Supreme Court. President Eisenhower appointed him an Associate Justice of the United States Supreme Court in October, 1956, succeeding Associate Justice Sherman Minton. He became the senior member of the Court following the retirement of Justice William O. Douglas in 1975. ■

Dean Barbara Aronstein Black.



Professor Myres Smith McDougal (l.) and NYLS Trustee Taylor Briggs.



Chief Judge Spottswood Robinson III with his former clerk, NYLS Professor David Schoenbrod.

New York Law School In Brief

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Editor, **Kenneth Simons**

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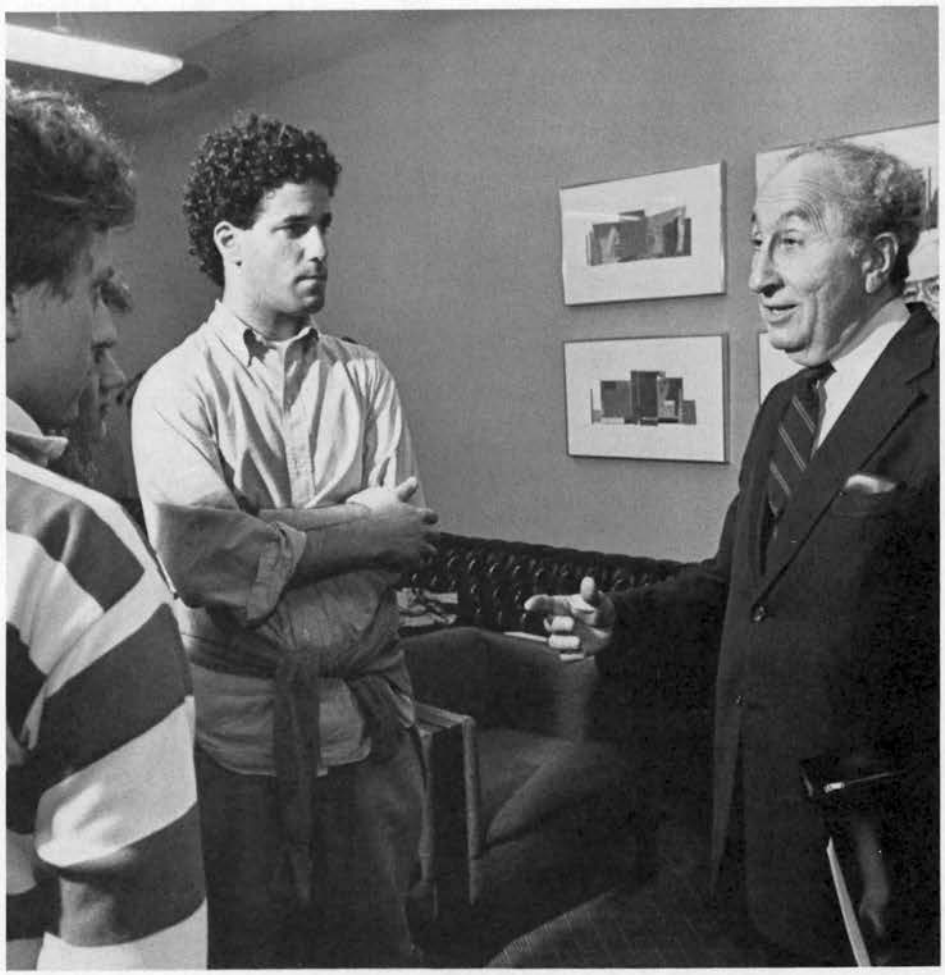
Ambassador Kampelman Inaugurates Walter Fellowship Program

In an academic year replete with "firsts," the Law School held the inaugural Otto L. Walter Distinguished International Fellow Program on April 21 and 22. Ambassador Max M. Kampelman, Head of the United States delegation to the Arms Control Negotiations in Geneva, was the first Walter Fellow.

Made possible through the generous support and cooperation of Dr. Otto L. Walter, a distinguished alumnus, adjunct faculty member and prominent author in the field of international law, the program was established to bring leaders in international relations to the Law School to share their experience with students, faculty and special guests. The concept underlying the program is one of substantive intellectual dialogue between the NYLS community and its guest: Ambassador Kampelman held closely to that conceptual intent, convening some half-dozen intensive meetings in two days, including his co-teaching a session of Professor Lung-Chu Chen's course in international law.

Most of these sessions took the form of wide-ranging question and answer dialogues. On the second day of the program, however, the Ambassador gave a prepared colloquium entitled "Negotiating with the Soviets."

Ambassador Kampelman said the greatest challenge to the integrity and strength of our society lies in coping with Soviet military power while simultaneously striving to maintain the peace with human liberty that we seek. He suggested that the dual nature of that goal—with its implicit assumption of moral considerations vis-a-vis the essentially amoral pragmatism of the Soviet position—complicates our negotiating position and belies simple solutions. Referring to the Soviet Union's continuing violations of human rights, he said, "We face the challenge of how to cope with a negotiating partner who cheats persistently on agreements entered into. The Soviet government behaves as if it never signed the Helsinki Final Act."



Ambassador Kampelman speaks with students after the open forum which began the two-day program.

Hence, to negotiate under these conditions is also to question the theoretical underpinnings of one's own negotiating position and to come to terms with a raft of ambiguities. Do our "rights of man" values, he asked, which we view as the source of our strength, complicate the pursuit of peace? Is it necessary to be consistent in the espousal of these values, and if so, to what degree?

> "Do we have the moral right to encourage people who live under repressive regimes to seek to change their conditions? Is there a moral duty to intervene? Would this not be in conflict with international law? Or does intervention depend on whether it will work and at what cost?"

Despite the intransigent complexity of the underlying theoretical issues, however, the Ambassador indicated that several aspects of negotiating with Soviets were not quite so ambiguous. He reaffirmed that morality must remain a major component of foreign policy, saying that such ethical considerations "are an indispensable ingredient for the domestic consensus that is required if any foreign policy in our democracy is to be effective." At the same time, he argued that such considerations must be accompanied by a clear appraisal of strategic self-interest; that anything less than a completely realistic assessment of "Soviet military power and theology"—either by those who

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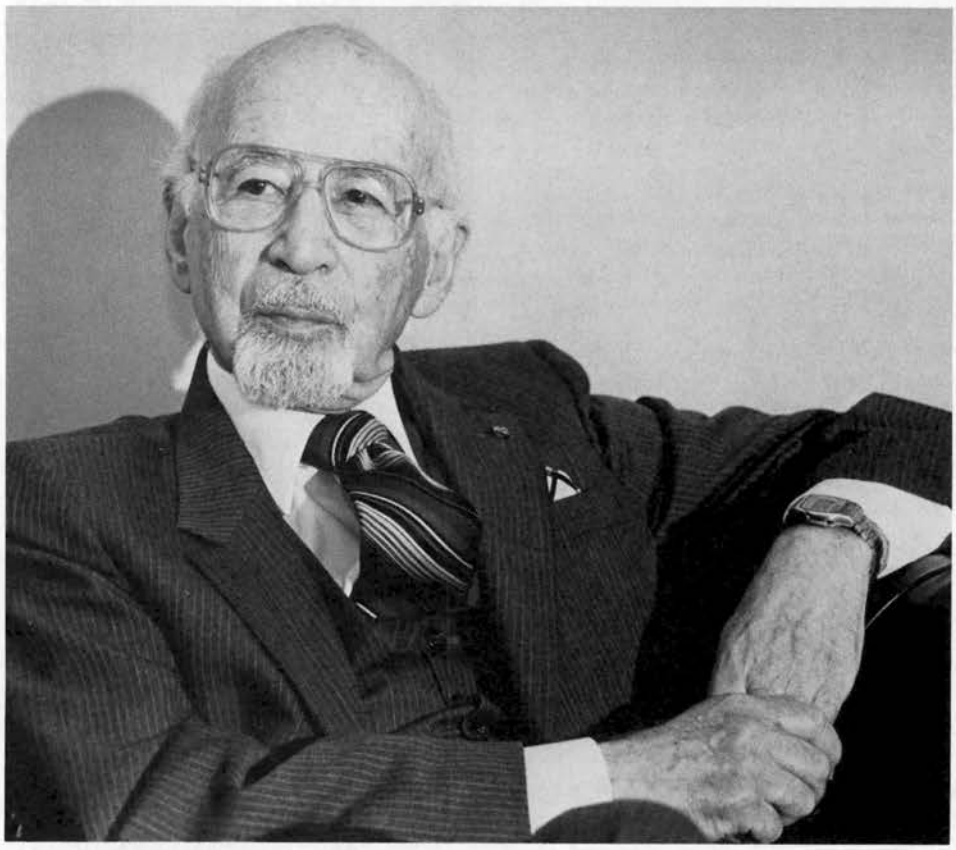
would discount that threat or seek to deal with it through military means alone—could end in tragedy. Public support for our foreign policy must, he said, "encompass the understanding that if the possession of power is to be effective as a deterrent, there cannot be a renunciation of its use in the pursuit of national interests and values." Hence, "the imperatives for survival in the nuclear age require us to persist—through the deterrence that comes from military strength, through dialogue, through negotiation—in the search for understanding, agreement, peace."

"We hope the time will soon come when the Soviet authorities comprehend that repressive societies in our day cannot achieve inner stability or true security," the Ambassador concluded,

> "We must never tire of our efforts toward lasting peace. The problems that divide us are real and numerous. We trust our negotiating efforts will produce results. By the nature of things, however, we understand that even with agreement we will still be nearer to the beginning than to the end of our pursuit. We must have patience and be clear-headed."

Ambassador Kampelman received his J.D. from New York University and Ph.D. in political science from the University of Minnesota. He has served on many distinguished faculties including those of the University of Minnesota, Bennington College, the University of Wisconsin and Howard University. He has received honorary doctorate degrees from Georgetown University, the Hebrew University of Jerusalem and Hebrew Union College. Besides lecturing and writing extensively, Ambassador Kampelman has practiced law in the nation's capital as a partner in the law firm of Fried, Frank, Harris, Shriver & Kampelman. His career of public service has included work as senior advisor to the U.S. Delegation to the United Nations and Head of the U.S. Delegation to the Conference on Security and Cooperation in Europe, which took place in Madrid from 1980 to 1983. In January, 1985, President Reagan appointed him as Head of the U.S. Delegation to the Negotiations on Nuclear and Space Arms in Geneva. ■

Born in northern Bavaria, Dr. Otto Walter studied economics and civil and canon law at the University of Munich and earned a doctorate of law at the University of Erlangen in 1930. With the rise of the Third Reich, Dr. Walter was arbitrarily disbarred and his future plans at the bar disintegrated. Like so many other of his talented countrymen, Dr. Walter fled Nazi Germany and immigrated to the United States. Here he was forced to start anew. He became a bookkeeper, and then an accountant who formed his own firm, and finally a student of law again, this time at New York Law School where he was a member of the Law Review and received his J.D. in 1954. Six years later he formed a partnership and founded the firm of Walter, Conston & Schurtman. The practice grew, as did the firm's reputation in the area of International Tax and Commerce. Besides serving a broad range of clients, Dr. Walter contributed many scholarly articles in the fields of accounting, taxation, economics and international law. Dr. Walter became a distinguished member of the Law School's adjunct faculty and has been honored with a Dean's medal, the distinguished alumnus award and, in 1984, with an Honorary Doctor of Laws Degree. In addition to his academic work in International Law and Taxation, Dr. Walter has served the world community and the cause of international understanding in a number of significant ways. He has been a U.S. delegate to International Fiscal Association Congresses, served as Honorary Director of the German-American Chamber of Commerce and President of the German-American Law Association. He has been awarded the German Order of Merit and the Cross of Merit of the Republic of West Germany. "He is a man who cares deeply about New York Law School and has for many years encouraged the study of international law here," Dean Simon said. "This fellowship program is yet another and perhaps the most impressive demonstration of Dr. Walter's commitment to New York Law School and to international understanding."



Dr. Otto L. Walter '54

Law Review Symposium Debates Banking Regulation

Symposium participants included (l. to r.) Rep. Charles Schumer; Hon. George D. Gould; Professor George Dent; Robert Dinerstein; Professor Roberta Karmel; Almarin Phillips.

An audience of nearly 80 bankers, lawyers, investment advisors, securities industry experts and NYLS faculty and students gathered on April 4 to hear a distinguished panel present a symposium entitled "Financial Regulation under the Glass-Steagall Act: Debate and Resolution." The event, organized by Law Review Editors Holly Januskiewicz and Gabriel Marino, and moderated by NYLS Professor George Dent, was the second of its kind sponsored by the New York Law School Law Review in as many years.

The panelists at the morning session were Bevis Longstreth, former commissioner of the Securities and Exchange Commission, now with Debevoise & Plimpton; Edward O'Brien, president of the Securities Industries Association; and John Hawke, partner in the Washington firm of Arnold & Porter. Participants in the afternoon session were Rep. Charles C. Schumer (D. Brooklyn), a member of the House Banking Committee; Hon. George D. Gould, Undersecretary of the Treasury for Finance; Professor George Dent; Robert Dinerstein, vice president and general counsel of Citicorp Investment Bank; Professor Roberta Karmel, Brooklyn Law School; and Almarin Phillips, John C. Hower Professor of Public Policy and Management at the Wharton School, University of Pennsylvania.

The Glass-Steagall Act of 1933 forms the crux of the current debate over deregulation of financial services. Adopted by Congress as part of a comprehensive approach to banking regulation during the depression, the act restricted the activities of commercial banks to offering "traditional services" to their customers, leaving many highly lucrative financial services to be assumed by investment bankers, brokers and dealers.

Yet in the half-century since Glass-Steagall was enacted, commercial bankers argue, little is left of the "traditional" banking business. While the regulatory framework has insulated banks from the riskier markets, other financial institutions have been allowed to invade the market for the banks' traditional services, extending consumer credit or offering money market checking accounts, for example. Banks have pressed for the power to expand into securities markets, complaining that without the opportunity to compete in the financial services industry, their economic viability is seriously threatened. Given this scenario, Glass-Steagall has evolved, as Bevis Longstreth said, into "the Maginot Line approach to regulation."

The securities industry has responded with arguments that focus mainly on the recent series of bank failures, suggesting that banks are incapable of taking on the higher risks of the securities business.

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They have lobbied forcefully to continue the Glass-Steagall strictures, hoping to convince legislators and the courts that Glass-Steagall is a necessary defense against a return to the widespread failures of 1929.

One problem may stem from the Act itself. As John Hawke, who had successfully argued before the Supreme Court in *Board of Governors of the Federal Reserve v. Dimension Financial Corp.*, observed, "there is substantial disagreement about what Glass-Steagall was intended to respond to and a good deal of folklore about the Act, much of which is of dubious validity." Mr. Hawke suggested that the "difficulty stems from the inartfulness of its drafting." "There are so many variations in the statutory language from section to section that are quite unexplained by the legislative history," he noted, "that we just don't in many cases know what to do with it." Mr. Hawke also mentioned what he considered "the startling paucity of judicial and administrative authority on the Act." Contrasting Glass-Steagall with the securities laws, which were enacted during the same period, he observed that "in fifty-three years the Supreme Court has addressed Glass-Steagall issues only five times."

SIA President Edward O'Brien fired the opening salvo in favor of Glass-Steagall with the observation that "banks, quite frankly, are in the weakest condition they have been in since the 1930's." Mr. O'Brien asserted that legislators should insist "that the banking industry strengthen its insurance coverage, its capital base, its regulatory oversight and its profitability before even considering attempts to intrude into other areas of activity."

Bevis Longstreth rebutted Mr. O'Brien's arguments and made the case for repeal of Glass-Steagall. Glass-Steagall, he said, is fundamentally incompatible with the pro-competitive philosophy of our economic system. "The burden of proof ... when you have a law that restricts the free unfettered exercise of economic behavior ... is not on the person who seeks to eliminate that law, (but) on the person who seeks to justify that law," he said.

He characterized the Act as "cut adrift from its original mooring," "floating around, a law in search of some purpose, supported mainly by those in the securities industry who benefit from its anti-competitive effect."

In the afternoon session, Congressman Charles Schumer criticized what he felt was Congress' preoccupation with "equalizing" the position of banks and their financial services competitors. "That is not what I conceive as my role," he said, "nor ought it to be Congress' role." Focusing on the recent Congressional decision to deregulate interest rates, Rep. Schumer took issue with Congress' approach, claiming that its response failed to consider wider issues of national interest. The Congressman argued strongly in favor of continued regulation. "I am an advocate on the Banking Committee of Glass-Steagall," he asserted. He expressed the opinion that "at this point, Congress is not convinced ... that deregulation and elimination is the way to go."

With so much emphasis on the changes in the banking industry over the past fifty years, Rep. Schumer suggested that "one thing hasn't changed; the banking system is fundamentally based on one thing—confidence." The Congressman asserted that "there is plenty of competition right now" in the financial services industry. He also rebutted Bevis Longstreth's pro-competitive arguments, suggesting that consumer benefits from competition had, thus far, "not materialized."

The continued stability of the banking industry, the Congressman said, was his primary concern. Pointing to "a series of bank calamities ... or near calamities," Rep. Schumer maintained that confidence in the banking system has been rocked. When such problems arise, he said, "people question whether we should allow banks into the newer and riskier areas when they're having enough trouble ... in the traditional areas of banking."

Discussing the internationalization of banking, Rep. Schumer did note that, because Glass-Steagall only restricts the domestic activities of American banks, these institutions could circumvent the restrictions of the Act by entering higher-risk ventures abroad. He denied that the American system ought to emulate the comprehensive European approach to the banking industry, however, pointing out that American "entrepreneurialism is directly tied to the wide availability of capital. I shudder to think of America evolving into a German system, with six large banks that do everything." He argued that "when German inventors need to find risk capital, they come to the United States." "I submit that Glass-Steagall has played an important role in making that happen," he said.

In Rep. Schumer's view, the American financial system should follow a two pool approach to capital investment. A low risk insured pool of money would attract, he asserted, the vast majority of American investors and depositors. A second high risk pool would not get insurance protection, "and if one pool of money shrinks relative to the other pool, so be it." But, he continued, the low risk pool offering a reasonable return with minimal risk was essential to the "widow and orphan" accounts.

Though he devoted most of his remarks to the necessity for restrictions on banking activity to maintain public confidence and industry stability, Rep. Schumer offered hope to the bankers in the audience. The Congressman admitted some sympathy for the banking industry's request for expanded powers in the commerical paper business. Commercial paper was a traditional banking service, he noted, and therefore a market properly serviced by banks.

With the Congressional viewpoint so stated, Hon. George D. Gould offered some observations from the Administration's vantage. "We are looking at (banking expansion) from three premises ranked in order," he began, "safety and soundness ... pro-consumer, pro-competitive effects and some sense of fairness."

The safety and soundness of the banking system was a primary concern of the government, Mr. Gould noted, particularly "as it applies to the insurance funds for which the Federal Government is probably ultimately responsible." He observed that banking failure was ultimately paid for by the taxpayer, and the preservation of a stable banking system was, therefore, tied directly to the public purse.

Commenting on fairness, Mr. Gould said "it is the responsibility of government, to the extent we can, to create the so-called 'level playing field' among competitors." The establishment of a level playing field between banks and other financial services institutions was, in Mr. Gould's view, directly tied to the safety

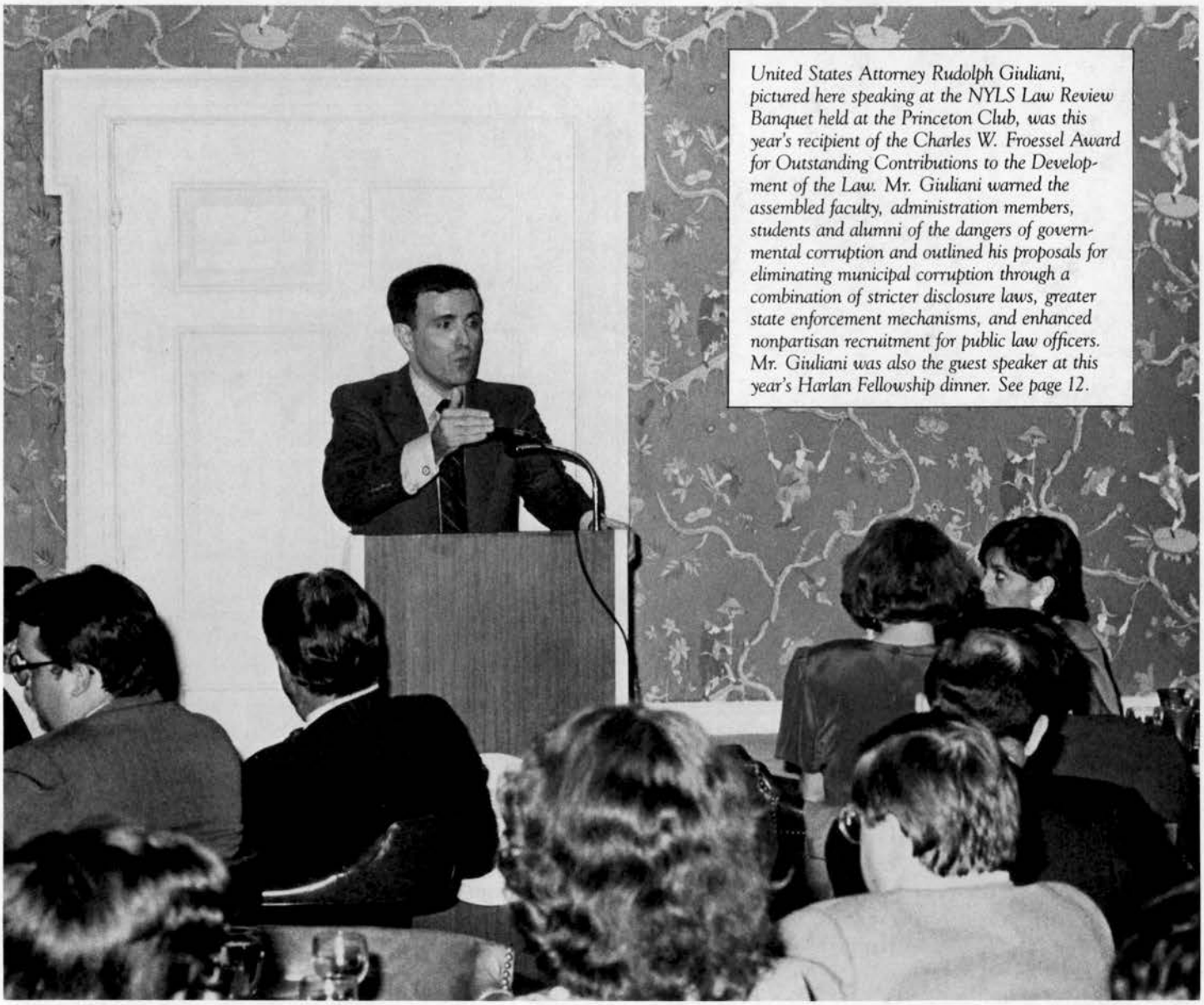
and soundness of the industry.

"I start with the premise that the commercial banking industry has lost a substantial share of its traditional business—commercial and industrial and loans," he said. This has reduced profitability and, concomitantly, has encouraged high risk investment by banks to regain that profitability. That development, in his opinion, could have a devastating long-term effect on the safety and soundness of the system. Disagreeing with Mr. O'Brien's point that banks needed to strengthen their insurance funds before expanding into new markets, Mr. Gould noted that the health of the insurance funds was directly linked to the profitability of the banks contributing to them.

Mr. Gould offered a focus for the debate noting, "what it really comes back to is the need to separate out those functions of a bank which do impinge on safety and soundness from the debates which largely have to do with whose self-interests are at stake." In order to avoid instability, he said, "banks should have a more diversified source of revenues."

Retention of the status quo was not, in Mr. Gould's opinion, the solution to the problem. He argued against continuing the strictures of the present system, suggesting that "the protective device of Glass-Steagall is not protecting banks . . . it may be forcing them to become less healthy than they have been in the past." "Either banks are allowed to evolve in the marketplace," he continued, "or five, ten, fifteen years from now the banking system as we know it is not going to be recognizable."

The wide divergence of viewpoints expressed at the symposium made for stimulating discussion and disagreement on several of the key issues confronting the panel. While, as Professor Dent observed, a consensus on the proper solution to the problem may have been impossible at the outset, the panel members seemed to agree on at least one point: Congress is the only possible source of resolution, and Congressional action on Glass-Steagall seems unlikely in the immediate future. It is likely, however, that when Capitol Hill does focus its attention on the problem, legislators will take their counsel from many of those present, on the panel and in the audience. ■



United States Attorney Rudolph Giuliani, pictured here speaking at the NYLS Law Review Banquet held at the Princeton Club, was this year's recipient of the Charles W. Froessel Award for Outstanding Contributions to the Development of the Law. Mr. Giuliani warned the assembled faculty, administration members, students and alumni of the dangers of governmental corruption and outlined his proposals for eliminating municipal corruption through a combination of stricter disclosure laws, greater state enforcement mechanisms, and enhanced nonpartisan recruitment for public law officers. Mr. Giuliani was also the guest speaker at this year's Harlan Fellowship dinner. *See page 12.*

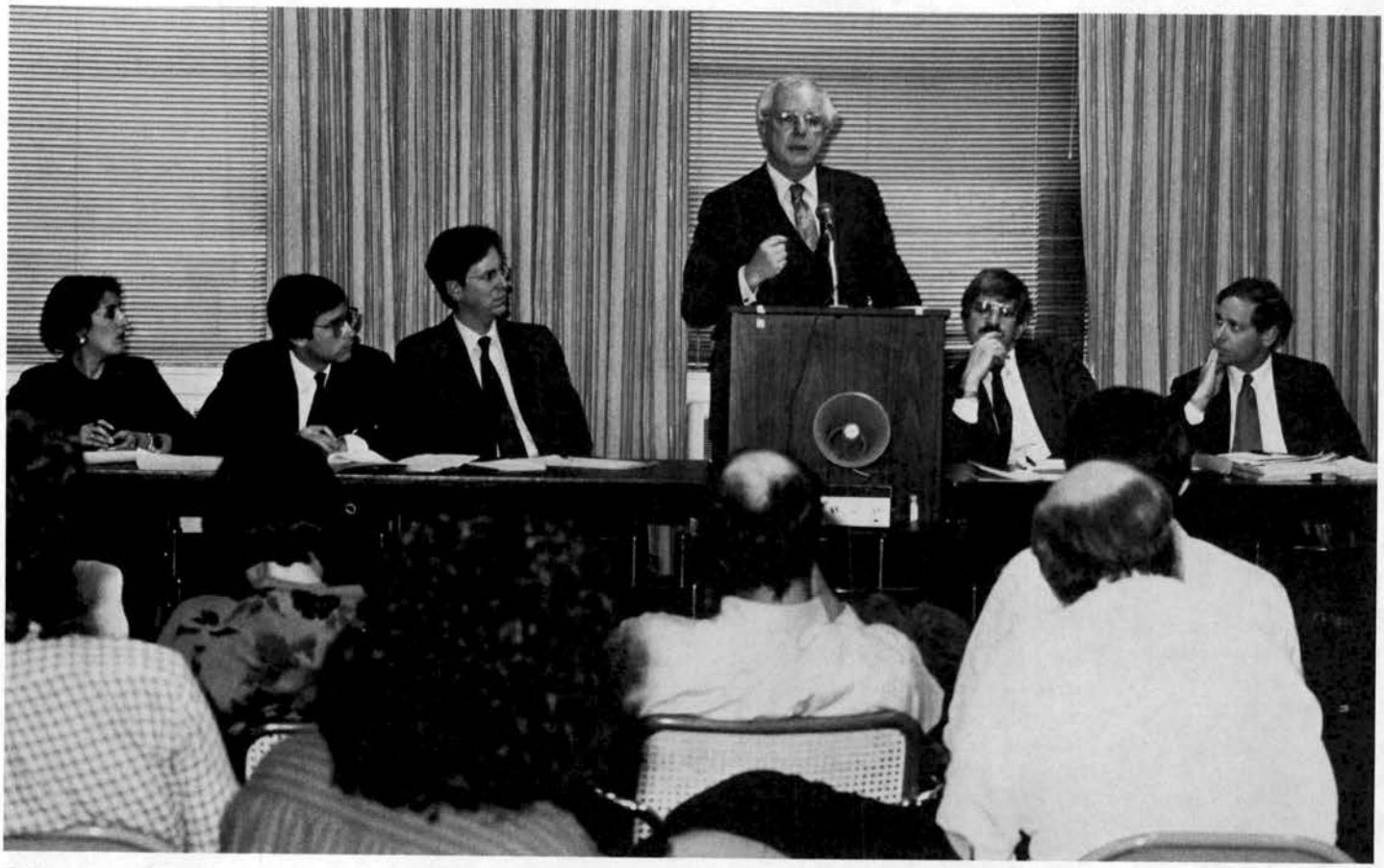
Overlapping Regulation of Advertising: Synergy or Anarchy?

The Law School's Communications Media Center conducted its third colloquium of the 1985-86 academic year on April 7. The program, "Overlapping Regulation of Advertising: Synergy or Anarchy," compared private false advertising lawsuits with the Federal Trade Commission's regulatory work in advertising. Participants in the program were Elhanan C. Stone, senior vice president and general counsel of Ted Bates Worldwide; Edward Manno Shumsky, New York Regional Director of the Federal Trade Commission; Thomas J. Donegan, Jr., a former FTC official and private practitioner specializing in advertising law; and Harold Weinberger, also a private practitioner with experience in the field. Moderator of the program was NYLS Professor Arthur Best, director of the Communications Media Center. *Georgia Law Review* will publish an article by Professor Best which compares public regulation, industry self-regulation and private litigation as modes of advertising control.

The panelists took diverse positions on whether private litigation and industry self-regulation may become more prominent as the FTC refocuses its attention on advertising. Mr. Shumsky made the first presentation, reporting that the FTC is currently seeking to litigate cases which involve significant health or safety dangers to consumers, but that it is not likely to treat a dispute about relative merits of hand lotions or other "search" products whose qualities consumers can determine personally at low cost. Other panelists treated decreased FTC activity as a given, and discussed the impact of that change in federal activity on the marketplace.

Mr. Donegan stated that advertisers do not see the FTC today as a strong deterrent force, and that this perception has led large companies to rely on private suits for protection against competitors' false claims. He suggested that suits under the federal Lanham Act may be superior to the FTC procedures because they work with greater speed and more efficient case selection.

Mr. Weinberger explored private litigation from the standpoint of an attorney beginning preparation of a suit. For example, he pointed out that injunctive relief is the only practical remedy for a seller who believes that a rival is using false ads. Damages are too difficult to prove in a field where sales may vary for a variety of reasons, and the time it takes to wait for a trial will typically be longer than the life span of the questionable advertising. Discovery, he said, should be moderate. If a



Colloquium panelists (l. to r.): Shirley Sarna (FTC N.Y. Regional Office), Edward M. Shumsky, Professor Arthur Best, Elhanan C. Stone, Thomas J. Donegan, Jr. and Harold Weinberger.

lawyer asks for too much time for discovery, the judge may get the impression that speedy relief is not really important to the client. Weinberger and Donegan had been on opposing sides in a recent case involving "Wondra" and "Vaseline Intensive Care" skin lotions; their experience in that case, said Weinberger, illustrated some of the distinctive aspects of private litigation for advertising problems. The trial judge was critical of allocating judicial resources to what some would consider a trivial problem. Expert information about the actual qualities of the advertised products was costly to obtain. The legal standard which ultimately applied in the case required each side to prove that the other's advertising was untruthful, not merely lacking the advance substantiation required by FTC precedents.

Elhanan C. Stone spoke from the perspective of a large advertising agency. Ted Bates has been known for hard-hitting advertising and had once been a frequent object of regulatory actions. In recent years, the ads the firm produces have been far less likely to attract challenges. Stone attributed that, in part, to vigilance by the networks, which has protected all advertisers against the risk of competing with deceptively promoted products. He also suggested that standards for advertising control may be changing. He described the FTC in the Carter Administration as having gone further in the direction of controlling the content and style of advertisements than Congress and typical consumers wanted it to go. Particularly in connection with prohibiting advertising aimed at children, the FTC under Carter represented a high watermark of governmental intrusiveness into simple and traditional buyer-seller relationships. Currently, he believes, truthful advertising is the rule. When clients of his agency come to him saying that their competitors are using false ads, and ask what steps they can take, his first suggestion is that they consider the cost of private litigation; most, he said, do not consider the benefits of such litigation worth the projected expense. This suggests to Stone that a good deal of the advertising perceived as unfair or deceptive is either not very serious or is allegedly deceptive in ways which would be too difficult to demonstrate convincingly to a court. ■

1986 Harlan Moot Court Competition

Christine Burgess (l.), chairperson of the Harlan Moot Court Committee, presents the award for best appellate advocate to Moira Umemori.

The New York Law School Moot Court Association held its annual John Marshall Harlan Moot Court Competition March 3 through March 20, 1986. The competition, named after the late Supreme Court Justice John Marshall Harlan '24, traditionally deals with current constitutional and criminal issues. The fact pattern in this year's competition presented two questions: First, whether a strip search conducted on an arrestee, which led to the discovery of hidden cocaine, was an unreasonable search prohibited by the Fourth Amendment; and second, whether young adults ages 18 to 29 constitute a cognizable group for Sixth Amendment fair-cross-section purposes.

The competition was administered by Christine Burgess '88 and the fact pattern and bench brief were authored by Luis S. Caso '86, both members of the Moot Court Executive Board. This year's participants were fortunate in having been judged during the preliminary rounds by alumni of the Law School and Moot Court, by Criminal Procedure and Constitutional Law professors during the quarterfinal rounds, and by eminent members of the bench and bar during the semifinals rounds, including The Honorable Francis T. Murphy '52, Presiding Justice of the New York State Supreme Court, Appellate Division, First Department.

The final round bench consisted of the Hon. Ellsworth Van Graafeiland, Circuit Judge, U.S. Court of Appeals, Second Circuit; the Hon. John F. Keenan, United States District Judge, Southern District of New York; the Honorable William L. Murphy, District Attorney for Richmond County; and Mr. Jeffrey Fogel, Esq., Director, American Civil Liberties Union of New Jersey.

More than 150 spectators attended the final round held in the Charles W. Froessel Library. After the arguments, the four final round judges attended an awards ceremony and reception at which they congratulated the finalists on their presentations. Much impressed with the participants' superlative knowledge of the record and pertinent laws, Judge Keenan said, "In my courtroom very rarely do I hear as articulate, as forceful, as persuasive and as well thought-out arguments as I have heard here tonight."

The goal of the Moot Court program is to train future lawyers in the art of advocacy before appellate court and trial courts. The NYLS Moot Court Association presented awards to the four finalists—Diane Loew, Helen Miller, Michael Morris and Moira Umemori—for their excellent work toward achieving that goal. Additional awards were presented to John Koester and Herbert Lazar, authors of the best brief; Brian Graifman and Diane Loew, the team with the highest preliminary round scores, and to Moira Umemori for best appellate advocate.

Additionally, Mr. Lee Zimet '85 has established the Morris Orland Moot Court Award which rewards the four finalists and authors of the best brief. ■

Spring Harlan and Snow Dinners Honor Major Donors, Scholars

This year's Harlan Fellowship Dinner, held at NYLS in May, was a superlative affair in two respects: The distinguished guest speaker was U.S. Attorney Rudolph Giuliani, who explained in some detail the recent activities of his office to the School's major supporters; and, with more than 60 guests present, it was the best attended Harlan Dinner on record.

Later, at a meeting of the Harlan Fellowship Committee, Richard Flynn '57 announced that he will step down as chairman of the Harlan Fellowship. In thanking Mr. Flynn for his guidance during three very successful years, Dean Simon pointed out that Harlan pledge totals have nearly doubled and membership has more than doubled. Richard LaMotta '75, Chairman of the Board of Chipwich, Inc., will succeed Mr. Flynn as chairman of the Fellowship.

Since the John Ben Snow Foundation began its generous scholarship support at NYLS eight years ago, nearly 60 students have been recipients of Snow scholarships. It has only been three years, however, since the Law School began the custom of bringing together its Snow Scholars—past and present—for an annual dinner in April. The dinner is intended to honor the deserving scholars as well as maintain open lines of communication between the recipients and the Foundation's Trustees. In his remarks at the dinner, NYLS Professor Vernon Snow, president of the Foundation, said that he viewed such personal contact between Snow Scholars and the Foundation itself as an essential element in the Foundation's educational mission.

Below, Professor Snow and his wife, Pat, (l.) speak with Joseph Mitchell, counsel to the Snow Memorial Trust, and Mrs. Alan Malcolm. Mr. Malcolm serves as vice president of the Snow Foundation. ■

Mr. Giuliani speaks with NYLS Trustee Samuel LeFrak (standing), Dean Simon, Mrs. Richard Flynn and Richard Flynn (r.), president of the NYLS Alumni Association and outgoing chairman of the Harlan Fellowship.

Two Alumni Elected to Board

Two distinguished alumni, Arthur G. Cohen and J. Bruce Llewellyn, were elected to the Law School's Board of Trustees in April.

Mr. Cohen, President of Arthur G. Cohen Properties Inc., received his LL.B. from New York Law School in 1954 after attending the University of Miami. His firm has owned or developed more than $2 billion in commercial real estate projects in the United States. Mr. Cohen is a director of Citicorp and the Home Title Division, Chicago Title Insurance Company. He has served the world community as the Special Envoy to Aid Underprivileged Nations under President Lyndon Johnson. He is currently a member of the Board of Trustees of the Long Island Jewish Hillside Medical Center, Brandeis University and Albert Einstein College of Medicine.

Mr. Llewellyn is Chairman and Chief Executive Officer of Philadelphia Coca-Cola Bottling Company as well as Chairman and Chief Executive Officer of WKBW-TV, Buffalo, New York. He graduated from New York Law School in 1960 after receiving an MBA from Columbia Graduate School of Business in 1956. He has served as Chairman of FEDCO Foods Corporation and Freedom National Bank, the largest minority owned retail and banking concerns in the United States; as President, by federal appointment, of the Overseas Private Investment Corporation, a U.S. Government agency; Deputy Commissioner of the New York City Housing Commission; Executive Director of the Upper Manhattan Small Business Development Corporation and as New York Regional Director of the U.S. Small Business Administration. ■

FACULTY AND ADMINISTRATION NEWS

Hon. Sidney H. Asch, New York State Supreme Court, Appellate Division, First Department was elected a Vice President of the Association of the Bar of the City of New York.

Suzanne Baer, Director of Placement, has been appointed to co-chair the NALP Standing Committee for Fair Employment Practices.

Professor B.J. George, Jr. has published case notes on *Mechanik and Lill v. United States* and *Henderson v. United States* in *Preview of United States Supreme Court Cases,* Term 296 (March 14, 1986) and term 373 (May 2, 1986), respectively. In addition, Professor George on April 5 spoke on "The American Bar Association's Criminal Justice Mental Health Standards," at a symposium of the Chesapeake Bay Chapter of the American Academy of Psychiatry and Law, at Annapolis, Maryland.

Professor Michel Rosenfeld has published "Affirmative Action, Justice, and Equalities: A Philosophical and Constitutional Appraisal" in the *Ohio State Law Journal,* vol. 46, number 4.

Professor David Schoenbrod spoke at a symposium on "The Uneasy Constitutional Status of the Administrative Agencies" at the American University in Washington, D.C., on April 4.

Professor Ernst Stiefel spoke on "Bhopal: Liability Crisis—Damage Explosion—Tort Reform" in Bonn, Germany in June and in Munich in July. He will also speak on the subject in September in Innsbruck, Austria.

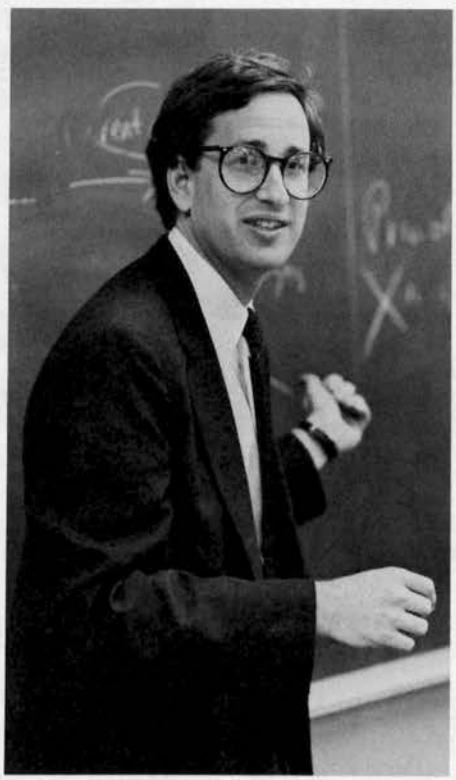
NEW DEANS FOR ACADEMIC AFFAIRS AND ADMISSIONS

At the conclusion of the Spring 1986 term Professor Randolph Jonakait succeeded Gerald Korngold as Associate Dean for Academic Affairs. Dean Korngold had requested to return to the faculty to devote his full energies to teaching and scholarship.

Since assuming his decanal position in August 1984, Dean Korngold has taken a leadership role in restructuring major aspects of the curriculum, recruiting talented teachers and scholars for the Law School's full-time and adjunct faculty and developing special academic programs, such as the Otto L. Walter International Fellowship. "Throughout his term, Dean Korngold has been involved in institutional decisions which, I believe, will ensure an excellent future for this Law School," said Dean Simon. "He will be greatly missed as an administrator but will provide added strength to our full-time faculty."

Professor Jonakait, an honors graduate of Princeton University and University of Chicago Law School, served for eight years at the Legal Aid Society of New York before embarking on an academic career. At the Legal Aid Society Professor Jonakait was a trial attorney in the Criminal Defense Division and later supervising attorney in the Division. In 1979 Professor Jonakait joined the faculty of the Pace University Law School teaching and writing in the fields of evidence, criminal law and criminal procedure. Since coming to New York Law School in 1984, Professor Jonakait has continued a distinguished career of teaching and scholarhip and has assumed major faculty committee responsiblities.

Associate Dean Randolph Jonakait



Professor Gerald Korngold

In mid-June Dean Simon also announced the appointment of Stephen F. Muller as Assistant Dean for Admissions and Financial Aid, subject to approval by the Board of Trustees. Mr. Muller received a B.A. from Hofstra University and a Masters Degree in Education from Bridgeport University. He was the Director of Admissions and Financial Aid at Concordia College from 1966-1982. In 1982 he became the Director of Financial Aid at Pace University with overall responsibility for the coordination and administration of the financial aid office. In addition, he assumed leadership roles among financial aid officers at the local and state levels. "I am confident that Mr. Muller will bring a high degree of professionalism to our admissions and financial aid office that will enable us to continue to attract the highest quality of students to New York Law School," the Dean said. ■

CLASS ACTION

1928

Jules Burton is a volunteer legal advisor to senior citizens referred by his local bar association.

1934

Leo Cherne, Executive Director of the Research Institute of America and Chairman of the International Rescue Committee, was featured in *Reader's Digest,* May, 1986. The article was entitled "Leo Cherne's Magnificent Obsession."

1950

William N. Dickson has retired as Corporate Secretary and Counsel to Slattery Associates, Inc., a national construction and engineering contractor. He will remain available as a consultant to the Slattery Group of Companies.

Maurice R. Greenberg of American International Group (AIG) was profiled in a recent issue of the *International Insurance Monitor.*

1953

Joseph M. Irom was elected by the Bronx County Bar Association to the position of second vice president.

1955

Ronald S. Goldfarb, former governor of the New York State Trial Lawyers Association was recently honored by the Institute of Jewish Humanities at its annual Testimonial Dinner for his distinguished professional achievements, humanitarian values and high standards of ethics.

Hon. Ivan Warner received an achievement award from the Black Bar Association of Bronx County at the Association's Second Annual Awards Dinner and Dance.

1959

Philip Parker, who until recently served as Executive Vice President of the International Philatelic Society, has been named Executive Vice President of the Bronx Chamber of Commerce.

1960

Martin A. Danoff, President of the Lawyers Square Club of New York, is also Treasurer and Chairman of the Annual Dinner in honor of Judges Arthur Markewich and Edward Thompson.

1963

Thomas J. McLoughlin, professor of Tax and Accounting at Fordham University, retired in June, 1986.

1965

Alan M. Grosman, Chairman of the ABA Alimony, Maintenance & Support Committee since 1983, chaired the ABA Second National Conference on Child Support Practice held in April in Long Beach, California.

Hon. Judith Blum Sheindlin was named Supervising Judge of the Family Court in New York County.

1966

Milton Pachter was recently awarded the Port Authority's Distinguished Service Medal.

1967

Arthur J. Doran, Jr. has been named Yonkers City Manager.

Judge Joseph J. Traficanti, Jr., Ulster County Surrogate Court, was named Humanitarian of the Year by the Board of Directors of the Ulster Association for Retarded Citizens, for his many years of service to the developmentally disabled citizens of Ulster County.

1968

Hon. Lorraine Miller, Brooklyn Acting Supreme Court Justice, was selected by the National Judicial College from more than 200 judges nationwide, to attend Oxford University this summer for graduate legal study.

1970

Francis J. Apicella has opened offices for the general practice of law in Tuckahoe, N.Y., under the name of Apicella, Bernstein & Milano.

1972

Thaddeus A. Podbielski was recently recognized for outstanding service as an attorney-advisor in the Office of the Staff Judge Advocate, Fort Hood, Texas. He serves as a major in the U.S. Army Reserves, Judge Advocate General Corps.

Marvin R. Raskin was recently named a director of the Bronx County Bar Association.

1973

Alan M. Schwartz was appointed Director of the Research and Evaluation Department of the Civil Rights Division of the Anti-Defamation League of B'nai B'rith.

John J. Sciacca was recently selected for promotion to Lieutenant Colonel in the U.S. Army Reserve. His current reserve assignment is with the Federal Emergency Management Agency (FEMA) in New York City.

1974

Francis P. Collins has been promoted to Senior Vice President of First Fidelity Bank, N.A., New Jersey, where he is manager of trusts and institutional marketing services.

Robert S. Evans has been assigned as Administrative Law Judge, New York State Traffic Violations Bureau. Judge Evans is engaged to be married to Ellen Holtzman, Assistant Director, Queens Museum.

B. Marc Mogil has been nominated by both the Republican and Conservative Parties as their candidate in the November election for judge of the District Court, Nassau County.

1975

Marc Z. Edell has become a principal in the Short Hills, N.J. law firm of Budd, Larner, Kent, Gross, Picillo, Rosenbaum & Sade.

1977

Timothy W. Stalker is presently living in Yardley, PA with his wife and two children. He is Vice-President and Corporate Secretary for the Albany-Atlas Group, a division of the Guardian Royal Exchange.

Bruce A. Torino and his wife, Irene, are the parents of a new son, Christopher James.

1978

Deborah A. Klar has joined the firm of Pettit & Martin as an associate in the litigation department, San Francisco office.

Charles C. Liechtung was recently appointed Director of Acquisitions for The Penson Corporation, a diversified real estate firm headquartered in Great Neck, Long Island.

David B. Newman was made a partner at Fine, Tofel, Saxl, Berelson & Barandes, P.C.

1979

Martin S. Hyman, an associate with the firm of Weil, Gotshal & Manges was elected chairperson of the New York State

Bar Association's 2,300-member Young Lawyers Section.

John Newhouse and Nancy K. Deming have formed a partnership for the general practice of law with an office in Manhattan.

Jonah I. Triebwasser and his wife, Ellen, are the proud parents of a daughter, Alison Elizabeth, born March 18, 1986.

1980

Richard E. MacLean recently became a partner in the firm of Willard, Nusbaum and MacLean, P.C.

1981

Michael M. Bast and **Shelly R. Rossoff** are engaged to be married on September 27, 1986.

Ron Hiatt and his wife, Susan, are the proud parents of a baby girl, Nalley Lauren, born March 31, 1986.

Christopher D. Kelley became a named partner in the Riverhead, N.Y. firm of Twomey, Latham, Shea & Kelley. Also, Mr. Kelley was appointed chairman of the East Hampton Town Zoning Board of Appeals.

Marion A. Palen, formerly associated with Budin, Budin & Budin, P.C., has joined the law firm of Deutsch & Spring as an associate.

Paul F. Robinson has become General Counsel to BTR Realty, Inc., a Baltimore-based real estate development corporation.

Soledad Rubert has joined with Richard A. Gross to form the firm of Rubert & Gross with offices in Brooklyn, N.Y.

1982

Joseph I. Rosenzweig has announced the opening of his new office in New York City.

Margaret B. Sandercock, Managing Attorney of the Disability Law Project at M.F.Y. Legal Services, was recently named to the Surrogate Decision Making Panel of the New York State Commission for Quality Care.

Darryl M. Semple, an Assistant District Attorney, was married in December to Christina Soto, an interpreter for the Grand Jury, Bronx District Attorney. Judge Ivan Warner '55 performed the ceremony.

1983

Edward A. Christensen has become an associate with Shaw, Goldman, Licitra, Levine & Weinberg, P.C.

Continued on page 16

Planned Giving: A Gift of Life Insurance

As one of the oldest and most popular vehicles of family financial and estate planning, life insurance products continue to change to meet the needs of policyholders. In fact, flexibility may be one of the most appealing features of life insurance in general.

Although protection of loved ones is the central motivation for purchasing life insurance, some people purchase new policies as part of their overall giving plan. If you are seeking a new way to give that does not diminish current spending power, or like the idea of planning today to assure a meaningful gift to New York Law School later, consider life insurance.

If a donor is planning to make a substantial gift outright or a planned gift in trust naming the Law School as beneficiary, he or she can replace the funds by purchasing life insurance in the amount of the gift. The donor's family or others can then be named as beneficiaries. It is possible to structure such a plan so the proceeds from this policy will not be included as part of the donor's estate for tax purposes.

Arranging a charitable contribution of a new life insurance policy is easy. The donor simply applies for the policy and names New York Law School owner and beneficiary, or the donor can apply for the policy and after it is issued make a separate assignment to the Law School.

No gift tax liability arises from a charitable gift of a new life insurance policy or policy premiums. Such gifts are 100% deductible for gift tax purposes. The premiums paid will be treated as a contribution to the Law School and are tax deductible if the entire policy is irrevocably assigned to the School. If the donor retains any incidents of ownership, such as the right to change beneficiaries or the right to borrow cash values, premiums paid will not be tax deductible. Assigning less than the entire policy to the School is considered a nondeductible "partial interest" gift.

Thus, the donor's estate is unaffected unless the policy is not properly assigned to the Law School. While an improper assignment will prevent the donor from taking current income tax deductions for premiums paid, the donor will be allowed an estate tax deduction for any proceeds paid to the Law School upon his or her death. Local law will determine the precise requirement for making an effective assignment of the insurance policy.

If the policy is properly assigned, and no incidents of ownership are retained, the donor will receive an income tax deduction in the year of assignment. The amount of the deduction will be the lesser of the total premiums paid to date or the fair market value of the policy.

The fair market value is defined as the cost of replacing the policy with a comparable single premium contract. If the policy has been in effect for a number of years, and if further premium payments are anticipated, the fair market value of the policy will be deemed to be the interpolated terminal reserve plus unearned premiums less policy loans outstanding. (This amount usually approximates the cash surrender value.)

For more detailed information on life insurance and other ways of supporting the Law School, write or telephone Mrs. M. Jeannette Richardson, Planned Giving Director, (212) 431-2806.

N.B.: Mr. Stanley B. Doyle '49, Chairman of the PLEA (Practical Legal Education for Attorneys) Committee, will host a PLEA session on Trusts and Estates for Planned Giving on Tuesday, November 18th at the Law School. An announcement will be mailed in the early fall and attendance is most welcome. ■

Alumni Directory

The 1986 Alumni Directory is now available from the Law School's Office of Public Affairs. The cost is $7.50 for Alumni Association members, $5.00 for students, and $40.00 for non-Alumni Association members. To order a directory, call the Office of Public Affairs at (212) 431-2800 or write to Mrs. Renee Grossman, New York Law School, 57 Worth Street, NY, NY 10013.

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Continued from page 15

Jay B. Damashek has been appointed Assistant Attorney General with the New York State Department of Law, Litigation Bureau.

Roy W. Deitchman, Staff Manager, Environmental Health, The New York Telephone Company, has been appointed to the Zoning Board of Appeals by the Mount Kisco Board of Trustees.

Miguel Fittipaldi is a member of the Board of Directors of The Dominican Bank, Manhattan.

1984

John J. Bradley is a prosecutor in the Dutchess County, N.Y., District Attorney's Office.

E. Drew Britcher of Stern, Steiger, Croland & Conway, P.A. has been appointed to the Editorial Board of Leader's Product Liability Newsletter.

Meryl S. Dewey is a staff attorney for the SEC.

Michelle R. Hubbard has become an associate in the law firm of Hawthorne, Ackerly and Dorrance, New Canaan, CT.

Jamieson Karson announced his engagement to Laura Walker. A fall wedding is planned.

Jose A. Muniz married Jeanne Cameron in August, 1984. He is presently a staff attorney with Bronx Legal Services.

Frank Scagluso is now associated with the firm of Roseman & Roseman, Esqs., Melville, N.Y.

Larry Wolinski recently became an associate in the municipal law and land use development department of the firm of Jacobowitz & Gubits.

1985

Amy Genthner Brogan is an associate with the firm of Warren, Goldberg, Berman & Lubitz in Princeton, N.J.

John J. Brogan recently became associated with the law firm of Giordano, Halleran & Ciesla, Middletown, N.J.

Charles J. Ferzola is an Assistant District Attorney for Nassau County.

Guillermo Gleizer recently completed an LL.M. degree at Yale Law School in Jurisprudence and International Law. In addition to his legal practice, he will serve as an instructor at NYU Law School.

Scott R. Hirsch is an associate with the law firm of Sale, Groothius & Hirsch in Mineola, NY.

Lionel A. Hurst was designated First Secretary, Embassy of Antigua and Barbuda.

Peter M. Kulkin is a criminal defense staff attorney for the Orange County (NY) Legal Aid Society.

Carl Lucas was recently appointed deputy public administrator of Bronx County.

Walter M. Meneses is practicing in the Judge Advocate General Corps. of the U.S. Navy at Norfolk, VA.

Kathleen Pellowski has joined Monroe Systems for Business, Inc., of Morris Plains, N.J., as Associate General Counsel.

Glenn S. Richards is a staff attorney with the New York City Energy and Telecommunications Office.

1986

Maureen A. Mahoney was married in January to Paul Madarasz.

CORRECTION

Jonathan A. Richards '84, Vice President and Assistant Regional Counsel for First American Title Insurance Company of New York, was incorrectly noted in the Spring, 1986 issue as Jonathan A. Ricardo.

IN MEMORIAM

1926
Sidney Schimmel

1931
Isidore Leonard Cohen

1932
Benjamin J. Shapiro

1934
Louis H. Silberkleit
Leon Turret

1984
Dan Aaron Holtzman

United States Department of State

Washington, D.C. 20520

Please reply to:
S/Del, Room 7208

April 24, 1986

Dean Ira M. Berger
Public Affairs
New York Law School
New York, New York 10013

Dear Dean Berger:

I would like to take this opportunity to thank you for your assistance in making the hotel and transportation arrangements for Ambassador Kampelman's participation in the Otto L. Walter Distinguished International Fellow Program.

I am enclosing herewith copies of his hotel bill and his airline ticket. The Ambassador had no additional expenses.

Again, thank you for all your help.

Sincerely,

Nancy C. Tackett

Nancy C. Tackett
Staff Assistant to
Ambassador Max M. Kampelman

Enclosures

NEW YORK LAW SCHOOL
JOURNAL OF INTERNATIONAL AND COMPARATIVE LAW
57 WORTH STREET
NEW YORK, N.Y. 10013-2960

(212) 431-2113
(212) 966-4256

April 30, 1986

The Honorable Max M. Kampelman
The Department of State
Room 7208
S-Del
Washington, D.C. 20520

Dear Ambassador Kampelman:

I am writing to confirm my conversation with Valerie in your office. The New York Law School Journal of International and Comparative Law is pleased to publish your lecture "Negotiating with the Soviets," which was presented at the 1986 Otto L. Walter Distinguished International Fellow Program. We will send you galley proof in June, with the published volume following toward the end of the summer.

Thank you for consenting to our publishing your remarks.

Sincerely yours,

Dale Stull Demy

Dale Stull Demy
Executive Editor

F

Speech file with NY LAW

NEW YORK LAW SCHOOL
57 WORTH STREET
NEW YORK, N.Y. 10013
(212) 431-2100

April 14, 1986

The Honorable Max M. Kampelman
Head of Delegation, Negotiations
on Nuclear and Space Arms
United States Department of State
Washington, D.C. 20520

Dear Mr. Ambassador:

My students and I are thrilled that you will be co-teaching my International Law course during your forthcoming visit to New York Law School as the first Otto L. Walter Distinguished International Fellow.

Pursuant to our telephone conversation of April 10th, I'm enclosing a set of reading materials assigned to the class for the April 21st meeting. It is Chapter VII, "The Legal Regulation of the Military Instrument," of our coursebook--Myres S. McDougal and W. Michael Reisman, International Law in Contemporary Perspective: The Public Order of the World Community (Mineola, N.Y.: The Foundation Press, 1981).

Your suggested areas of focus--arms control, terrorism, and the Helsinki Accords--are splendid. They are matters of great importance and current interest, and, I am sure, will generate lively discussion.

It was a great pleasure talking with you and I'm looking forward to meeting you and welcoming you on the 21st.

Very truly yours,

Lung-chu Chen

Lung-chu Chen
Professor of Law

Enclosure.

New York Law School
57 Worth Street
New York, NY 10013
212/431-2840

Office of the Dean

April 23, 1986

Dr. Otto L. Walter
Walter, Conston & Schurtman, P.C.
90 Park Avenue
New York, New York 20520

Dear Otto:

The first Otto L. Walter Distinguished International Fellowship Program was an unqualified success. Ambassador Kampelman touched the entire New York Law School community with his candor, insights and high intelligence. And we owe the remarkable visit to you. I thank you, once again.

With all best wishes,

James F. Simon
Dean

JFS:di

cc: Alexander D. Forger, Esq.
Ambassador Max M. Kampelman

New York
Law School

File with
NY Law school
Speech material

New York Law School
57 Worth Street
New York, NY 10013
212/431-2840

Office of the Dean

April 23, 1986

Ambassador Max M. Kampelman
Head of Delegation Negotiations
on Nuclear and Space Arms
United States Department of State
S/DEL - Room 7208
Washington, D.C. 20520

Dear Mr. Ambassador:

Everyone is still talking about your visit with us. You impressed every segment of the New York Law School community with your high intellectual standards and exemplary service to your country. We at the Law School have never had the opportunity to engage in a dialogue of such intensity with someone of your stature. You touched us all - students, faculty, trustees, Dr. Walter and, perhaps most of all, this Dean.

I am enclosing a check for $5,000 made out to the American Friends of The Hebrew University, as you have requested, to serve as your honorarium. Please know that it is sent with our deep appreciation.

I am sending under separate cover recent publications of New York Law School which I think will be of interest to you. We now consider you a member of our Law School community. You should know that you are welcome to join us at any time that may be convenient for you.

With all best wishes,

James F. Simon
Dean

JFS:di

cc: Alexander D. Forger, Esq.
Dr. Otto L. Walter
The Hon. Marshall Breger

UNITED STATES DELEGATION

NEGOTIATIONS ON NUCLEAR AND SPACE ARMS

MMK:

Re your trip on Monday on New York Law:

I spoke to Dean Berger and told him that you would be arriving on New York Air at 3:30. Their driver will have a sign that says New York Law.

NY Air Flight 26

Dinner on Monday evening will not be at the school. It will be at Windows of the World and an invitation is being sent to Judge Re today.

Your reservation is at the Vista Hotel.

They have cancelled the luncheon on Tuesday, so you can come back on the 1:00 or 1:30 flight.

Nancy

N.Y. flight 21

MMK:

We need a title for your speech to the students at New York Law school. They will call back on Monday, March 31 for an answer.

Nancy

called Susanna in Dean Simon's off & gave her info Negotiating with The Soviets

UNITED STATES DELEGATION

NEGOTIATIONS ON NUCLEAR AND SPACE ARMS

Geneva, Switzerland

March 21, 1986

MMK:

Ira Berger, Asso. Dean of New York Law School called this morning.

Do you want them to make hotel reservation? Vista Hotel is only hotel in that area, or would you prefer uptown?

What are your plans for staying through luncheon on April 22?

Let's discuss.

Sharon

Called 3/21
1. They will send duplicate of Madrid letter
2. told them MMK could not stay for lunch.

NY Law School 4/21

United States Department of State

Washington, D.C. 20520

April 1, 1986

Please Reply To:
S/DEL - Room 7208

Dean James F. Simon
New York Law School
57 Worth Street
New York, New York 10013

Dear Dean Simon:

Thank you very much for your letter of March 12 which, for some reason, was delayed in reaching me. You were thoughtful to write.

It is my understanding that the program for Monday late afternoon and evening seems to be working out well. I have no problem with the open forum although there is a little bit of question in my mind as to whether the same people are likely to be at the open forum as will be attending the colloquium on the next day. I don't like to be repeating myself, but we can handle that.

It will be a pleasure to be with you at dinner on Monday evening.

The press conference idea is one that I face with some mixture of reactions. I tend to keep away from press conferences, but if it is in your interest to have one, I think I can watch out for the confidentiality issue and handle it.

It would be best for me if we could skip the Tuesday luncheon because there are responsibilities I should be fulfilling in Washington on Tuesday afternoon. Here again, however, I will be guided by your own recommendations as to how important that luncheon is. Since I am spending the time, I want to maximize the advantage to you so long as that is within reason.

I notice, incidentally, that you have two rest periods listed that are unnecessary from my point of view unless you are using them simply as ways to catch programs that go beyond their schedule.

I would assume, incidentally, that you will have someone meet me at the airport when I arrive on Monday afternoon and then take me to the hotel following dinner. I think I will probably be too tight in time to go to the hotel first.

We have not talked about the financial stipend attached to the fellowship, although Marshall Breger did mention it to me when we first chatted. I would appreciate hearing from you or Dean Berger about this so that I can make the necessary arrangements.

We look forward to hearing further from Dean Berger about any specific questions that may arise.

All my best.

Sincerely,

Max M. Kampelman

Max M. Kampelman
Head of Delegation
Negotiations on Nuclear
and Space Arms

New York Law School
57 Worth Street
New York, NY 10013
212/431-2840

Office of the Dean

March 12, 1986

Ambassador Max M. Kampelman
Department of State, Room 720 A
2201 "C" Street, N.W.
Washington, D.C. 20520

Dear Mr. Ambassador:

We are pleased and honored that you have agreed to be our first Otto L. Walter Distinguished International Fellow on April 21st and 22nd. As I have told you previously, we believe you are the ideal person to begin the Fellowship series. I know that Dr. Walter, our faculty and students all will find your visit to New York Law School extremely stimulating and rewarding.

I have proposed a two day schedule for your visit to the Law School which will commence in the late afternoon on Monday, April 21st and conclude with a luncheon the following day. The proposed schedule is attached. If you have any questions or suggestions about the schedule, please do not hesitate to call me. The schedule is designed to bring you together with the New York Law School community in a meaningful intellectual atmosphere. We also want it to be enjoyable for you, as I am confident it will be for us.

I have asked our Associate Dean for Public Affairs, Ira Berger, to work with your office to make all necessary arrangements and to coordinate all publicity connected with your visit. In regard to publicity, I would appreciate it if you could provide a title for your colloquium presentation so we may use it in a brochure on the Fellowship.

Again, let me say how much I look forward to welcoming you as our first Otto L. Walter Distinguished International Fellow at New York Law School.

With all best wishes,

James F. Simon
Dean

cc: Alexander D. Forger, Esq.
Dr. Otto L. Walter

Enclosure

UNITED STATES DELEGATION
TO THE NEGOTIATIONS ON NUCLEAR AND SPACE ARMS WITH THE SOVIET UNION
Geneva, Switzerland

January 22, 1986

Dean James F. Simon
New York Law School
57 Worth Street
New York, New York 10013

Dear Dean Simon:

I very much have our correspondence in mind here in Geneva as I look ahead at my calendar. Indeed, your letter of December 18, is on my desk.

It now appears as if we will be here in Geneva until sometime in mid-March. When we return to Washington, we are not likely to be in the United States for more than a few weeks before we reconvene our negotiations. I am, therefore, in a position where I cannot agree to spend a full day or two away from the work we will have cut out for us in Washington. I do hope you will understand. My initial decision to accept your honor was obviously a case of where the eyes were bigger than the stomach. With a Reagan-Gorbachev Summit now possible for late spring or early summer, I am also hesitant to keep a spring option open. December may be more feasible.

With my best wishes.

Sincerely,

Max M. Kampelman
Head of Delegation

New York Law School
57 Worth Street
New York, NY 10013
212/431-2840

Office of the Dean

3/85

Pending

December 18, 1985

The Honorable Max M. Kampelman
Head of Delegation
Negotiations on Nuclear and Space Arms
United States Department of State
Washington, D.C. 20520

Dear Ambassador Kampelman:

Thank you for your letter of November 25th. I have delayed responding so that I might have a chance to discuss the situation with Dr. Otto Walter who has established the Walter Fellowship program. We are in agreement that you are the ideal choice to be the first Walter Fellow. I would, therefore, be happy to await word from you in late January as to whether you can come to the Law School the second week in March, as previously discussed, or at a later date during the spring semester. I sincerely hope that your schedule will permit your coming to the Law School this spring.

With all best wishes for the coming New Year,

James F. Simon
Dean

JFS:sh

cc: The Honorable Marshall Breger
Dr. Otto L. Walter

United States Department of State

Washington, D.C. 20520

November 25, 1985

Dean James F. Simon
New York Law School
57 Worth Street
New York, New York 10013

Dear Dean Simon:

It was good that we had an opportunity to meet. You were thoughtful and gracious to come by and introduce yourself at the White House the other day.

I have now had an opportunity to take inventory following last week's summit. We, of course, will not have our negotiating schedule established until we return to Geneva on January 16 and discuss that schedule with the Soviets. It is my opinion, however, that the March 10th and 11th dates appear less likely for me. The leaders talked about accelerating the negotiations and it looks as though the next summit may take place in Washington in June. Under those circumstances, I do not feel at all sanguine about making a commitment for March. At some point between January and June, we are likely to break for a few weeks, but I don't know when that will be. May I, therefore, respectfully and regrettably withdraw from those dates and suggest that you choose another and give me a raincheck for the following year.

All my best.

Sincerely,

Max M. Kampelman
Head of Delegation
Negotiations on Nuclear
and Space Arms

MMK:nct

cc: The Honorable Marshall Breger

New York Law School
57 Worth Street
New York, NY 10013
212/431-2840

Office of the Dean

November 14, 1985

Ambassador Max M. Kampelman
United States Department of State
S/Del, Room 7208
Washington, D.C. 20520

Dear Mr. Ambassador Kampelman:

It was very good to speak with you, however briefly, at the swearing in ceremony for Marshall Breger. I am certain, as I know you are, that Marshall will do an outstanding job in his very challenging new position.

We are still holding the dates of March 10th and 11th open for you as our first Walter International Fellow at New York Law School. We will not, however, go forward with publication of the event until I have received firm word from you that those dates are clear. In the meantime, I wish you the best of luck in your difficult negotiations in Geneva and look forward to hearing from you when your schedule permits.

With all best wishes,

James F. Simon
Dean

JFS:di

cc: The Hon. Marshall Breger

3/11-3/12

New York Law School
57 Worth Street
New York, NY 10013
212/431-2840

Office of the Dean

October 3, 1985

Ambassador Max M. Kampelman
Head of Delegation
Negotiations on Nuclear and
Space Arms
United States Department of State
Washington, D.C. 20520

Dear Mr. Ambassador:

We are so pleased and honored that you will be our first Walter International Fellow. I shall await word from you as to whether the March 10 & 11 dates will be convenient for you. As you suggested in your letter of September 12, I shall have my assistant, Susannah Halston, call Ms. Nancy Hackett in your office next week to see if the March dates can be confirmed.

With all best wishes,

James F. Simon
Dean

JFS:di

United States Department of State

Washington, D.C. 20520 3/10+11

Please Reply to: S/DEL, Room 7208

September 12, 1985

Dean James F. Simon
New York Law School
57 Worth Street
New York, New York 10013

Dear Dean Simon:

Thank you very much for your most gracious letter of August 22 which took a little time before it reached me. I am, indeed, honored that you have asked me to serve as your first Walter International Fellow at New York Law School, and I look forward to the experience.

Our task now is to see what we can do about a date, in view of the uncertainties of the Geneva negotiations. We have not as yet worked out a schedule with our Soviet colleagues. By the time you receive this letter, I will be in Geneva and expect to be returning by mid-November, although that date is uncertain as well. It does strike me, however, that the March 10 and 11 dates may very well prove to be better than the April dates. I should have a better idea in about a month or so. May I, therefore, suggest that someone in your office telephone my Washington secretary, Ms. Nancy Tackett, in a few weeks. She can then be in touch with me and in the event I do have greater clarity, I will share it with you. In the meantime, I will tentatively reserve those March dates on my calendar.

All my best and thank you for your patience.

Sincerely,

Max M. Kampelman
Head of Delegation
Negotiations on Nuclear and
Space Arms

New York Law School
57 Worth Street
New York, NY 10013
212/431-2840

Office of the Dean

August 22, 1985

Ambassador Max Kampelman
Department of State
Room 720 A
2201 "C" Street, NW
Washington, D.C. 20520

Dear Ambassador Kampelman:

We are pleased and honored that you have agreed to be our first Walter International Fellow at New York Law School. The Fellowship program has been made possible by the generosity of Dr. Otto L. Walter, a distinguished alumnus, professor and prominent author in the field of international law and taxation.

The Walter Fellowship has been established to attract scholars, practitioners and public officials of distinction in the international field to New York Law School for an intellectual dialogue with our students, faculty and special guests. Your background and extraordinary accomplishments as a professor, attorney and distinguished public servant in the international field make you a natural choice as our first Walter Fellow.

We hope that you may be able to spend time with both our evening and day students as well as our faculty and special guests. Consequently, I suggest, your schedule permitting, that you arrive late one afternoon so that you may first spend time with our evening students, remain overnight and then spend the following day with our day division students, faculty and guests. As I suggested to you in our telephone conversation, the dates of Monday and Tuesday, March 10th and 11th, or Wednesday and Thursday, April 2nd and 3rd, would be fine for us. If your schedule is clear for either of those sets of dates, we will proceed with the arrangements. If you have any questions, please do not hesitate to call me.

I look forward to hearing from you. Again, let me say how pleased we are that you will be our first Walter International Fellow.

Best regards,

James F. Simon
Dean

JFS:sh

New York Law School
57 Worth Street
New York, NY 10013
212/431-2840

Office of the Dean

4/21

February 13, 1986

Ambassador Max M. Kampleman
U.S. Delegation to the Negotiation
on Nuclear and Space Arms
Botanic Building
1-3 Avenue de la Paix
1202 Geneva, Switzerland

Dear Ambassador Kampleman:

Thank you for your letter of January 22nd. I am, of course, disappointed that you will not be able to visit New York Law School this spring. Certainly your commitment to arms negotiations for our government takes precedence over everything else, and I only wish you well in your endeavors.

I do hope, as you have indicated, that you will be able to come to the Law School as our first Walter International Fellow during the next academic year. We will try to accommodate your schedule; the only limitation will be our academic calendar since we very much want our students to be here when you visit. That will mean, I think, that the months of September through November (our fall semester) or mid-January through April (our spring semester) will be appropriate times for your visit. My preference would be for you to come in November or February if either of those months are convenient for you. I very much look forward to hearing from you on this matter and hope that we will be able to set a date soon for your visit to the Law School during the next academic year. In the meantime, you have my every good wish and hope for your success in your negotiations.

Sincerely,

James F. Simon

James F. Simon
Dean

JFS:di

Ira Berger
Asso Dean
212-431-2818

Vista Hotel
stay at lunch?
4/21

Dean Simon Called re April 21 - 22

4:30 Arrive at law school
Open Forum for evening students, faculty and invited guests

6 -7:20 - Co-teach International Law Class

7:30 - Dinner
9:00

April 22

8:30 - Breakfast with editors and leaders of student journals

10- 11:30 - Colloquium - your remarks will be published in the International Law Journal faculty, invited students and guests

11:30 - 12:00 - press conference (I told him that I would check with you)

12:00 - luncheon

Dean Simon wants to start doing invitations, publicity, etc.

Does this seen okay to you?

Monday 21 4:15

Judge Re 212-264-2800

April 15, 1986

Sir:

I read the letter to Judge Re's Secretary. She spoke to the Judge and he would very much like to see you and dinner on Monday evening would be great. He would like to see if you could call Dean Simon and perhaps have him invited.

Val

Dean's Secretary

OK done

Called - She will call me in AM w/ a response

United States Department of State

Washington, D.C. 20520

April 15, 1986

Judge Edward D. Re
United States Court of International Trade
One Federal Plaza
New York, New York 10007

Dear Ed:

Your letter of April 9 has just arrived. As a matter of fact, I assumed you knew that I would be at the New York Law School and I was hoping that we would have a chance to spend some time together. I still have not focused on that appearance and your letter makes me do so.

The program that brings me to the New York Law School relates to some new fellowship that was endowed for the school. My schedule is heavy and I have been keeping away from these appearances for the time being, but a friend of mine at the White House, whose request I could not easily dismiss, urged me to accept the invitation. This was some months ago. We had difficulty arranging a date and we finally set the date of late April 21 and early April 22 when there was another event involving one of my former law partners that was scheduled to bring me to New York on that day. It turned out that the latter event did not materialize for that date and I did not want to pull back from a commitment that I had made. In any event, the schedule is a tight one. I have a rather important luncheon meeting on Monday, April 21 following which I will go directly to New York for a late afternoon talk with some of the students. I am also to meet with a class on international law subjects before attending a dinner hosted by Dean Simon. That dinner is scheduled to end before 9:00 p.m. and I have arranged to take care of some personal tax matters with my accountant at the conclusion of the dinner. It would be great if you could somehow get yourself invited to the dinner.

The next morning there are some programs arranged for me at the Law School followed by a luncheon. The latter is still a bit uncertain as far as my schedule is concerned, but I will try to make it. I must get back to Washington as early as I can that afternoon as it is my last week before returning to Geneva.

It would be good to see you and Peggy again. If you would like me to call the Dean about this, please let me know.

All my best.

Sincerely,

Max M. Kampelman
Head of Delegation
Negotiations on Nuclear
and Space Arms

UNITED STATES COURT OF INTERNATIONAL TRADE
ONE FEDERAL PLAZA
NEW YORK, N.Y. 10007

CHAMBERS OF
EDWARD D. RE
CHIEF JUDGE

April 9, 1986

Dear Max:

I cannot tell you how happy I was to have learned that you will be coming to New York to deliver some lectures at New York Law School. This is wonderful because it means that you will spend some time in the city.

Can you set aside one evening for a dinner at my home with some dear friends? If not, how about a special luncheon near the Courthouse?

Have your secretary call my office, and let us try to get together. Nothing would please me and Peggy more.

We hope to see you.

Cordially,

Edward D. Re
Chief Judge

The Hon. Max M. Kampelman
3154 Highland Place, N.W.
Washington, D.C.

[Dictated but not read or signed in order to expedite this correspondence]

April 17, 1986

Dean James F. Simon
New York Law School
57 Worth Street
New York, New York 10013

Dear Dean Simon:

Thank you very much for your gracious letter of April 8. I look forward to being with you on Monday.

With respect to the honorarium, I would appreciate it if you would make the check payable to "American Friends of The Hebrew University, Inc.", 11 East 69th Street, New York, New York 10021 and send it to the attention of Yair Kagan.

All my best.

Sincerely,

Max M. Kampelman
Head of Delegation
Negotiations on Nuclear
and Space Arms

New York Law School
57 Worth Street,
New York, NY 10013
212/431-2840

2818

Office of the Dean

April 8, 1986

Ambassador Max M. Kampelman
Head of Delegation Negotiations
on Nuclear and Space Arms
United States Department of State
Washington, D.C. 20520

Dear Mr. Ambassador:

Thank you for your letter of April 1st. I am pleased that you are satisfied with the program we have set out for you for Monday, April 21st, and Tuesday, April 22nd. I do not believe the open forum with the students on the 21st will duplicate anything you might say afterwards. The open forum will be an informal question and answer session and will give many of our students their only opportunity to have a dialogue with you. We are moving ahead with plans for you to co-teach the International Law course with Professor Chen and the reception and dinner to follow. We have decided to invite the entire full-time faculty to a breakfast in your honor on Tuesday morning and expect this session to be a completely informal exchange between you and our faculty. After breakfast, you will have a half hour to meet exclusively with some of our student editors and leaders. The colloquium will then follow.

We will have a car meet you at the airport when you arrive on Monday and take you to your hotel after the dinner Monday night. A car will be available to take you to the airport directly from the colloquium on Tuesday. The honorarium for your two day visit to the Law School will be $5,000. Please let me know how the check should be made out and who it should be sent to.

I do hope that these arrangements are entirely satisfactory to you. If you have any questions or concerns please do not hesitate to call me or Dean Ira Berger. I very much look forward to welcoming you on Monday, April 21st.

Sincerely,

James F. Simon
Dean

JFS:di

cc: Associate Dean Ira M. Berger