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Recent National Jurist Article Inaccurate, Says Dean Feerick

George Org, was the runner-up team. The Best Brief Award was given to Suffolk University School of Law, represented by David Bohan, Christopher Drinan and Roger Holmes.

The competition presented two questions be determined: 1) "Whether under the Securities Exchange Act of 1934 ["SEA"], a plaintiff must show that the defendant's conduct directly caused the plaintiff's losses in order to establish subject matter jurisdiction. 2) Whether §20(a) of the SEA requires a plaintiff to establish that the defendant was a culpable participant in the fraudulent transaction.

The facts of this case centered on a limited partnership. The limited partnership had been formed to purchase a small business and operate it as a franchise. The limited partners were told by their late partner that the business would be a success. However, the business failed and the limited partners lost most of their money.

The petitioners in this case, the limited partners, claimed that their attorney, a full-time professor, had failed to adequately represent them in their lawsuit. The attorney, a full-time professor, had a high base salary and benefits, but did not have a significant amount of teaching experience.

George Org, the runner-up team, had a different attorney who had a lower base salary and less benefits. However, this attorney had more teaching experience and was able to win the case for the limited partners.

Dean Feerick, who is the Dean at Fordham for almost 14 years, said that the figures in the article are inaccurate. He said that the figures in the article are not accurate for many reasons. First, the court documents cited in the article were not prepared by the American Bar Association. Second, the figures were not prepared by the American Bar Association.

Dean Feerick also said that some younger members of the faculty were upset by the inaccurate figures. He said that he was concerned about the inaccurate figures because "As much as you want to be at the top in something, you want to be right." Feerick mentioned other laboratories and departments that had been affected by the inaccurate figures.

Fordham law professors are paid the highest base salary of all American law schools. According to Feerick, Fordham law professors have a base salary of $142,488, the highest in the nation, followed by Harvard Law at $137,129 and NYU Law at $131,830. Other rankings include Hofstra and Brooklyn Law Schools, ranking 18th and 5th in salaries, respectively, and St. John's School of Law ranking 13th in the country with respect to salaries.
To the Editor:

I do not agree with the punishment James Killerlane received for doodling on Valerie White’s calendar.

The punishment, indeed the whole incident, is a clear example of the type of politically correct hypersensitivity that has produced a racial and ethnic double standard in too many of America’s institutions.

I think some people involved in this ridiculously overblown affair need to just chill out and relax. In my opinion, most Americans are sick and tired of absurd notions like the one that resulted in this ridiculous overblown incident, is a clear example of the type of student-teacher dynamics enough to see that respecting your students will usually earn you respect as a teacher. Our teachers should stop confusing forced sencement with respect. They should realize that negative reinforcement doesn’t work, and that a willingness to grow and learn as an educator is essential. These are simple concepts somehow eluding some of them. For those professors who do contemplate these things and understand what it means to teach, thank you. Now could you please talk to your colleagues for us, because god knows we can’t. Somewhere along the way they just forgot that they need us.

Editor’s note: This letter was submitted anonymously and does not reflect the views of The Advocate.

Dear Editor:

The March 21 edition of the Advocate reported on my address to the Law Alumni Annual Luncheon and that I concluded that unused space at the Lincoln Center campus should be put to commercial use. I believe that the report misconstrued the main thrust of my remarks about utilization of the space. What I attempted to convey was a practical suggestion to the effect that Fordham Law School can afford to have the best physical plant in the nation. These were my remarks about the physical plant.

“Going back 30 years—35 years—I see a school with a nomadic existence, a homeless school. It was supposed to start in 1905 at rented space on West 16th Street, but it was evicted before it moved in. It actually started at Rose Hill, moved to 42 Broadway, then to Vesey Street, Nassau Street, the Woolworth building, 302 Broadway, then to 140 West 62nd Street where it temporarily resides. Where now??? I made a proposal 5 years ago to Fordham’s adminstrators. The reaction was the reaction one generally expects to the rantings of someone who claims to have a message imparted by a space alien. The proposal was this, and I propose it again.”

“By way of preamble you should know that Fordham’s Lincoln Center campus was funded by a grant of $28 million from the City of New York as an Urban Renewal parcel. Under the grant, for forty years Fordham was restricted to using the parcel for educational purposes. I do not know the exact date, but the restriction ends probably in 1999 or 2000, not very far away anymore. On that date, Fordham will shift from a woefully underenrolled university, to a relatively wealthy one. On please see LETTERS continued on page 5
If you don't stop someone from driving drunk, who will? Do whatever it takes.

FRIENDS DON'T LET FRIENDS DRIVE DRUNK.
**AS OF 4/4/96**

NEW YORK SUMMER 1996 LOCATION INFORMATION
(ALL LOCATIONS BEGIN 5/29 & ARE VIDEO UNLESS OTHERWISE INDICATED)

<table>
<thead>
<tr>
<th>Location</th>
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<td>ANN ARBOR, MI</td>
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<td>ATLANTA, GA</td>
<td>Southern College of Technology - Student Center - Marietta</td>
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<td>AUSTIN, TX</td>
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<td>BERKELEY, CA</td>
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<td>Boston Univ. School of Law</td>
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<td>SUNY at Buffalo School of Law</td>
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<td>2) GOLD COAST - Northwestern Law School</td>
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<td>CONCORD, NH</td>
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<td>A - Eastside - Loews New York Hotel - 569 Lex. Ave. (at 51st St.)</td>
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<td>B - Westside - (1) Town Hall - 43rd St. (bet. 6th Ave. &amp; B'way) - (Begins 5/22)</td>
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<td>9AM.</td>
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<td>QUEENS COUNTY</td>
<td>CUNY Law School</td>
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<td>1) FLUSHING - St. John's Univ. Law School</td>
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<td>2) JAMAICA - Days Inn Downtown - 384 East Avenue</td>
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<td>ROCHESTER</td>
<td>Nanuet Inn - 260 West Route 59</td>
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<td>SPRINGFIELD, MA</td>
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<td>SYRACUSE</td>
<td>Syracuse Univ. College of Law</td>
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<td>TORONTO, CAN.</td>
<td>Ontario Driving Training Center - 20 Eglinton Ave. East</td>
<td>9AM</td>
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<td>WASHINGTON, DC</td>
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<td>9AM/6PM</td>
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<td>Georgetown Law Center - (Begins 5/30)</td>
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<td>WHITE PLAINS</td>
<td>Pace Univ. - Hayes Theatre</td>
<td>9AM/1:30PM/6PM</td>
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LETTERS
continued from page 2

the corner of 624 Street and Columbus Avenue for thereabouts it can and should build a mixed use building with a law school mixed with commercial space. The commercial space would defray much of the capital cost of reconstituting the law school’s physical plant. I want to see that building and want to do three things there: sip a flute of champagne to inaugurate the building, have a dry martini to enjoy the building, and teach one class there to fulfill my professional aspirations. Then I plan to perform an extraordinary zoological feat: I will sing the swan song of a dinosaur.

I think the idea is of enough general interest to publish in full.

Yours Very Truly,
Joseph M. Perillo

Dear Editor:

I am writing to express my opinion about the issues raised in the article, “Third Year Student Cited for Defacing Property,” that appeared in the March 21, 1996 edition of The Advocate. The article raises a number of issues which, taken together, leave the impression that the act was racially motivated.

The offense, as reported, involved “fill[ing] in with ink . . . the eyes and mouth” of a picture, appearing in a calendar, of prominent African American scientist Christian Darden. Also, as reported, the offender “confessed to the act, apologized and profusely and claimed that the act was not done with any racial animus.”

According to a letter reprinted in the article, “the calendar had . . . been seen by other administrators who [stated] that reasonable minds could differ about whether the defacement was racially motivated.” The article cited no inappropriate fact based solely on the facts presented in the March 21 article, it seems that all due process protections were not met in this case. A sanction requiring a written apology and an assigned paper to atone for the defacement seems appropriate under the circumstances. Sensitivity training — for the offender and members of his journal — does not seem appropriate, given the context of the article, since the facts presented fail to meet the burden of proving that the act was racially inspired.

If, as mentioned above, some school administrators (who had seen the defacement) felt that reasonable people could differ as to whether the act was “racially motivated,” then the true intention of the offender remains unknown, and a presumption of innocence must apply. To overcome this presumption, it seems only reasonable that there must be additional facts to support the need for “sensitivity training.”

If additional facts do exist, which serve to overcome reasonable doubt in this case, these facts should be confirmed by the person or persons responsible for the sanction. If additional facts do not exist, then an explanation should issue as to why sensitivity training was appropriate to a case limited to the defacement of a calendar. To do otherwise creates a cynicism about relations among different racial and ethnic groups and serves to divide people rather than bringing them together. It also represents a retreat to an earlier period of history when an individual’s protestations of innocence and an absence of incriminating facts could be ignored in the passions of the moment. Respect for one another and respect for due process march hand in hand, and both are necessary in the continuing struggle for everyone’s civil and human rights.

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The Academic Enrichment Program (AEP) has openings for (13) Teacher’s Assistants (TAs) and (2) TA Managers.

Qualifications:

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- Desire to teach
- Ability to work and interact with students from diverse socio-economic backgrounds
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- Team player

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The AEP program will begin in June with a series of training and orientation sessions for the TAs. Most meetings are scheduled in the evening and occasionally on Saturdays. During the summer session the TA will select a skill and prepare a presentation on topics such as: briefing cases, outlining, legal writing and exam preparation. Presentations will take place each night beginning July 29th and ending on August 9th. Only those who can attend each evening will be considered for a TA position.

During each semester the TA will be responsible for preparing and presenting group workshops. In the past TAs have conducted workshops on: study groups, exam preparation, oral argument, and interview techniques. Also, required are monthly staff meetings during each semester.

TA Managers will work closely with the Director and TAs in shaping and organizing the program. In the past Managers have: prepared program directories, organized orientations, drafted and distributed minute meeting notes, managed workshop presentations, organized staff meetings, managed the advertising of semester workshops, and drafted evaluations.

Application Process:

Interested students should send a resume, first semester grades, and a cover letter detailing their interest to: Heidi Hamilton Caldwell, FDIC, 452 5th Avenue, New York, NY 10018.

APPLICATION DEADLINE IS MAY 10, 1996. Students will be selected for interviews and selections will be made on or about June 3, 1996. The first scheduled staff meeting is June 7th. If you have any questions please call Ms. Caldwell at (212)704-1375.
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There you have it — two options. With either option, no additional payment beyond the $75 registration fee is required until your last semester of law school. Whichever option you choose, you get New York’s and the nation’s most experienced bar review with a proven track record of success for more than 25 years and you save at least $120 off the 1996 tuition.

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Certain restrictions apply. Call for complete details.
Seven Guitars:
A Broadway Review

by Miles Marshall Lewis (96)

I happen to think that the content of my mother's life her myths, her superstitions, her prayers, the contents of her pantry, the smell of her kitchen, the song that escaped from her sometimes parched lips, her thoughtful repose and pregnant laughter are all worthy of art. Hence, Seven Guitars.

The story of Broadway play Seven Guitars is difficult to reduce to a sentence. Floyd Barton (Keith David) attempts to persuade Vera (Viola Davis) to accompany him to Chicago to pursue his recording career in the spring of 1948. He's a blues guitarist with his first hit record, and a shady manager; she's his true love, burnt by his infidelious relationship with another woman. Vera initially harbors resentment and refuses to leave the Hill District of Pittsburgh, where the play takes place. "My feet ain't on backwoods," she says, referring to having moved on from her relations with Floyd. She's convinced by the end, but serendipitous tragedy subsequently claims Floyd, in a domino effect set off by his negative decisions.

Seven Guitars, which had its premiere at the Goodman Theatre in Chicago last year, is a sharp, poignant, and funny portrayal of African-American life in the Forties. This is due largely to the ensemble cast; the lead Keith David (of theatre's Jelly's Last Jam and sometimes high praise). His rantings but could not quite overcome their obvious influence on Headley, giving him the presence.

Throughout, tuberculous plagues the mental health of Hedley. His rantings on the royal African lineage of black Americans coupled with his mental instability reflect the general unbelief-somehold about such beliefs. The death of a crowing rooster at his hands underscores his troubled state. The anecdote he relates several times during the course of the play of a Buddy Bolden hosting a large sum of money to him as a gift from his deceased father - ends up possessing a greater significance to the outcome of Seven Guitars. A visiting "fast behind" cousin, Ruby (Rosalyn Coleman, formerly of one's favorite role) speaks truly to him, "The love story between Floyd Barton and Vera. In Seven Guitars, Wilson has crafted another masterwork from the palette of African-American life.

by 'Miles Marshall Lewis (96)

"All seven and we'll watch them fall . . ." - Prince, "7"

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You've learned the Theory. Now here's the Practice.
When the Intolerants Take on the Intolerables

by John Mastrodale

There was big news in New York City talk radio last week as WABC-AM fired longtime conservative curmudgeon Bob Grant. The announcement brought considerable joy to the ultra-liberal extremists (whenever it is we call each other these days) who had campaigned for years for his banishment.

So was Grant supposed to hold back in commenting on the Brown plane crash? If your answer is yes, reach back into ancient history to recall the day another Ron, this one Reagan, was shot by a would-be assassin. How many people chortled their dismay at his surviving? Wouldn't you prescribe repercussions for them as well?

In any event, a radio station is free to hire and fire anyone it wants, and it is free to pay homage to whatever group of wild-eyed crazies happens to be camped outside waving illegitimate placards. WABC further assured the public that its decision to dismiss the Grant PR dilemma had nothing to do with the station’s new corporate owner, Disney. (And, as Grant explained, the announcement was not without its irony, as his would-be assassin was none other than the same Ron Brown who will undoubtedly be the lone survivor.)

"I'm a pessimist." Grant explained.

What should one think of such an anti-bottom-line decision? The event clearly describes the power of the orthodoxy which Grant and his listeners so greatly despise. To those who have prevailed, this is a tremendous social victory. The New York Times, bastion of evenhandedness and fair reporting, rejoiced that perhaps other talk radio stations would now have "the courage to reject hate talk." After all, we can't tolerate hate.

was so offensive that nobody tuned in." Quite apart from that, he was offensive and people definitely tuned in.

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OR we can? Grant's opponents are strangely accepting of many other incarnations of hate. Mario Cuomo, who has his own talk show on WABC, regularly spouts rhetoric cultivating ill-will. Alan Dershowitz, who until recently had his talk show carried by WABC, also extols the typical "us" versus "them" mentality (the "us" being Dershowitz and his elite comrades, the "them" being anyone who differs). The whole liberal mantra exudes a generalized but spirited disdain, bordering on hatred, for those espousing traditional morality, Western culture, or (horror) religious conviction. Such views are profoundly offensive to some people. But those people don't protest, so those people don't count. So it turns out that "hate" and "divisiveness" are funny things. Certain species of hate are evil and must be stamped out, but other brands are warm and cuddly. Grant was always evil; Cuomo, Dershowitz, The New York Times, et. al., warm and cuddly. This makes perfect sense to the new rule that it is inappropriate to call rioters "savages." After all, we will call those who slam bricks into the skulls of those who have successfully forced an otherwise harmless minority to the margins Who's more divisive in this picture?

"We must stop the commercialization of hate," was a widely reported response to Grant's censure, uttered by none other than ... Al Sharpton! To some, that's more than just delicious irony — it's the whole situation in a nutshell.

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salaries in general, Feerick stated, "Faculty compensation is very important in holding first rate faculty. In New York, we have two powerhouse to our north and south. We don't want them [the faculty] to feel that they are not as good. It is important to promote the excellence of our faculty. If one is not supporting those activities which promote faculty excellence, it creates problems as far as the reputation of the school."
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