NYLS Hosts Foreign Investment Symposium

A two-day symposium entitled “Foreign Investment in the United States”, was held on October 8 and 9 under the sponsorship of New York Law School’s International Law Society, in cooperation with Oceana Publications. Directed toward attorneys and others concerned with advising foreign companies and individuals investing in United States corporations, real estate and other property, the program brought together some of the country’s leading scholars and practitioners in this one of the fastest growing areas of American law.

The first panel addressed the practical problems of advising foreign clients. The panelists included: Alice Lau-Kei, an associate with Cooudert Brothers, who spoke on advising the Japanese client; Ernest Siegel, counsel to Cooudert Brothers, who spoke on advising the European client; and Zuhary Moghrabi, Adjunct Professor of Law at NYLS, who spoke on advising the Middle Eastern client. NYLS Professor Peter W. Spergel moderated the panel.

Diverse Discussion

At the outset, each speaker presented the differences between foreign and American law, and the role of the attorney in the concept of litigation. Discussion then proceeded to the types of investments made by foreign clients and the range of legal problems raised in trading such business ventures. The luncheon speaker was Richard S. Golstein, a New York City attorney practicing in the area of immigration and nationality laws. Mr. Golstein’s presentation focused on immigration to the United States by investors.

The symposium resumed with an afternoon panel on foreign investment in American real estate. Joseph M. Friedman, Vice-president and Senior Regional Counsel of First American Title Insurance Company, served as moderator and spoke on the problems and remedies of foreign investment in United States real estate. Arthur F. Adelson, President of Eurostate Properties Consultants, Ltd., discussed foreign investment packages in American real estate. J. Lawrence Eisenberg, President of Inforvest of Florida, Ltd., addressed the topic of marketing United States real estate to European and South American investors.

The second day of the symposium began with a panel dealing with the domestic tax law aspects of foreign investment in the United States. Harvey P. Dale, the moderator and a Professor at New York University Law School, discussed the problems and prospects of taxation of foreign investment in United States real estate.

Alumni Honor Judge Cook

by Risa Cohen

New York Law School Alumni, faculty, students and friends gathered on November 8th to share an evening rekindling the annual alumni dinner.

Reunions were held for the classes of 1929, 1939, 1949, 1959, 1964, 1969, and 1974. The dinner, held at the Waldorf Astoria Hotel, was attended by over 450 persons.

Judge Lawrence H. Cooke, of the Court of Appeals was the guest speaker and recipient of an Honorary Doctor of Laws Degree. The degree was presented by Dean William Bruce and Hon. Charles W. Froessel.

Judge Cooke complimented the dean and faculty on the school’s development and applauded the “star-studded” Board of Directors and distinguished alumni.

He also spoke briefly of his reorganization of the court system which has received criticism, since its announcement. “It is a good day for the court and we’re going to stick to it until it does work.” The plan was formulated to stop the great backlog of civil cases in the state.

The remainder of the speech was directed to members of the legal community.
Marines Collect “Toys for Tots”

For 52 years the United States Marine Corps Reserve has sponsored the “Toys for Tots” program, which is designed to collect toys for millions of underprivileged children during the Christmas season. The Military Law Society at New York Law School has been authorized to participate in this activity. All members of the NYLS community are urged to contribute a new, unwrapped toy to this worthwhile project. All toys that are collected will be distributed in the New York metropolitan area. A collection box will be located in the lobby of 47 Worth.

“Toys for Tots” was conceived in 1947 by William Hendricks, a public relations executive with Warner Bros. Studios in Burbank, California, and a major in the Marine Corps Reserve. Originally designed as a local program to assist the half-orphaned children of World War II, it was quickly expanded into the present national campaign. Marine Corps reservists, assisted by Hollywood celebrities, work with local community groups, civic organizations, and businesses to gather new toys for underprivileged children who would otherwise go without presents during the holiday season. The program is completely without government funding and exists only because of the voluntary effort expended by participants.

This is a great opportunity to translate high ideals into concrete reality and, by so doing, to brighten at least one child’s world. The Military Law Society appreciates your cooperation and thanks you for your contribution. Andrew J. Franklin, a 3rd year law student, has recently been promoted to the rank of captain in the United States Marine Corps Reserve.

NYLS Revue Is Coming

“The Third Second Annual NYLS Revue” will be held in March 1979, at a local auditorium to be announced.

In the past the Revue has consisted of skits, songs, acts, and comedy. This year, it is hoped, the emphasis will be on satirizing aspects of the law school experience rather than mounting a “variety-type” show.

Students, faculty, administration, and staff are all invited to get involved in this project. More participation from the various groups in the NYLS community should facilitate a broader range of skits. Start thinking about possible ideas now!

We will need actors, singers, musicians, dancers, a piano accompanist for rehearsals, back-stage help, sound, lighting, and box office personnel. Also needed is a cast party chairman. In other words, we need everything and everybody to put on a decent show.

This year the Revue will be sponsored by the Student Bar Association, Phi Delta Phi, and New York Law School Martin Brandfon and Prof. Janet Tracy are Coordinators. Emeriti, clif. Ciff Greene.

An organizational meeting will be held in January to discuss the format and location of “The Third Second Annual NYLS Revue.” Watch for posters announcing the date, time, and place.

Meanwhile, think wacky thoughts!

— Martin Bransfim

Attention Captain Franklin

Andrew Franklin receives his bars.

Andrew J. Franklin, a 3rd year day student, has recently been promoted to the rank of captain in the United States Marine Corps Reserve.

Captain Franklin entered the active forces of the Marine Corps in March 1974. After serving for three years in a variety of assignments — amphibian tractor platoon commander, legal officer, nuclear security officer, and battalion operations officer — he was released from active duty holding the rank of captain in the U.S. Marine Corps Reserve.

Franco-American Law Conference

On November 2 through 4, Harvard Law School hosted the biennial Franco-American Conference on Comparative Law. The subject matter of the Conference was devoted to a broad survey of three contemporary “hot issues” in comparative law: “The Constitution and Criminal Law,” “Private Law Approaches to Consumer Protection,” and “Recent Trends in Private International Law.” Seven papers were presented, four French and three American.

Sessions were devoted to official comments and lively floor debates as, for instance, Prof. Claris, an esteemed scholar of the University of Paris, and Prof. Mehren of Harvard on the necessity for a policy-oriented approach to comparative law, or, as between several French professors, Prof. Baud and Prof. Coulibaly on the problem of the Court of Cassation concerning its right to interpret the Constitution.

Attending from NYLS were Prof. Lung-chi Chen, who is also an Editor of the American Journal of Comparative Law. Prof. Peter Schroth, a Director of the American Association of the Comparative Study of Law, and the Hon. Edward D. J. B. Franklin, a Judge of the U.S. Customs Court. This writer was also admitted as a NYLS delegate. This may well be the first time student participation has been allowed at such a Conference. Full credit extends to Prof. van Meiren, the Conference Coordinator.

The seven papers presented are available in the International Law Office, Rm. C28.

— Jerome Maryon

BALSA becomes BALLSA

In a two hour meeting on September 27, the members of the Black American Law Students Association (BALSA) approved a major proposal which was submitted by its Latino members. The enactment affirms BALSA’s commitment to a new and growing Latino community at NYLS. It emphasized two predominate issues: 1. the establishment of a temporary Latino co-chairpersons, and 2. change of the organization’s name to the Black and Latino Law Students Association (BALLSA).

BALSA members discussed the emerging Latino community in “Nueva York” and the need for NYLS to confront issues such as the under-representation of Latinos in the legal profession, and bilingual education.

“aruous recognition by BALSA of its Latino members and sisters represents a new vision of Black and Latino unity at NYLS,” commented Edward Lopez, acting co-chairperson and second-year student.

— Howard Jordan

Yellow Submarine

Phi Delta Phi presents “THE YELLOW SUBMARINE” starring Sergeant Pepper’s Lonely Hearts Club Band in a full-length animated feature.

Twelve Beatles songs will brighten the last week of class on Thursday, November 29, 1979, with three screenings at 4:00, 6:00, and 8:00 p.m.

Watch for posters announcing the room. Bring your own refreshments.

Human Rights

Human Rights is pleased to announce the winner of the recent writing competition: Eric Heyden, Barry Kaplan, and David Roulston and Eric Strangway. Membership on the Human Rights staff is open to the New York Law School student body through its writing competition. This term’s writing topic related to the publication of The Progressive magazine’s article, entitled, “How a Hydrogen Bomb Works.” Contestants were supplied with the United States’ memorandum and relevant law review articles. A writing competition for the spring term will be announced in January and will be open to students graduating after 1980. Meanwhile it is a standing policy of Human Rights to invite any NYLS student to join the staff, whose paper (an independent paper or on a topic for a course or seminar) has been accepted for publication in Human Rights.

— Howard Jordan

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— Howard Jordan
**Judge Wright Speaks Out**

by Linda Stanch

A young black teenager is accused of "jostling" a woman's purse in the subway by a white transit cop. Both their testimony is directly contradictory. In most Manhattan courtrooms there would be no question — the white cop's story would be believed above that of the black teenager. But Criminal Court Judge Bruce Wright looks at the other side, a controversial view.

Wright, a New York Law School graduate, was recently elected to a seat on the New York Supreme Court after an active campaign by a coalition which was interested to see Wright's position in the court system preserved. Mayor Koch has refused to reappoint Wright to another term on the Criminal Court under pressure from the Patrolman's Benevolent Association.

The latter was upset with, what they termed, Wright's overly lenient policy concerning black defendants.

In a speech at New York Law School in October, Wright pointed to the inherent racism in the legal system. He contrasted the lenient probation and fine of $30,000 given a white woman convicted of illegally selling securities for a profit of $25,000 to the one year sentence given a black man for stealing a television set from the back of the truck he was driving. The judge who gave the white man probation rationalized his leniency by saying it was not likely that the man would do that sort of thing again. You tax-payers should be furious about and do something about this," Wright stated. "After all, you are supporting a truck driver in prison and his family on welfare. If there is no racism in the criminal disparity, I wonder what it is.

On the question of racism in law schools, Wright counseled, "Keep in mind that affirmative action was massassinated and ambushed by two murderers named Richard and Patricia, in conspiracy with the Supreme Court. It has been buried in an unmarked grave."

Wright added, "You must not expect white professors to understand you any more than they just as much understand black defendants, Black history, Black ambition or Black agony and turmoil."

New York Law School is "totally unnotable, in terms of affirmative action Wright said, but added that: Dean Shapiro does a fantastic job."

When asked if he considered criminal court better than civil court in terms of social change he promised he "will not close his mouth simply because he is on the civil court."

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**Environmental Law Contest**


The winner will receive a $500 cash award and a certificate at the Ninth Annual Conference on the Environment.

The general subject area for the 1980 contest is "Opportunities for Enhancing Public Benefit from Private Land." The following topics indicate the types of papers the Committee would like to receive, but by no means should papers be limited to these topics:

1. (a) Customary public use agreements between private landowners and responsible governmental entities.
   (b) The role of federal, state, and local governments in providing financial incentives or in-kind services (e.g., parkway, snow fencing, air pollution control, etc.).
   (c) Community stewardship of natural resources.
   (d) Encroaching development.
   (e) Protective covenants.
   (f) Limiting liability.
   (g) Access to public rights of way.
   (h) Use of leasehold arrangements, letters of agreement, or easements and restrictive and affirmative covenants to secure public enjoyment of private land.

The contest is open to all students enrolled in ABA accredited law schools. Entrants should type their name, school, home address and telephone number at the lower right hand corner of the cover sheet.

Two copies of the essay should be mailed to the ABA Environmental Law Essay Contest, 1800 M Street, N.W., Washington, D.C. 20036. These should be in the mail on or before February 1, 1980.

For further information, please contact Kate Sullivan at (202) 331-2278 or write ABA Environmental Law Essay Contest at the above address.

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**Grads Want Social Change**

by Risa Cohen

As a response to a feeling that their needs have not been met by any organization existing within the school, a group of alumni have founded the New York Law School Graduate for Social Change Inc.

The organization has been formed to create a vehicle by which alumni who are committed to the training and placing of skilled lawyers dedicated to servicing the legal needs of the urban poor and middle class, can share ideas and experiences.

Sam Himmelstein, one of the incorporators, said this organization would keep alumni in touch with each other as well as encourage and support the school in realizing its goals of creating an urban law school.

One of the founding members, Lorin Bailey, explained further, "Lots of us came to NYLS at least partially because of the urban school concept. If we didn't find an urban law school we did find a few other students desirous of making that concept a reality. We are people interested in seeing NYLS become the urban law school it set itself out to be."

Some of the specific aims of the organization are to have a voice in the hiring and granting of places to the faculty and to aid the placement office in helping interested students to find jobs with various legal services, community organizations, and public interest groups.

The former graduates would also like to see more affirmative action at the school. Realizing no one can force students to pursue a career aiding the poor, Himmelstein said, "We feel if there were more minority students in the school there would be a greater chance some would go back to the community to work."

The group would also like a public interest award to be given at graduation. They also would like scholarships and grants given to underprivileged students, for which the group would work to raise the necessary funds.

When asked about the Alumni Association here at the school, Himmelstein said, "We are not in competition with the existing office. However, we may reach alumni whom the school cannot." He hoped that the two offices could have an open dialogue and work together on matters of mutual interest.

In response to the formation of the organization, Asst. Dean Hillman of the Alumni Office said, "We welcome the participation of the members of the organization. Our door is always open."

The first general meeting of the group will be Wednesday December 12th, 47 Worth Street Lounge at 5:00 PM, at which time there will be the election of officers.

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**Manufacturers Hanover Trust**

It's banking the way you want it to be...
Solomon Suit Goes to Trial
by Mark Conrad

A suit by former NYLS professor Martin Solomon against the Law School and its trustees is being tried in the U.S. District Court for the Southern District. The action, which is for $1,000,000 in actual and punitive damages, alleges that Solomon was "defamed" by the "spreading of false and malicious rumors" that his resignation from the law school was made because he was "caught giving marks for sexual favors." (See EQUITAS February, 1978.) The plaintiff (Solomon) alleges that his credibility was undermined by these rumors, and claims that he was "the victim of a conspiracy to remove qualified and competent professors from NYLS."

Solomon's Complaint
As stated in the amended complaint, Solomon was a professor from September 1974 to January 1977. His problems began in September 1976 when a female student, who had received a "D" from Solomon the previous semester, allegedly requested a transfer from his Civil Procedure I class because the plaintiff allegedly "touched her back and made sexually suggestive remarks." Solomon denies this and claims that Dean Shapiro ordered an investigation of him without notice, whereby former Assistant Dean Marshall Lippman and Professor Cyril Means questioned students about the plaintiff's behavior.

Further Allegations
Solomon further alleges that he was not furnished with the names of the students questioned or with a copy of the accusations. The complaint states that Shapiro finally told him of the investigation but reassured him that "there was no evidence of any improprieties." Solomon felt that such an investigation was still "improper." He alleges that the rumors circulated by Dean Shapiro had at least the tacit approval of the Board of Trustees. He also states that the investigation was "part of a conspiracy to remove or force out incompetent professors at the law school."

Shortly afterward, Solomon decided to leave NYLS, citing "financial difficulties" and his desire to devote more time to litigation in which he was involved. The plaintiff is seeking $500,000 in damages for "loss of clients, injury to his good name, reputation, and standing as an attorney, along with great pain and anguish suffered." Additionally, Solomon is seeking $500,000 in punitive damages for "wanton, willful and intentional actions" by the defendant.

Defendants Respond
The defendants responded to the complaint by making a motion to dismiss for failure to state a cause of action on the grounds that it does not state an adequate claim of relief under New York law. They added that the plaintiffs claims are vague, and that the pleadings were inconsistent. The defendants cite Erie Railroad v. Tompkins, in other cases related to it, which deal with the applicability of federal law in federal courts to support their claim. The plaintiff answered the defendants' motion by arguing that the federal law is applicable and that the complaint states a valid cause of action.

The case was originally filed in State Supreme Court, but was removed to federal court since it met federal jurisdiction under diversity of citizenship (the plaintiff resides in New Jersey and the defendant is incorporated in New York) and amount in controversy provisions.

Additional Information
All the documents are available for inspection at the Federal Court, under the name of Solomon v. New York Law School, 77 Civ. 4854.

International Law Society Launches New Publication
by William P. Holm

The International Law Society has recently published the first issue of its Journal. With a consciously adopted law review format, the Society intends to publish a regular professional journal, the dual purpose of which is to promote student scholarship and provide a vehicle for the expression of scholarly views on international legal issues.

The Journal joins NYLS other Legal Publications.

It was difficult to assemble a group of students for this venture. Publication of a legal journal is a painstaking task, particularly with the limited facilities available at New York Law School. Since its inception, the International Law Society has intended such an undertaking as part of its academic role. The Society academically orienta all of its activities, most notably, hosting distinguished guest speakers, symposia and participating in the Jessup Moot Court (a national competition). The very reason for the existence of the Society is to give to the internationally-minded student an opportunity to increase his knowledge in the field. It was only natural, therefore, that the Society undertook the task to publish. The articles were typed on borrowed typewriters, and they were "cite and substance" checked in other law libraries. The modest first edition, a cut-and-paste production reproduced by offset printing, was initially financed through contributions from the staff. The administration has remained cool to the project and has taken the position, "show me what you can do first, then we'll see about support."

Can such an enterprise survive an apathetic student body and a hedging ad-

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with
The Merry Wives of Windsor
at
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1 Block North of Chambers St
SATS.: Nov 24, Dec. 1, 8, 15 at 7:30, 10-30PM
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To the Class of 1980:
All those interested in attending a graduation party at the end of the spring semester please contact Gerald Grow in the Equitas office. Leave your name, address, phone number and class section.

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Sandecock Sweeps Moot Court

by Robert J. Conroy

The final round of the Fall Moot Court Competition was argued on October 25 before an audience of more than one hundred people. The audience anxiously watched as the four finalists displayed their mastery of a most complex and detailed record and their knowledge of federal civil procedure and discrimination law.

The focus of the argument was a consent decree that was the product of a class action suit brought under Title VII by a black police officers’ group against a suburban community’s police department. The group sought redress for the injuries its members and other suffered as a result of the past discriminatory practices of the department. Specifically, the issue was whether the consent decree could be successfully challenged by the petitioner, a black police officer who had failed to take part in the proceedings below, and had been adversely affected by the decree.

The three distinguished jurists who presided over the final round were: Chief Judge David N. Edelstein of the U.S. District Court for the Southern District of New York, Judge John J. Gibbons of the U.S. Court of Appeals for the Third Circuit, and Justice Ernst H. Rosengarten (NYLS ’58) of the Supreme Court of the State of New York.

In the final round, Margaret Sandecock and Deridre Hautzould argued on behalf of the petitioner and claimed that the consent decree was invalid and should be set aside. Shelley Rosoff and Louise Horowicz argued on behalf of the respondents, maintaining that in the interests of justice the consent decree should be upheld. To quote a member of the Moot Court Executive Board: “The advocates’ performance was quite impressive...it was among the best arguments I’ve seen.”

The Moot Court Association held a reception for the finalists and the NYLS community immediately after the final arguments. Paul Gajewski, chairman of the Moot Court Executive Board, announced that in the future the Fall Competition would be known as the Charles W. Froessel Moot Court Competition in honor of Judge Froessel, Trustee Emeritus and retired Associate Judge of the Court of Appeals of the State of New York. Following a brief acceptance speech, Judge Froessel presented the awards to the Fall’s winners: Margaret Sandecock, Best Oralist, and the team of Priscilla Marco and Margaret Sandecock, Best Briefs. All the semifinalists received the Moot Court Award for their outstanding performance in the competition. Mr. Gajewski acknowledged the tireless efforts of all who were involved in the competition and attributed his success to the efforts of Richard MacLean, chairman of the Fall Competition Committee.

Tenure Debate Continues

(continued from page one)

the board had denied the grant tenue to be made at the end of 1989. Harbus, in a recent interview, said he had not been told whether he will have to go through the entire process again, although he had received that “impression” from conversations with members of the Faculty Committee. “However, even though I feel I shouldn’t have to be reevaluated, it does not mean I will not fully cooperate,” he said.

Professor Harbus feels that the “Board of Trustees is misguided in overemphasizing scholarship as the sole manner to upgrade a law school. Nancy Erickson and I have emphasized teaching; we have been responsive to students’ requests and problems. Scholarship should be only one factor in granting tenure.” Prof. Harbus is quick to add, though, that he has not neglected his scholastic responsibilities. He stated that the outside evaluators for the Faculty Committee called his publications a “major contribution to the field,” and that they had similarly high praise for Prof. Erickson’s writing.

Professor Harbus believes that the Board of Trustees may have made a “guess” as to his future scholastic production. They may feel that due to his emphasis on teaching he will not provide sufficient scholarship in the future. Harbus, however, says he plans to maintain the quality of his publications.

Student reaction to the decision of the Board has been prompt and overwhelming—negative. A letter-writing campaign began, an ad-hoc committee formed, and a table set up in the lounge of 47 Worth to protest the proposed reevaluation of Erickson. Guests at the Alumni dinner were surprised when they were greeted by students distributing information sheets. Although one member of the Alumni Association contemplated having the police remove the students, cooler heads prevailed, and no action was taken.

Moot Court judges prepare to hear arguments line up.

Alumni... (continued from page one)

Judge Cooke expressed a need for those in the legal profession to “transcend the self, even if it’s sacrificing,” and urged members of the bar and bench to “extend past the myopic range of economic gain.”

Reasons for attending the dinner varied. Benjamin Young, ’84 said he was pleased with the education he received at the school. He said, “Since it seemed every time there was a way the school went out of business, I’m glad to see the establishment of a permanent home.”

Patrick J. Foley, ’81 member of the Board of Directors and former member of Phi Delta Phi said, “I attend due to a deep interest in the school, its achievements and progress; moral support is as important as financial support.”

The dinner was organized and arranged by the Hon. Francis T. Murphy, Jr., Annual Dinner Chairman, Dean Lucille Hillman, and her staff in the Alumni office.

Newman Writes All Wrongs

by Dennis T. Gagnon


Assume the following hypothetical: You are suffering from a cold and sore throat and after seeing a TV ad for Listerine you decide to try it to ease your discomfort. Later that day you sign a contract for 3,873 disco lessons at the local dance school. You are told to pay in cash because your credit was bad — something you know for a fact to be false. After your first lesson, where you are told you have a natural talent — although you can tell your right foot from your left — you quit. Then you receive the depressing news you decide to discontinue your lessons.

Where do you go from here? Will the Listerine really kill germs by the millions on contact? Can you legally stop your disco lessons without being liable to the school? Do you go to small claims court or hire a lawyer? If any of these problems cause you to think, then just maybe a newly released book, Getting What You Deserve, can help you. Written by NYLS Professor Stephen A. Newman, former head of the New York City Dept. of Consumer Affairs, Law Enforcement Division, and Nancy Kramer, senior attorney for the New York Public Interest Research Group, Inc., this book is a concise, well-written, and easily readable explanation of what consumers should be aware of and think about when they venture into the cold and often devouring world.

Newman and Kramer provide a brisk survey of many of the most common consumer problem areas most of us are likely to encounter — sooner or later! Their style is very straightforward but not oversimplified, instructive but not overly technical. Topics discussed range from a contract’s fine print, car buying, home repair, drugs, to consumer cooperatives. The most informative chapters are those dealing with advertising, frauds, and consumer credit. Cleverly interspersed into each chapter are carefully selected illustrations that visually depict many of the problems discussed.

Perhaps if enough consumers read this book consumers will no longer be taken for a ride — and will not be impressed by junk mail and phone solicitations. A thorough, readable, responsible book to guide the consumer through the swamp of today’s marketplace. Newman and Kramer have said it all and don’t waste the reader’s time with unnecessary, non-market information.

The book can be helpfully one time, and for all.
Financial Aid Office

Hustling For Bucks

Most of you need help in financing your education at NYLS. Therefore many of you will be interested in the Federally funded College Work-Study Program (CWSW). CWSW has a two-fold purpose—to provide part-time employment to students who need the earnings to help them meet the cost of their education, and to fill needed positions which will provide the students with a valuable work experience relevant to their education. The situation is one of mutual benefit to both employer and employee. That’s right, it’s a job, and affidavit in the mail. Both are to be completed and signed, and in addition the affidavit is to be notarized. They must be returned to the Financial Aid Office as soon as possible, even if the grant is refused.

The Last Step

The last step is placement in a work-study position. The student must arrange an appointment with Ms. Kukla Brookman, Assistant Director of Placement, to discuss possible work assignments. This is necessary to secure that the student will receive an assignment which will be interesting, will fit his/her academic schedule, and will utilize the funds awarded in the grant.

By accepting the work-study grant, a student obligates him/herself to perform the assigned tasks responsibly and efficiently. The student is paid semi-monthly at an hourly rate. It is, therefore, essential that each student-worker turn in his/her time cards, signed by his/her supervisor at the end of each two-week pay period. Cards must be turned in to the Bursar’s office on the last day of each pay period in order that the student may receive payment on the following Thursday. Handing in the time cards when they are due is a prerequisite to payment and will be strictly enforced.

A work-study assignment is a JOB! It carries with it responsibilities and obligations. A student may not withdraw from a work-study assignment without cause but only upon proper notification to both the Financial Aid Office and the Placement Office. Supervisors rely upon the students to complete their assigned tasks, and when a student cannot continue with the work, another student must be found to take the place. This cannot be accomplished unless the student properly de-obligates him/herself from the work-study program.

Work-study assignments provide practical experience which will better prepare the student for a legal career. This can be a welcomed break in the law school routine.

NOTICE: All past and present financial aid recipients please submit the following as soon as possible (unless you have already done so): 1) a copy of your 1978 tax return; 2) the school, copy of the 1978 TAP award certificate (NYS residents only); 3) work-study time cards.

Judge Re Establishes Historical Society

by JoAnne Celusak

A chapter of the Supreme Court Historical Society (John M. Harlan Chapter) has been established at New York Law School. This non-profit organization began in the District of Columbia in 1976. One of the Society’s aims is to foster a clear understanding of the federal courts in general and of the Supreme Court in particular. Exhibits of memorabilia, photographs, and other items. Student dues are $5.00 per year. All those interested in fostering an understanding of the role of the Supreme Court and of the Federal Judiciary in the history and future of America are eligible for membership in the Society and are invited to join.

Attention Seniors!

MANHATTAN MORNING SESSION

CLOSING ON DECEMBER 28

Because of the overwhelming response to the Summer of 1980 BAR/BRI New York Bar Review program, enrollment in the Manhattan morning sessions will close on Friday, December 28. (Applications must be received in our office by December 28. Be sure to allow plenty of time for the mail or deliver your application personally to your school Rep or to our office. Anyone enrolled by December 25 for any location will be entitled to attend the Manhattan morning session. Anyone enrolled after December 28 will be entitled to attend any location except the Manhattan morning session.

Students enrolled after December 28 will be placed on a waiting list for the Manhattan morning session on a first-come, first-served basis.

We appreciate your tremendous response to our program.
Faculty Evaluations Fail Students

The semi-annual charade, known as the faculty evaluations, has just taken place. Normally, the faculty holds onto these evaluations until they lose their timeliness, and thus their value. They have gone one step further this time, and have now made the evaluations intrinsically worthless, regardless of how long they are retained.

The old evaluations asked the students to rank the performance of the professor in key areas, based on a scale of 1 to 5. This could be tabulated, and compiled into a form which the students could use to compare the professors. It had its drawbacks and shortcomings, but the results were put into a usable form.

Instead of this, we now have a series of essay-type questions, which are totally useless for any meaningful system of comparison — even if the students ever were to see them! To make matters worse, this evaluation system has been combined with another questionable change in the system. Instead of handing the forms out and collecting them during the same class period, and thus ensuring a sizable body of comment, they are given out and collected a week later. During this very hectic part of the school year, some students will likely forget to fill out the forms, some will mislay them, and others will not have the time to write thoughtful answers to these essays. In any case, as a result of the new form, nobody will be encouraged to answer them.

EQUITAS finds the faculty's conduct in this matter to be totally inexcusable, and another attempt on their part to avoid any semblance of accountability. These evaluations are for the students' benefit, not the faculty's. They were aware of our thoughts on the matter, and of our needs, but deliberately chose to ignore them. When we ask, are the students going to be accorded the deference that is due them? When are we going to be treated as the professionals that the faculty is constantly telling us that we are becoming? When are they going to stop running roughshod over our rights?

Fortunately, the Student Bar Association is not taking this lying down. They plan, as of this writing, to hand out an evaluation of their own, based on the previous format.

EQUITAS applauds and heartedly endorses this course of action. We encourage all students and sympathetic faculty to give their support to this effort, and to take the time to answer the questionnaires. We realize most courses are pressed for time as we near exam period, but these evaluations are for everybody's benefit. We urge you to fill them out, as we urge the faculty to rethink their course of action, and to return to a workable, equitable arrangement for conducting the faculty evaluations.

Playing By The Rules

Since 1973, NYLS has hired approximately sixty new full time faculty members (including Deans Shapiro and Bruce). Of these, only ten have been granted tenure, at least twenty-eight have left for various reasons, and two (Harbus and Erickson) are now in limbo. This appears to be an unusually high mortality rate for an institution seeking to build for the future. Such a high turnover breeds insecurity among professors as to their academic futures, discourages academic freedom, and general discontent which could possibly discourage potential shoppers from seeking positions here at NYLS.

We have no doubt that the Board of Trustees have acted from only the highest motives, to make NYLS an ever finer law school. However, we urge the Board to comply with the AALS rules for granting of tenure. The association rules were formulated precisely because it was determined from experience that faculty should have the major role in making these decisions. In last year's dispute over tenure, the AALS did not take any official action — but they made it very clear, through the recommendations of its two investigators, that the Board would have to change these procedures. There is no alternative — the rules must be followed — the Board has a duty to do so, a duty itself, the school and intellectual honesty.

Crime Wave

If you haven't noticed already, yes, there are security guards at NYLS. They are here to provide security, a job which often seems to leave a lot to be desired. EQUITAS has been asked to comment on this dilemma in the hope that some improvement can be made.

On several occasions students and NYLS employees have had their personal property stolen and have also found unrecognized parties in their offices. But what can be done? Well the first thing to do is that something can be done! First of all, since every student is supplied with a school ID card, which by the way costs ten dollars to replace, why not have our guards conduct spot checks of those people they either don't recognize or think suspicious.

Most immediate, however, is the need to protect ourselves. If you see someone or something which seems suspicious report it to the guard on duty. Don't be careless. Yes, some things can be done!

Answers & Counterclaims

To the Editor:

I recently learned of EQUITAS tenth anniversary, and I extend to you and all previous EQUITAS staffs my sincere congratulations. May the next ten years be as eventful and fruitful as the previous one.

Sincerely

Lucille Hillman
Assistant Dean for Development

To the Editor:

I went to Bologna also. There was enough valid criticism (read criticism, not protests) to go around. My opinion, as expressed in Andy Franklin's letter to the editor, is that the Bologna Program was never effective, even in the best of times. Fortunately, the Administration stepped in and I, with the cooperation of my colleagues (especially Professor Amoretti), was able to arrange for my early departure. Thus, I was able to avoid the Bologna Program to the extent possible.

Sincerely

Robert Cherovsky
Class of 1980

To the Editor:

In the past, the vast majority of the letters which have appeared in this newspaper have shown a high degree of intellectual thought and criticism. However, there appeared in the October, 1979 issue of EQUITAS a letter written by Mr. Desocio and others replying to Mr. Franklin's criticism of the Bologna Program. This letter, while answering the charges leveled by Mr. Franklin against the Bologna Program, goes much further than necessary and crosses the line separating objective criticism from personal journalistic warfare.

The letter states in the first paragraph that "it is unfortunate that such charges require the dignity of an answer." Mr. Franklin's charges, while being very critical, nonetheless represent his opinion of the merits of the Bologna Program and the way it was administered. In fact, he admits in his letter that the program has both academic and social potential and that he is happy to be a partner. Nonetheless I am sure that Mr. Franklin is flattered by knowing that his letter dignifies an answer.

Mr. Desocio and his colleagues then state that Mr. Franklin's letter was an attempt at "personal lobbying conducted under the aegis of intellectual honesty and enabling criticism." However, nowhere does Mr. Desocio and his colleagues state what it was that Mr. Franklin was lobbying for nor what he would stand to gain from his criticism. Termining Mr. Franklin's remarks as "mordant" and as "inaccurate, designed to mislead, and motivated by frustration," Mr. Desocio attempts to demonstrate an amateurish attack on Mr. Franklin himself and not responsible criticism of what he says.

I might wonder what motivates Mr. Desocio to exploit his letter to level these types of attacks against Mr. Franklin. It is almost as if they have some sort of attachment or responsibility to the administration of the Bologna Program. Perhaps some personal lobbying is being done on behalf of themselves.

Needless to say, the letter contained other unsubstantiated and unjustified assertions which need not have been repeated elsewhere. I just hope that in the future any contributions to this newspaper by Mr. Desocio and his co-authors are written on a somewhat higher level and are in the realm of responsible criticism.

Sincerely

Jeffrey C. Daniels
Class of 1980

To the Editor:

How lucky you are, NYLS, to have "The Great White Hope" on your faculty! He sounds like such a nice guy, quite concerned about the minority students at NYLS.

You probably know that Professor (continued on page 9)
MYA Classes Suffer From Program’s Growing Pains

Robert Hicks and Robert F. Salvia

New York Law School provided an added degree of flexibility to applicants when it instituted a mid-year admissions program in 1976. The program has proven especially valuable in light of unorthodox calendars and the coalescence of summer undergraduate studies, as well as a desire of many students to travel or otherwise experience the myopia of life streamlining the mid-year session in law school. The MYA classes also afford individuals who become disenfranchised with their careers subsequent to September. With the mid-year admissions deadline, the opportunity to commence their legal studies in January.

In addition to the scheduling benefits afforded MYA students, mid-year admissions provides NYLS with an alternative source of students, for which there are fewer schools competing. In particular, the “moot court” members of their admissions pool of September, fewer applicants for mid-year admissions have chosen NYLS as an alternative or “safer” school. This facilitates the admissions process, and the program generally allows better resource utilization and extended summer use of the NYLS facilities.

Robert Conroy (center) represents the advantages of the mid-year admissions, and staggering the importance of a positive attitude in dealing with prospective employers. Mr. Broekman proposed that MYA’s mention that their small average class size affords greater student-faculty contact. This places the mid-year student in an affirmative, unofficial class rank indicating the student’s position in the subsequent class. Indications are that this policy will continue, affecting the student an alternate rank with which to impress a possible employer.

The second source of concern to the mid-years is the problem that the MYA’s are “out of synchronization” with the rest of the school. The mid-years away graduation until May, when they join in that class’ ceremony. At that time, the class Graduation Awards are calculated with regard to both the May and mid-years students, and class ranks are similarly merged. The amalgamation of Awards is current under review, but it seems inevitable to combine the class ranks months after the MYA’s completion from the program.

While it would be manifestly unreasonable to anticipate admissions manage a suggestion to every proposal, it is in the interest of all students concerned that the MYA program develop as a viable alternative to the traditional school schedule. Only through open consideration of the unique problems and advantages of the program will develop its full potential. Mr. Conroy indicates that much remains to be done before the MYA’s admission problem is fully understood. Perhaps if more students are willing to express their views in a cooperative spirit, the gap will be closed in the course.

Additionally, the MYA’s have suffered a further problem to arise after the completion of only one semester, while the September admission students are awarded a full year of aid. This places the MYA in the position of being judged on the basis of one semester’s performance, at the same time that class rank differences are not available because they are “inconsistent and potentially misleading” after only one semester.

While financial aid may be unpredictable in the absence of accurate information, the annual budget should provide some means of assuring the MYA that they will have the opportunity to prove themselves through their completion of the program. Indications are that the next meeting of the NYLS Scholarship Committee will consider the MYA issue and attempt to forge a policy that will produce greater consistency in this area, without creating undue problems for NYLS overall.

The Financial Aid Office indicated a desire that students, both MYA’s and May graduates, inform it as to how it will help the NYLS community. Mr. Conroy’s solicitation is a step in the direction of advising the student’s viewpoint on a subject vital to nearly a quarter of the NYLS student body.

Open Letter To Trustees

To the Editor:

On behalf of the Moot Court team representing New York Law School in the National Moot Court Competition, I would like to thank all those who assisted in our preparation. Many fellow students selflessly gave of their time and effort, and their comments and critiques greatly aided us. By the time this letter is published the competition will be over, but we can assure everyone that our best efforts went into the arguments. To all the students, faculty, and friends of NYLS we extend our thanks.

Sincerely,

Paul Caporali ’80
Richard Jasper ’80
David M. Pollack ’80

To the Editor:

I would like to extend my sincere appreciation and congratulations to our members of the New York Law School community who participated in and who helped with this year’s MYLS mini-marathon. I think that the event was especially well run and was enjoyed by everyone.

Further, I feel that special thanks should be given to Gil and Esther Holland and to Ray O’Hara for their efforts.

Sincerely,

Richard E. Carmen
Class of 1979

EQUITAS

November, 1979

Page 9

Answers and Counterclaims...

(continued from page eight)

Scherer sits on the Academic Status Committee, which decides whether students who have indexes below the minimum will remain at NYLS. In Scherer’s own words, the Committee is “concerned with the likelihood of the student’s ability to succeed in the future,” and “looks to the predictability of the student’s success.” From the article (EQUITAS, October 1979) and/or from hearing about Scherer’s seemingly progressive attitude from others who have known him, one would assume that his presence on the Academic Status Committee would serve to assure at least a minimum degree of fairness.

Yet, when the time comes for Professor Scherer, as a member of the Committee, to vote for a student’s withdrawal, it seems all too clear that his attitude in fact is that NYLS’s sacred “standards” are to be upheld at all costs — “personal statements and histories of jobs while in school” and any other “information” that may be of worthwhile interest (spelled notconsidered). We may or may perhaps wonder why Professor Scherer’s immense “sensitivity” can be so easily limited, but some of us are too weary or too forlorn to embark on a social scientific inquiry. Suffice it to say that perhaps our reporters should interview Professor Scherer at a time when he has an opportunity to back up his “sensitivity” with “facts.”

The Great White Hope really needs to be enlarged. Sincerely,

Diane Patrick

Editor’s note: This letter was signed by a group of more than 100 students. Signatures available upon request.

New York Law School is at a crossroads; a decision of the first magnitude must be made (by its students), yet failed to exist! The Board of Trustees must choose either to follow the Association of American Law Schools (AALS) rules or to admit to following its own rules. It cannot do both. We, as students, the very people for whom this institution supposedly exists, strongly affirm our right to be fully informed as to that choice and its ramifications.

Option One: If our school is to comply with the A.A.L.S. rules, then the Board must honor the decisions regarding tenure of the Faculty Rank and Tenure Committee of NYLS. The criteria for these decisions already being public information (see e.g., EQUITAS Summer ’78, Sept. 1978, and Oct. 1979), their reiteration here is unnecessary. The critical point is that once the Committee has spoken, its judgment must be acted upon, “Except in rare cases and for compelling reasons.” It is only in the presence of such circumstances, clearly identified, that the Board may veto the Committee’s decision and yet remain in good standing with the AALS.

Option Two: Of course, the Board may choose to abrogate the AALS rules entirely. The justification of such a choice will probably prove difficult and the consequences unfortunate. However, that is not our immediate concern; we focus, not upon the choices, but upon the rationale for the choice and its public dissemination.

In short, the Board’s particular choice of method in no way alters its fundamental duty; should it adopt its own criteria, it nonetheless must make them known. Need we mention the obvious, that no individual may hope to measure up to unknown standards?

We are confronting a case in point. The Faculty Committee approved Prof. Erickson’s application for tenure. The Board overruled the Committee (without prejudice to a reconsideration), and the Board decided to breach the AALS rules? Or had it decided to abrogate those rules altogether? We will still await a satisfactory explanation.

Now the Board requests that Prof. Erickson submit to an entire reworking. We submit that such a request is premature. Nothing has been changed in the Board’s procedure; the secret criteria remain. We can not justify their use can the Board. If the Board can’t, then it must eliminate them. A highly respected professor’s career is at stake here, so too is our school’s self-esteem.
Students Publish EQUITAS

Through the cooperation of the Student Bar Association and Phi Delta Phi Fraternity, the first official student newspaper at New York Law School, EQUITAS, commenced publication today.

In response to the mandate of the Student Bar Association Constitution, representatives of the Student Bar and the fraternity began work early in the semester in organizing a joint publication.

Editor-in-Chief elected

The representatives of each class who sit on a Student Bar elected Joel Harvey Slomsky, a third year day student, to be the paper's first Editor-in-Chief.

The fraternity previously had published its own newspaper, "The Transcript," which was circulated among all students of the law school. The fraternity's executive committee, however, decided that it would be more beneficial to New York Law School if a joint publication was organized.

At a full meeting held on Thursday, October 9th, the fraternity's members voted to merge the Transcript with the Student Bar newspaper.

Vote Unanimous

Following the lead of Phi Delta Phi, the Student Bar Association voted on Sunday, October 12th, at one of its regularly scheduled meetings, for merger. The vote was nearly unanimous.

The editors of EQUITAS were chosen from among those students who were interested in participating in the newspaper and who handed in resumes. After Mr. Slomsky was chosen Editor-in-Chief, the remainder of the Editorial Staff was appointed: Martin F. Dunne, a 3rd year day student, will be EQUITAS News Editor. The other editors are: Richard Runes, Feature; Bruce Pitman, Alumni; Kerry Katsoris, Business; Frank DiMarco, Phi Delta Chi Contributing Editor; Philip Papa, Legal and William Nolan, Copy.

The Editors picked the name EQUITAS for the new publication.

Dean's Comments

Dean Radakal, the newly appointed Dean of New York Law School, was instrumental in encouraging the formation of the student newspaper. At the meeting, where the Dean previously taught, he had urged students there to begin a student newspaper. He has brought this same enthusiasm to New York Law School, as he informed the leaders of the Student Bar early in the semester that he supported the idea of a student newspaper at our law school.

The newspaper is financed through contributions from the Student Bar Association, Phi Delta Chi Fraternity and solicited advertisement.

The Student Bar has received a grant from the Board of Trustees to be used toward the publication of EQUITAS and the fraternity will contribute from its own funds.

All students of the law school were invited to participate on the student newspaper.

To the Editor

Congratulations are certainly in order for the Tenth Anniversary of EQUITAS! I believe that EQUITAS has performed a vital role in the life of New York Law School for the students, the faculty, the alumni and the administration. It has been a vehicle which has allowed students to express themselves and offer their views, which in many cases have become the policy of the school.

I want to thank you all for the best for the next ten years. Congratulations to you and your colleagues on a job very well done, indeed.

Cordially yours,
E. Donald Shapiro
Dean

To the Editor:

Congratulations to the Editors of EQUITAS on the occasion of its Tenth Anniversary of publication. EQUITAS has achieved an enviable reputation and is clearly one of the leading law student newspapers in the country. Its insistence on high standards for itself and for the school have made an important contribution to the present fine reputation enjoyed by New York Law School. Although any law school dean's office and the law student newspaper must inherently take different sides on a few key issues, the basic objectives of the school and of EQUITAS are identical, the advancement of the best interests of the students and the school.

The ten years spanning the period of publication of EQUITAS have seen great improvements in the school. The full-time faculty includes some of the most outstanding scholars and teachers in legal education, as well as younger scholars and teachers of great promise. The library has been enriched not just by purchases but also by a gift from the Association of the Bar of the City of New York of a number of volumes of great value to legal scholars. The placement program has been vastly improved. Last but not least the school has acquired and renovated the two adjoining buildings to provide physical resources, the lack of which had handicapped the school. These improvements have come to pass after the preparation of a list that placed New York Law School in the top one-half of law schools across the country. The standing of the school at the end of the centennial period is now obviously much higher. The student editors of EQUITAS have been in the forefront of those pressing to improve the standards of Legal Education at New York Law School. Our community owes EQUITAS not just its congratulations but also its thanks. Thank you, EQUITAS.

William L. Bruce
Acting Dean

From the First Editor

BAR-LINE

(Originally Published November, 1969)

by Joel Harvey Slomsky

Since you are reading this column, I think it is safe to assume that you are holding this newspaper, And since you are holding the first edition of EQUITAS, the New York Law School newspaper, I hope you feel the feeling that you never thought a student newspaper would ever materialize. And if you are a professor here, especially the ones who have survived the last twenty years of mediocrity, either you are rapidly blinking those sophisticated eyes as if startled, or shifting the free hand for lacking a bit more self-assurance aimed at correcting or liberalizing the educational process at our law school.

Reform is needed and probably one of the first steps toward any kind of reform in a democratic society, or among its institutions, is the establishment of a newspaper. The power of the pen can be used constructively to inform and criticize, and this is the role EQUITAS should play at New York Law School.

Like most institutions in a flexible, democratic society, our law school yearns for change. On the surface, it seems that the engines of progress are already warming up. The establishment of an effective student bar, a new Dean who has already earned the reputation of being "student minded," and rumors of curriculum change, course evaluations, placement services, all indicate the birth of a new day at New York Law School.

But, my feeling is that, among the different happenings at our law school, the establishment of a student newspaper will prove to be the most important one.

This kind of statement probably depends upon one's faith in responsible criticism. The First Amendment mandates that there should never be a moratorium on criticism. More importantly, the First Amendment results in the voice of the citizen not being heard, whether those citizens be of a majority or minority. Our free society needs the citizens of the United States who cried out for a first amendment, might have known that as long as a responsible newspaper existed, the idea of reform would not be kept from the ears of the majority nor from the few who govern.

Whether reforms will occur or EQUITAS will remain a part of our law school, no one can tell at this time. But it should be evident that dedication is omnipresent and that, particularly among the students, a progressive attitude is in the air.

EQUITAS is also an experiment in legal journalism. It must be creative and not merely report the news. It must bring to our law school feature stories on legal trends and other developments in the legal profession. What is more, it must be dedicated to the progress of New York Law School.

Raison d'être

This is why EQUITAS was inevitable. A new generation of law students is entering today's law schools with desire to be heard and with different attitudes than that of their counterparts twenty years ago. One trend among present students is to put greater life into the Bill of Rights — after witnessing a movement of decay away from its mandates. For instance, McCarthey, the Smith Act, Barry Goldwater, Vietnam, poverty — all are forces which drain the first amendment of its efficacy, regardless of the will of Warren.

Thus, the establishment of EQUITAS is an example of participatory democracy among today's youth. Yet, according to the tradition of the First Amendment, if a school will not support a student newspaper, then our educational system is, in effect, saying to its young: don't participate. But, again also, let the educators make the rules regardless of their relevancy to today's society...
Prior Achievement v. Future Potential

This edition of EQUITAS marks our tenth year of publication. As stated by this paper's first editor-in-chief, the role of EQUITAS at NYLS is to constructively inform and criticize. Since our first edition we have always attempted to carry out this role with the highest of journalistic standards. We are proud to say that we have kept to these standards to the best of our ability. Evidence of this achievement is the fact that we have brought to the school two nationally recognized awards in the last two years — the Medalist and First Place Awards from the Columbia Scholastic Press Association. We hope not only to keep to these standards but to far surpass them in the years to come.

Throughout our ten years of existence, a lot of news has passed through our office; particularly news about the advancements made by the school during these years. For instance, in 1967 there were 445 students enrolled at NYLS, with only 22 women. There were 10 full-time faculty and 10 part-time members and the library held 46,000 volumes. In 1973, 772 students enrolled in NYLS; the faculty numbered 27 and the library held 65,209. Comparing these figures to the NYLS of 1979-80, there are now over 1300 students attending classes taught by 45 full-time professors and over 100 Adjuncts. Today's library holds well over 90,000 volumes. Furthermore the physical plant consists of three renovated buildings with plans for a new law center in the upcoming years.

The staff of EQUITAS has been proud to be a part of the growth of NYLS. Our existence is evidence of the school's concern for the rights of its students; the right to constructively inform and criticize and the right to have a common marketplace for a free and responsible exchange of ideas. We pledge to maintain this marketplace in the standards which have been established during the last ten years.

Now is not the time to sit on our laurels. We must consolidate the gains of the past, and redouble our efforts to realize the potential which this school so obviously has.

Bright, young faculty members who could be the academic leaders of the profession have been hired; the school must commit itself to a policy to retain these people.

Much has been accomplished by student organizations in bringing the school to the attention of the legal community. These efforts must receive more support from the school if it is to flourish and grow.

There is a perceptible improvement in the attitude of employers toward hiring NYLS graduates — but in an ever-tightening job market, the efforts of the Placement Office lose their effectiveness if they are not constantly examined and improved. In particular, the school must reach out for alumni support. Students need the placement opportunities that only alumni can provide. From the large turnout at the Alumni Dinner, it is clear that the potential is there.

Which brings us to the most crucial area for the school: the school's relationship with its alumni, the people who are the lifeblood of any successful law school. The school must establish closer ties with alumni, a task which, to be at all successful, must begin while they are still students. Students must be supported and treated with the respect accorded any professional — only then will they remain an integral part of the law school community.

The future of NYLS is limited only by the imagination and commitment of its students, faculty, alumni, administration, and board of trustees. Let's get to work.

Congratulations

on 10 years of
successful publishing
and serving the NYLS Community

The Board of Trustees The Faculty and
The Administration of NYLS

You Haven't
Seen Nothing Yet!!!
The document, prepared by Leonora S. Hinds, attorney for the petitioners, was the result of the joint sponsorship of the National Conference of Black Lawyers, The National Alliance Against Racial and Political Injustice, The United States Commission on Civil Rights, and the New York Legal Services Corporation. It represented the culmination of years of legal work, much of the time spent representing many of the petitioners named in the petition.

The purpose of this very detailed presentation was to call the attention of the United Nations, as the forum of last resort, to the continued existence of Human Rights Violations and the plight of political prisoners in the United States. The petitioners' statement of purpose explains, "If one examines the effects and results of the criminal justice system within the United States, it becomes clear that Blacks, Puerto Ricans, Native Americans, Mexican Americans and other minorities are victims of deliberate governmental policies and practices that deny them basic human rights and abridge fundamental freedoms. Many of these violations are the result of race, descent, or national or ethnic origin ... Furthermore, the United States has consistently refused to investigate the validity of serious and blatant human rights violations within its borders in spite of voluminous documents and petitions that have been filed with the appropriate governmental agencies and departments."

The petition further states, "... that a consistent pattern of gross and flagrant human rights violations and fundamental freedoms of certain classes of prisoners exists in the United States because of their race, economic status and political beliefs."

The presentation of a prima facie case showing this type of violation would, in fact, invoke the jurisdiction of the United Nations, as established by its Charter, pursuant to resolution 728 (XXIII) of the Economic and Social Council, July 30, 1959. The petition presented the cases of the Wilmington Ten, Assata Shakur, Russell Means, the Puerto Rican nationalists, George Jackson, and Leonard Peltier, to name but a few. There is a total of eighteen groups and/or individuals represented who have exhausted all of the possible remedies available to them in the United States. They are now appealing to the United Nations to intervene. The petition presents, on a case by case basis, allegations of violations against human rights, which include: the systematic singling out for indictment and prosecution of progressive minority leaders; oppressive and extreme sentencing of minority people; irregularities in the prosecutorial procedures; and the selective enforcement of laws against minorities. The petition further states that "Blacks and other minority groups find themselves confronted and oppressed by a system of institutionalized, governmental supported racism."

On August 1, 1979, seven international jurists arrived in the country. They were here at the invitation of the petitioning organizations to objectively investigate the allegations set forth in the petition. The jurists were selected for their professional standing in the international community, their demonstrated commitment to the fundamental principles of international human rights, prior experience as legal advocates for human rights in their societies, and geographical diversity. This group included: Mr. Justice Harish Chandra, High Court of Delhi, India; Chief Judge Per Ek Lund, Division Head of the Court of Appeal, Sweden; Mr. Richard Harvey, Barrister, Great Britain; Mr. Tshingeliso Jele, Attorney, Nigeria; Mr. Sergio Inouza Barros, Former Minister of Justice, Chile (in exile); The Honorable Sir Arthur Hugh Hinde, T.C., former Chief Justice of Trinidad and Tobago, and Mr. Bakarac Njiang. Attorneys, Senegal. This distinguished panel divided into four groups and for more than two weeks, from August 3 to August 19, travelled across the country to visit prisons and meet with those named in the petition and other inmates. To insure an objective presentation, they also visited prison authorities, completed their investigations with a visit to the State Department officials in Washington, D.C. The jurists visited twenty-one cities and more than thirty-five inmates, representing twenty-five cases. The jurists documented all alleged human rights violations. The petitions conducted extensive interviews with the inmates, their attorneys and prison officials. They studied the case histories, the completion of their separate itineraries they gathered in Washington to compare and review their findings, and to complete their reports.

After the outset, they reported: "A detailed inquiry has satisfied us individually and collectively that the petition has made out a credible, reasoned and a factually presented case." We find that a prima facie case has been made by the petitioners that there exists in the United States today a consistent pattern of gross and flagrant violations of the human and legal rights of minorities, including policies of racial discrimination and segregation. However, we find, that based upon all the evidence we have examined, the number of factors shared commonly between individual cases and reliably documents and in-hospital reports, demonstrates a clear prima facie case that patterns of violations exist which call for an immediate full inquiry under the authority of the Commission on Human Rights."

At the August 26th meeting of the United Nations subcommission in Geneva, the petition and the jurists' findings were examined, and it was decided that the petition would be included on the agenda of the next scheduled meeting of the Sub-Commission. The United States Justice Department has made no formal announcement as to their defense to the charges, but they will answer the allegations when the Sub-Commission meets to review the petition: If the United Nations Sub-Commission does in fact find for the petitioners an ad hoc committee will be formed to draft an existing investigation of the allegations of violations alleged in the petition. This will be the first time that such an ad hoc committee will have been activated. The significance of the formation of such a committee and the institution of an investigation with substantial domestic and international ramifications.
Student Clerk Recounts Daily Judicial Experience

by Joe Smith

The judicial clerkship program at New York Law School offers tremendous potential in terms of providing valuable educational and practical experience. The Clerkship Committee at NYLS screens applicants and selects those it considers qualified for the positions (primarily with federal judges and magistrates in the Southern and Eastern districts) based on the student's academic record, prior judicial or magistrate, and, for a period of one semester, are expected to work 15 hours a week in his or her chambers.

The duties assigned to each student vary with each judge or magistrate. The student is often afforded the opportunity to conduct in-depth research in particular areas of the law. A common assignment would be to research the merits of a habeas corpus petition and make a recommendation to the judge (written memo with many authorities as to whether the petition should be granted or denied). Needless to say, the responsibility delegated to the student in each situation is not inconsequential. Another typical assignment would involve coordinating research on a motion (i.e., dismissal, summary judgment, preliminary injunction, etc.) and again, writing a written memo and making a recommendation to the judge regarding the ultimate disposition of the motion. Before anything is submitted to the judge, a thorough research and other job duties may be assigned. This may be partial, but the educational benefits make it well worthwhile.

The following is an account of a typical day in the life of a student law clerk for a federal judge in the Southern District of New York:

8:30 a.m. Rise, take shower, shave, put on suit, shiny shoes, grab briefcase, and hop on the subway. Get off at City Hall and walk to the federal courthouse at Foley Square. Ride the elevator up to the judge's chambers, say good morning and make pleasant greetings with the secretary (a very attractive middle-aged woman who seems to know everything about everyone on the judge's docket and can type flawlessly, including citations in blue book form). The judge enters, says good morning, and asks me into his office.

9:25 a.m. I'm in the 2nd Circuit library up on the 25th floor reading through a memorandum from the New York State Attorney General's office in reply to a petition for habeas corpus. It appears that one Leroy Jefferson is doing 25 years to life for murder one at Green Haven Correctional Facility in Stormville, N. Y. He was convicted of smashing a barmail's skull with a hammer and killing her throat from ear to ear. He has exhausted his state remedies and is now making his petition to the federal court on the grounds of newly discovered evidence which indicates he received an unfair trial. Apparently, both of the two principal witnesses for the prosecution (there were no eyewitnesses to the murder) were a police officer. He had participated in a frame up, while the other, the bar owner, had been indicted for perjury and making false accusations (albeit in unrelated matters). What is the standard for granting collars' release in New York? Well, that's what I'm trying to find out.

10:30 a.m.: I only had time to read one case cited by the N.Y. A.G. Today is motion day and I'm in the courtroom listening to oral argument on a motion for a preliminary injunction to bar the XYZ Corporation from purchasing additional shares of Target, Inc. Two days previously the lawyers for Target, Inc. had succeeded in getting an ex parte temporary restraining order barring XYZ Corp. from trading in Target. The lawyers for XYZ are increased, vehemently denying any intent to take over Target. They both agree that they are unprepared to argue to motion however, due to insufficient time for discovery, and agree to an adjournment. The XYZ lawyers reluctantly consent to leaving the TRO in effect. The white shoe litigators, followed by their troops of briefcase-toting associates, file out of the courtroom as the calendar call continues.

11:30 a.m.: I'm back to 25 (library) reading cases on "new evidence" in an attempt to dispose of the habeas petition.

2:00 p.m.: I'm back in the courtroom. The judge's law clerk had let me know that there was a plea scheduled and I'm listening to a tall, muscular black man describe his role in a recent bank robbery. He was the driver of the getaway car, and was entering a plea of guilty to one of seven counts charged against him in exchange for the remaining counts being dropped. According to his account, he was parked in front of the bank while his three accomplices, armed with a shot gun and two automatic pistols, entered the Chemical Bank branch on 14th Street. A short time later he observed his accomplices exiting through a side door, cutting across an empty lot, and vaulting a fence to the sidewalk. In making their hasty getaway and jumping the fence, the robbers dropped the money. After driving away and dropping off his accomplices, defendant returned to the scene in an attempt to recover some of the money. Most of the cash had been picked up by passers-by. However, defendant managed to get about $400. That evening he encountered his former accomplices in Harlem who took the $400 from him and fired several shots at him, not believing that that was all he had recovered. This attempt on his life prompted the man to turn himself in to the FBI and to give evidence against his former accomplices. After being informed of his rights, and after he gave assurances to the court that he understood the proceedings, the defendant entered his plea of guilty to count three of the indictment. The other charges were dropped and sentencing postponed, pending receipt of a sentencing report and recommendation from the state.

2:30 p.m.: I remain in the courtroom to listen to the judge charge a jury in a medical malpractice trial that had just been completed before lunch. The trial had lasted five weeks and involved thousands of pages of complex expert testimony and exhibits of a highly technical nature. The judge spent forty minutes charging the jury. After hearing and rejecting the attorneys' exceptions at the side bar, he excused the jury to allow them to deliberate.

3:30 p.m.: I'm back in the library reading more cases on "new evidence coming to light after a conviction." The petitioner in this habeas matter doesn't look as if he has much of a case, but I still have at least twenty-five cases to read before I even attempt to write a memo on my findings.

6:30 p.m.: I'm in the judge's chambers fishing in the closet for my raincoat as the rain started pouring down. The law clerk (Harvard, Law Review) approached and for a moment I'd think helping him finish this rub job. The clerk had finished drafting an opinion that day, and the judge had approved it and wanted to sign it that evening. I was poring over a volume of Shepard's when the news came in that the jury had returned their verdict. Of the four doctors and the hospital that were defendants in the case, the jury found only two of the doctors negligent and awarded $600,000 in damages to the plaintiff — an extremely disappointing verdict from the plaintiff's point of view. The plaintiff had lost the entire use of his right arm and the two doctors found negligent were virtually judgment proof. "For some inexplicable reason," remarked the clerk, "the plaintiff's attorney had not objected to having a nurse serve on the jury.s"

7:00 p.m.: I finish noting the last correction on the draft opinions and hand it to the secretary. I successfully retrieve my raincoat and hurry home to prepare for tomorrow's classes. The diversity of legal issues I have been exposed to that day more than compensated for the fatigue that the administration of federal justice in America.

Editor's note: Joe Smith is a pseudonym.
Courageous Student Attains His Goals—One at a Time

by Joyce Meiner

Ken Murphy is 46 years old. He lives in Port Jefferson in a large house. He needs the space because he has six children—three boys, aged 18, 17, and 11, and three girls aged 20, 16, and 13—plus two dogs. The brood is starting to leave home, although one daughter is a junior in college, one son is a freshman, and one son will be entering college in September.

People who know him say he is possessed of a wonderful sense of humor. From spending time with him, I can say he is an honest and animated conversationalist. Apart from the fact that he is a little bit older than the average first-year law student, one might say he is no different from any New York Law School person. However, there is one major difference. Ken is visually impaired. To give you the extent of his difficulty, compare him to a legally blind person. He has 3/9 vision, and if he had three times the vision he now has he would only then be legally blind. He can only distinguish light and dark, and if an object is more than six feet away he cannot see it at all.

Without exception people with his vision would use a dog or a cane. Ken Murphy uses neither. It throws you off balance when you see him standing there looking no different than you or I. He also has exceptionally good eye contact, and because he can see shadows and assiduously focuses on them, you get the impression that he is looking straight at you. He will walk in front of you and open the door and can cross in traffic by day or night, even though he cannot see the traffic light, by carefully watching the shadow of traffic going in the opposite direction. It’s eerie watching Murphy conduct himself, because he’s trained himself so well that someone who doesn’t know of his serious handicap would take quite a while to catch on.

Difficult Adjustment

At 21, when most people are on the threshold of adjusting to a new career, Murphy was making a far more difficult adjustment. He lost his sight, the use of his legs, and his sense of touch from injuries to the central nervous system suffered in the Korean war. He became accustomed to the loss of his sight rather well, he says, because the people close to him accepted his loss and treated him no differently. Today he says, “blindness is just an inconvenience,” but that his legs present the real problem, as he tires quickly. It’s a miracle he’s even walking, because he was a paraplegic and up until 13 years ago could only get around with canes.

In 1978 he graduated from Dowling College in Suffolk County. For the past 12 years and both in and after college, he was a volunteer social worker with mentally handicapped persons in Suffolk County. While working with them, he encountered many of their legal problems. When he started handling more problems that were legal rather than psychiatric in nature, he knew it was time to go to law school. His main reason for going here is to be able to help these psychiatric patients after he graduates.

School Begins

When he entered NYLS this past fall, Ken had to move closer to the city because it was too tiring to commute. He is living with a relative in Queens until he can find his own place.

Originally he was in section B, but he transferred to section A because he needed readers. Only one person responded in section B, while five volunteered in section A. Ken is not angry or disillusioned about the lack of response, but merely feels that more people in section B would have replied if they had had more time to respond when first asked. Readers are essential to Ken Murphy’s success in law school. Murphy cannot read either print or Braille (except for giant Braille) because he has little sense of touch as a result of war injuries. The readers, who are paid by a federal grant from the Commission of the Visually Handicapped, serve as Murphy’s eyes. Some readers spend an average of two hours a week with him. While he takes all the lectures, it is the readers who help him synthesize all the materials. One reader makes brief on tape, other readers read the case to him and ask him to pick out issues, as the tutor he has explains to Ken any exceptions he may find difficult. Murphy feels that “a blind student who has the intelligence can handle law school without much difficulty.” What he finds difficult is not the work but the time element. It is an incredible amount of time between readers.

Although Murphy cannot physically do legal research himself, he knows what needs to be done and can tell others what he wants done. He was able to do his research problem by instructing his readers to find the cases on the appropriate subjects and jurisdictions. After discussing the cases with his readers, he was able to determine the issues and draw conclusions. He synthesized the cases and then dictated the research paper.

Exams pose problems

Exam time presents a problem but it is not an insurmountable barrier. Ken is not too sure how the procedure will work, but he thinks the exam will either be on tape or something else that someone will read it to him. It will probably tape his answers, which will be transcribed. He says it is a disadvantage taping an answer rather than written. It is, but his concern is not about the format of the exam itself—the administration worries about that—but rather about preparing for the exam. Murphy is content to take one step at a time, confident that if he reaches one goal he will reach them all.

To Graduates of New York Law School

As graduates of New York Law School, we have been heartened by the law school’s often publicized desire to be viewed as an urban law school. Yet, we are greatly frustrated and dismayed by the administration’s apparent inability and unwillingness to fully realize this articulated goal. We feel a responsibility to organize ourselves and other concerned graduates into a strong force, dedicated to promoting and insuring New York Law School’s progress as an institution responsive to the pressing social and economic needs present in every urban community. More particularly, we envision a law school whose students and graduates more accurately reflect the diverse population of the urban community. Toward this end, we support and commit ourselves to organize on behalf of expanded affirmative action at New York Law School to help develop a program that recruits, admits, supports, trains and graduates students to effectively overcome the patterns of inequality that continue to plague our society. We support similar efforts among faculty, staff and administration at New York Law School. Further, we support improvement and expansion of clinical programs, curriculum and placement services that will produce highly qualified professionals committed to using their skills in the service of the underserved, including the urban poor and middle class. As an urban law school, New York Law School must become a leader in correcting the maldistribution of legal services in our cities. It is the responsibility of all concerned graduates to help shape the further development of our school into an outstanding urban law school. We have a unique opportunity to promote that development and help make New York Law School a more valuable institution for students, graduates, faculty and the urban community. In this spirit we urge you to join us and participate in the work of New York Law Graduates for Social Change, Inc. Our first meeting will be Wednesday, December 12th, 6.30pm at the New York Law School, 47 Worth Street, in the lounge.

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CHARLES ADLER 70
LOREN BAILY 79
RICHARD CARMAN 79
ERNEST CARROZA 79
RICHARD COHEN 79
STEPHEN J. EDELSTEIN 70
FIOVILA FELIX 78
JAMES FISHER 79
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The Dream Denied
by Ronny Green

The title chosen for this article, correctly states my state of mind as well as that of the
thirty million Blacks and twenty-three million Hispanics living in the U.S. today.
This title captures the disgust and anguish felt whenever I read or hear about a
cross-burning or other outright racially and/or ethnically motivated discriminatory act.
My sentiments are shared with people concerned about humanitarianism throughout
this nation and the world.

When in my youth, I attended a racially unbalanced elementary school. I was too
younger to understand. I was aware of attitudes that had formed on the basis of
race ideals. I was taught in the same classrooms as were Whites. I was taught from
the same texts as were Whites. I was taught by the same teachers as were Whites. It's
now some fifteen years after passing through elementary school that I'm being educated
in a course entitled "Reality." It's a course being taught all over this country by
the meaningless and faceless faces of people in groves. The texts in the course are read
by Ronny Green

While being educated during my youth, I was taught that America was the place for
aiming dreams; dreams equal for everyone. Each morning, I would sit with the rest
of the class and recite the "Pledge of Allegiance." How vividly I can recall its words, " ...when
Justice and Liberty for All..." and on and on and on.

Black and Hispanic people were not told then that because of skin color, the meaning
of the word was to be applied differently. Liberty and freedom for us were not to be
restricted in the same light as for White. We were not told then that we would have to
feast the attainment of our dreams in advance in society — the same as our white
classmates. Reality and experience being the best teachers, it has become evident that
there are many in our society that willfully deny the rights of others. To these people, I
must provide a reminder that it was not by choice that we came here. And even then, it
was not by choice that we remained here under slavery. Due to circumstances beyond our
control, we were placed in a subservient role and forced to remain there for centuries.
We are a displaced people, however, this is our home. As much as some may disagree with us,
and as much as some would like to see us disappear, this is our home as much, or even
more than those that would plot an end to the non-white races. Groups of hoodlum
behavior are not new to us, and how we can live. It is just as much our right
live where we please as anyone else’s.

Out in Valley Stream, Long Island and in Rosedale Queens, several of our neighbors
have formed a clandestine group with membership of over 100 home owners that have
warned not to put their homes on the open market, so as not to sell to Blacks or Hispanics.
In other neighborhoods throughout the country, others face severe pressure from
their neighbors, not to sell people to people other than whites. Can this be Americas? Only here can
something this absurd be commonplace. Someone should have told us that the very
liberties this country boasts of abroad, were not to be extended to Blacks and Hispanics.

Levison v. NYLS
by Linda Stanch

On Nov. 12, Irene Levison v. New York Law School was filed in U.S. district Court,
which charges that the school discriminates against black students in its admission and
retention policies. Levison, a black woman, was dismissed from NYLS on August 1, for
"academic deficiencies" under the school’s probation policy. She is now seeking
reinstatement.

Levison was admitted to NYLS with a 3.25 grade point average from Columbia
University where she received a Bachelor of Science in Nursing, a Master of Education
degree and a Doctor of Education degree. Her LSAT score was 470.
Subsequently, based on her academic performance and her interest in urban law, she
was one of three students to receive an Urban Law Fellowship from HED under the
Graduate Professional Opportunity Program (G-POP), a federal program for minorities
and women. Under the terms of the grant, the school promised educational seminars,
meetings and conferences in the students’ field of interest. None of these promises
have been met by the school. BALSA (It’s a name at the time) organized the only program for
minorities that term, a study group forum which met six or seven times.

As the complaint in the law suit points out, NYLS in its Affirmative Action
Program, accepts some minority students, but not with the same teachers as
other students. Recognizing that historically a percentage of minorities tend to have lower scores. By admitting these
students, the school promises to provide special programs so they can fairly compete with
other students, again recognizing that, historically, minorities have been poorly equipped
for study and examination techniques, especially in law school. NYLS has not provided
this assurance.

After her first exams, Levison found that she had failed one course, and her grade
point average was lower than the requisite 2.0. She immediately approached the
professors to find out why she had done wrong. The answers were vague: "she hadn't
given enough." and she had "mentioned all the issues but hadn't developed them enough." None
of the professors gave concrete advice on how to improve her exams for the next term.

But the pressure to improve was definitely there, as her grade point average
automatically put her on academic probation. Because she felt the problem might be her
writing skills, she enrolled in a writing course at the New School (in addition to her full
load of second semester law courses). As a single mother, she hired a baby-sitter to
take care of her two children at night to give her more time for studying.

But her efforts didn’t make a large enough difference in her grade point average,
1.69, at the end of the second term. Levison hadn't failed any courses, yet in fact she had a
B- and two C's, but the two D's dropped her average below the requisite 2.0.

The complaint of the Levison lawsuit also states that Blacks are deprived of the
predominately white faculty’s “open door policy” with other students by outright exclusion
or indirect discouragement. Also, Blacks are granted grade point adjustments on
class participation at a much lower rate than Whites. The complaint adds that black
students are excluded from peer education, one of the critical elements of legal education
because of exclusion, isolation, and hostility from the majority of the predominantly white
student body.

NYLS’s probition policy, coupled with its admitted low grading policy, makes this
one of the more difficult law schools in which to remain and graduate in the NY area,
particularly for minority students. If, after completing two semesters, a student’s GPA is
still below 2.0, the student is called to a hearing and a committee asks for any exterminating
circumstances relating to the two terms.

Levison stated that there were extenuating circumstances in her case. She explained
that her two children both had adjustment problems in the move to New York,
but that it would not be a problem this year. She explained that she had had major surgery
during the year and brought a letter from her doctor which she said was now recovered
and would have no further complications. She received a D on her Contracts exam, but the
day before the exam she had had to go to a hospital emergency room.

Her explanations didn’t affect the committee’s decision. Two days later, she
received a Mailgram from the school dismissing her for “academic deficiency.” She appealed
on August 30, to the same committee, but they responded saying their decision was final.
Lator, she was told by one committee member, Professor Davis, and another
committee member, Professor Douglas, that they felt they were acting “in her best interest”
so she wouldn’t “waste another semester.”

Levison told her story to BALSA and the Lawyer's Guild and was directed to
Jose Rivera, who successfully brought a similar law suit last year against Brooklyn Law
School. With the support of a coalition of the Guild, BALSA and concerned NYLS
graduates, she then filed this lawsuit against the New York Law School.

In addition the suit asks for immediate reinstatement and $1,000,000 in personal damages.

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**Reviewer's Round Table**

**“The 1940’s Radio Show” Raptures Reviewer**

by Henry Corneli

As darkness descends, and exams draw near, there's nothing like a good ol' big Mexican dinner, and then head over to the St. James Theatre to see "The 1940's Radio Hour." They're shown to your seats you notice the incredible reconstruction of a seedy 1940's broadcast studio. Imagine for a moment, it's the night of Dec. 21, 1942, and the world is at war. It becomes apparent, as the musicians and singers wander in, that a recreation of a live broadcast of WOY, from the famed Hotel Astor's Algonquin Room, is about to begin. Before you know it, you relax and wish time flow backward.

The show affords a nostalgic glimpse of the fun, humor, and chitchat's associated with the big bands and singers of the war decade. They're all here — the hard-drinking, chain smoking "Frankie" who truly has them swooning in the aisles; the sassy, gum-chewing, tight skirted dolls who talk and sing through her nose; the collegiate Law먹 Walk eager to chase those nasty sugar and apple pie; and the Lena Horne look-a-like who really gets the show cooking. And, of course, when one of the performers doesn't show up, there is the estranged and armed delivery boy, who knows the routines and is ready to be a star.

Then there are the songs. The show has every hit that had America toe-tapping from the dreamy '40's, "Never Smile Again," to the giddily cheerful "Hey Daddy" (given a pig Latin twist), and the warm-hearted "That Old Black Magic." Pop music of '40's was vigorous and innovative, swinging and swaying with a blend of big brass and soothing melodies. The twenty-piece "Stanley Lebowosky Orchestra" will have you bopping in your seat before the night is over.

The casting and performances are as flawless as any I've ever seen. Each actor sings with the sympathy, understanding, and zest that recreates the era with uncanny honesty and depth. I can't emphasize this point enough. There is not one song out of the almost twenty that falls flat.

Each is delivered from the heart. By the end of the show you'll look to see if they're selling albums in the lobby. My only objection to the show is a simple one. The book is a little weak, and when the radio show itself is not on, the play tends to move slowly. Also, although I realize what it costs to produce a successful show on Broadway these days, twenty bucks a ticket makes me shudder. But these complaints are minor. For an entertaining evening faced with great music, songs, dancing, and jokes, hop a time bubble and head over to West 44th St.

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**“Justice” Has Strong Plot, Laughs and a Moral**

by Jerome Lee

Al Pacino is a slick but hyperactive criminal lawyer in this one. His clients are not the richest, nor are they members of the jet set but true to life characters, relictivists hopelessly ignored by the world around them and yet so much a part of it.

For better or worse Pacino is contending with an almost infinite number of roles in Justice. He's from a working class city life and is now a small practice attorney. He's chummy with the judges, crosswise to his aging uncle, and babbitter for his sometimes crazy partner. He's also known for his lawyering skills and integrity. Oh yeah, he's involved in a relaxed love affair with Lee Strasberg's sister-in-law, a state bar corruption investigator.

If you get tired seeing the countless petit plats unfold in this production, don't worry. Enter Judge Warden the murderously unscrupulous and extremely suicidal judge and the fun starts. Judge Warden pulls off some extremely hilarious stunts. He brings order to the courtroom with a blast from his shoulder pistol and uses a shotgun as a toothpick just before court call. Although net cast as a pivotal character Warden becomes one by adding comic relief when needed. Pacino takes part in some these wild escapades and seems very comfortable in these scenes.

Al Kirkland Esq. (Pacino) has it in for Judge Flemming, played by John Forsythe. In fact the film opens with Pacino sitting in jail for contempt, having taken a swing at the infamous Judge Flemming.

But they wind up a lot closer to each other than they dare to be when Judge Flemming gets arrested for rape and needs Al Kirkland for the defense. This is the real plot, brought to you by two class performers in well cast roles.

This film is alternately funny and dramatic. It is well acted. In fact it drags on long enough to catch your breath. It also makes a poignant and incriminating statement about the American criminal justice system. And that statement is exasperating yet unfortunately quite authentic.

The ending? Oh the ending is good. I wouldn't dare spoil it...
SALT II Debated

by Erik Strangways

Should we ratify SALT III? This question is not only of national diplomatic policy, but of the survival of humanity. Should we ratify? Definitely yes, said Prof. Betty Lally, U.S. representative to the U.N. International Security and Disarmament Panel, held at NYLS on Oct. 25. The program was jointly sponsored by the Center on Law and Pacifism, NYLS Chapter and the International Law Society. Prof. Peter Schracht of NYLS served as moderator of the forum.

Prof. Lally gave several reasons for supporting the treaty: 1) the treaty stabilizes the arms race and sets quantitative restraints on nuclear weaponry, 2) it allows each side to develop only one new strategic weapon system, 3) it prohibits any increase in the number of warheads on missiles, and allows for verification of compliance, 4) ratification of SALT II will aid other demilitarization negotiations. Prof. Lally suggested that those with objections to SALT II should attempt to have their ideas incorporated in SALT III and should not try to defeat SALT II.

Burke Calls for Defense Spending

Speaking in opposition was Dr. Keith Burke, defense consultant with the Trident Project of General Dynamics Corp. He said that SALT II should be ratified only if some of the worst features of the treaty were removed, and if Congress made a commitment to drastically increased defense spending. Dr. Burke pointed out that SALT II gives the Soviets the right to deploy 308 heavy (multiple-warhead) missiles. He said the U.S. should insist on the right to deploy an equal number of heavy missiles, because U.S. credibility would be damaged if an advantage were given to the Soviets in this matter. Dr. Burke also noted that in the past 15 years, defense spending has fallen from 2.8% to 4.9% of the gross National Product. He called for increased defense spending to counter what he perceived as a growing Soviet momentum in the nuclear arms race.

New Student Organization

The SALT II forum was the first gathering of a new student organization on campus, the NYLS chapter of the Center on Law and Pacifism. The national Center, based in Philadelphia, assists those who are in legal difficulty because of opposition to war-making. The Center has helped persons who have refused to pay the portion of their federal income tax that goes for defense (a refund that is not now legal but may be defensible on First and Ninth Amendment grounds). The Center also assisted those who were arrested for acts of civil disobedience at Rocky Flats, Colorado, where hydrogen bomb components are manufactured. The national Center has been supported by those who may not agree with the particular actions of some war resisters but who recognize that there is an urgent need for legal assistance to these individuals.

The NYLS chapter engages in legal research on cases being dealt with by the national Center. In the process, chapter members sharpen their legal skills and gain expertise in areas of the law that are largely specialized. The Center also sponsors education and political action programs on issues related to world peace and disarmament, such as the SALT II forum. Areas of concern include the domestic consequences of heavy military spending, such as poor living conditions in the nation’s cities and the possible resumption of the draft.

Additional Information

The Center chapter plans to set up an information table in the student lounge in the early weeks of the spring semester so that people can find out about the World Peace Tax Fund and about the Transfer Amendment, which would divert a portion of the Defense Department’s budget to specific projects meeting human needs.

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Issues and Actions

by Carol Schlein

LAW has been active during the past month presenting and planning programs of interest to students on a wide range of issues. On October 11th, Ms. Wendy Kaminer of Women Against Pornography spoke to a large audience of NYLS students and faculty. The program, jointly sponsored by LAW and the National Lawyer’s Guild, consisted of a side show narrated by Ms. Kaminer and was followed by a very heated question and answer period. Women Against Pornography sees the fight against pornography as an integral part of the women’s movement for social equality. They are protesting the physical and psychological violence in most pornography and the degradation of women. The message they see being sent out through porn images and very “legitimate” products is power; and women and children are objects for subjugation and abuse.” They see a link between the wide acceptance of violent pornography and the increase in violent crime, inflicted upon women and children in recent years.

Abortion Rights

Abortion Rights Action Week was marked at NYLS by the sending of Pro-Choice post cards to state representatives and a discussion by Janet Beneshof on the McRae v. California case. McRae is building on the lines of cases dealing with the constitutional right to privacy, the fundamental right to abortion and the separation of church and state doctrine. McRae is challenging the constitutionality of the Hyde Amendment which limits federal funds for abortions of indigent women. According to Ms. Beneshof, an attorney for the Reproductive Freedom Project of the American Civil Liberties Union, the McRae case is the first to have a trial on the merits concerning the religious issue. The ACLU is alleging that the legislative intent and the massive lobbying effort by the Catholic Church to pass the Hyde Amendment has interfered with the rights of those people who do not share the same moral beliefs about when life begins with the humanity of the Catholic Church. A federal judge has expressed doubt about the litigation strategy being used in the McRae case. The class of plaintiffs included women from all 50 states who have obtained abortions, doctors and members of various churches which do not share the belief that life begins upon conception. The latter groups’ participation in the suit allowed the ACLU to raise the religious issue. A federal district court decision is expected shortly.

LAW has joined with an Ad Hoc Committee in pressuring the Board of Trustees to grant tenure under the American Association of Law Schools (AALS) by-laws to Professor Nancy Erickson and Professor Richard Harbus. Just prior to the BQUITS deadline, Prof. Erickson received a letter from Dr. Thornton, the Chairman of the NYLS Board of Trustees, which indicated that the Board would not alter its view and that, in order to obtain tenure Prof. Erickson should be re-evaluated by the Faculty Committee on Rank and Tenure. It is Prof. Erickson’s position that she was given the required recommendation in the Spring of 1978 and that the Board of Trustees must now either grant her tenure or give her “compelling reasons” why she was denied. Students are urged to send letters to the individual members of the Board of Trustees urging them to comply with the AALS by-laws. Information and addresses are available at the LAW office.

Attention Second and Third Year Students

Legislative Internships

New York Law School and the New York County Lawyer’s Association are beginning a joint legislative intern program which will enable students to work as assistants to various legislative committees. The duties will include research on pending or prospective legislation, written or oral presentations at committees meetings, drafting or assisting in the preparation of reports and memos, investigation, and participation of reports and necessary investigation, and participation in contact with legislators and public officials.

The following is just a sampling of the Committees that would like the participation of student interns: Administrative Law, Civil Court, Insurance, Public Contracts, Law Psychology & Psychiatry, etc.

Second and third year students who are interested in participating in this internship, should bring a resume to Robert Robbins, Second Floor, 57 Worth Street.

by James Frankie

As the semester begins to take shape, I write the need to impart to the incoming students the benefit of my experiences in law school. In this way, they can avoid the near fatal mistakes that befell me. I thus offer, free of charge, this guide to the aspects most vital to survival in law school.

Marks:

- Don’t get under a 2.00 G.P.A. (It’s not worth the extra mail).
- Do allow 6-8 weeks for delivery of your grades. The mailing of the grades is handled by K-tel.

Tests:

- Do take them. You’ll find it’s much easier to get over a 2.00 G.P.A. that way.
- Don’t talk about how well or how poorly you think you did, because you’ll be wrong. Of course, if you didn’t take your exams and you think you did poorly, you’re probably right.

New York University Law School:

- Do go there. You won’t have to keep paying no, not N.Y.U. Also, there’s no writing requirement.
- Don’t go there. It’s longer to abbreviate.

(Note: Since these ideas are conflicting, they will entail a value judgment on your part.)

Library:

- Don’t look for books on the shelves unless you’re looking for a Wyoming State Statute.
- Don’t give up looking, the books are there somewhere. Now that’s real research.
- Do bring your own desk and chair. However, unless you can carry them up 9 floors this will have to be done when the elevators are not overcrowded.

Student Lounge:

- Do hang out there. It must be a good idea, why else would it be so crowded.
- Don’t say “I’m going down to Gil’s, does anyone want anything?” They all will.

Tuition:

- Do pay it. They’ll sue you for it anyway and it won’t be worth the cost of a lawyer. Also, try to pay it on time because the late fee will negate any interest charges you were trying to make by waiting.
- Don’t overpay. It’s expensive enough and K-tel also handles the mailing of refunds. Also, they don’t let you charge them a late fee.

Graduation:

- Do graduate. You’ll feel better about yourself (until you look for a job).
- Besides you spent a lot of money.
- Don’t continue to attend classes after graduation. You’ll receive no credit just a tuition reminder.

Attending Law School:

- Don’t go to law school. That way you can ignore this article and increase your chances of getting a job.
- Actually, I have my career all mapped out. I’m going to work in Gil’s for about three years and then apply for one of the dean positions.

I sincerely hope these suggestions and revelations can be of some use as you wade through NYLS. I will try to have them placed on the back of small calendar cards dating to 1882 for quick easy reference in your wallet or purse.

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by Wheeze and Deedodah

Each issue two writers of slight reknown shall attempt to discuss in a manner unique unto themselves, an issue of vital importance to everyone in the law school community. In this issue, Cornwell Wheeze and Zip A. Deedodah, shall satirize the modern law school student...
by Frank Sheehan

The second NYLS Mini-Marathon was run on Sunday, November 4th. Runners wound their way through Lower Manhattan to Battery Park, then back to 57th Street (a total of five miles). Participating in the race were students and alumni from seven law schools in the New York area. The races represented this year were: Atlantic, Rutgers, Hofstra, Brooklyn, NYU, St. John’s, Columbia, Seton Hall, and of course, NYLS. The event was sponsored by Gil and Esther Hollander. Gil stated that it was a “perfect day” and that he was “very satisfied” with the turnout.

In the Men’s Division, Dennis McBride, NYLS, tied Richard Carman, an NYLS alumnus, for first place. The winning times were 26 min. 51 sec. The winner of the Women’s Division was Susan Rogers, NYU, with a time of 41 min. 46 sec.

The co-winners of the Men’s Division both praised the event. McBride said that the route was a “tough course,” even though he was not in his best physical form. Carman expressed the same feelings and stated that, “Gil was very helpful and deserves a tribute.”

Susan Rogers remarked that she “tried to keep a steady pace” throughout the race. This was her first competitive race since junior high school, although she has been running on her own for the past two years.

After the race, Gil expressed great appreciation for the help he received from the SBA.

Following are the results of the big race:

NEW YORK LAW SCHOOL MINI-MARATHON

<table>
<thead>
<tr>
<th>Place</th>
<th>Name</th>
<th>Team</th>
<th>Time</th>
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<tbody>
<tr>
<td>1</td>
<td>Dennis McBride</td>
<td>NYLS</td>
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<td>2</td>
<td>Richard Carman</td>
<td>NYLS</td>
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<td>3</td>
<td>Gary Farlong</td>
<td>NYLS</td>
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<td>Sheldon Melusky</td>
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<td>19</td>
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<td>26</td>
<td>Juan Lopez</td>
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<td>27</td>
<td>Steve Bosser</td>
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NYLS SPORTS
Marathon Draws Nine Schools

Moot Court Plays Law Review: Casualties Light!

by Scott Batterman

On a crisp autumn day, minutes of Moot Court met the legions of Law Review on the field of battle. This encounter will long be remembered, not so much for the quality of play as for the quality of advocacy: as was to be expected in a game between law students, less time was spent playing than was spent arguing over the formulation and interpretation of the rules. This reporter, who serves on both of these lesser organizations, as well as the permanent student organization, EQUITAS, assumed the role of referee, and thus avoided injury, despite the fact that he was liberally threatened with bodily harm. The final tally was Moot Court 14, Law Review 0.

This game had been touted as a battle of the titans, a grudge match of the two giants of the gridiron: Law Review’s Armand “The Giant” Fried and Moot Court’s “Big Jim” Flanagan. But the fans were to be disappointed: the earth-shaking clash of titans was not to be: Big Jim came down with a disabling illness. Instead, the show was stolen by the brilliant passing of SBA President. Vinny O’Hara, better known to his admirers as the Pride of Galway’s, and Law Review’s Danny “Speed” Breenstein.

After a scoreless first half, and a twenty-minute caucus, the parties stipulated to a change in rules for the first set of downs: instead of an immediate rush, they would revert to the old high school standard of a three-second count before attempting to demise the quarterback. Thus it was that the Pride of Galway’s, playing as a ringer for Moot Court, had the chance to pick up his receivers and throw what would prove to be the winning TD to Speed Breenstein. Speed had earlier been traded from Law Review to Moot Court for two Blue Books and a Shepherd’s to be named later; Law Review was to regret its folly in trading this promising young prospect, and later in the game, they re-negotiated the deal, sending Danny back to Law Review in exchange for Tom Berry, who played line and was voted Most Valuable Conversationalist.

The irony of the game, that the winning touchdown was scored with the passing combination of a Law Review member and the President of the Student Bar Association, was blunted late in the final quarter. Vin O’Hara again lofted a pass, and this time found Moot Court’s own Dan “The Man” Schneider. Although the referee wanted to divide the points up equitably, awarding them to the groups on the basis of the performance of its members — which would have made it SBA 1, Moot Court 3/4, Law Review 3/4 — by majority vote, the victory went to the Moot Court.

Although nominally a game of two-hand touch football, play along the line was rough and more than a little bump-and-run was detected in the defensive secondary. Major casualties of the day tended to be members of the Law Review, for no apparent reason — unless you consider hatred, jealousy and sheer vindictiveness to be apparent reason. Worst off was Editor-in-Chief “Steady Eddie” Westfield, who suffered a sprained ankle, and was seen hobbling around the school on crutches for a few days. “Mellow Mike” Julian also hurt his ankle, and “Wild Bill” Holm had the wind knocked out of him on one play, but both seemed to recover by the end of the day. More permanent, however, was the damage to Wild Bill’s credibility in his upcoming tort action against the perpetrator of the low blow which felled him. As he writhed painfully upon the ground, gasping for air, he pointed up at a player and said, “You. You did it.” Unfortunately, he was pointing at the wrong person — the actual culprit spoke up almost immediately thereafter. Thus ends one of the gridiron’s most promising careers as a witness and professional plaintiff.

All of the players gave their all, and all played in high spirits. Which was not surprising, considering the fact that over five cases of beer were consumed in short order — with great quantities being hurriedly gulped down between quarters, between plays, and often while the game was in progress.

In the final analysis, all of the players must be lauded for their great courage in risking life and limb solely in the name of pride. And all of the players swear it would be a cold day in January before they would do anything as stupid as this again. And that’s the way it was.
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