ON THE COVER

10 At the Top of Their Game
Alumni have earned roles in a variety of sports enterprises

DEPARTMENTS

2 Dean’s Message
New faculty members join USC Law

3 News
Young alumna wins a Fulbright Scholarship; professors comment on technology in the classroom; alumni form a nonprofit; and more

7 Quick Takes
Professor Charles Whitebread wins distinguished teaching award; professors discuss intersecting disciplines; students successful in moot court competition; and more

19 Feature
Focus on clerkships: USC aids students in finding clerkships; The Honorable George H. King discusses the role of clerks; graduate reflects on clerkship experience

32 Closer
Professor Kareem Crayton discusses lessons learned from the election primaries
Professor Mary Dudziak explores Justice Thurgood Marshall’s time in Kenya

Professor Nina Walton, expert in economics, joins USC Law

Professor Rebecca Brown, constitutional law scholar, joins USC Law

Professor Ron Harris returns to USC as a visiting professor from Tel Aviv

Professor Jack Lerner guides students in intellectual property and technology law

Amanda Oliver ’05
Corporate counsel for NASCAR Media Group emphasizes determination in the job hunt

Rick Neuheisel ’88
Quarterback MVP uses legal skills for gridiron victories

Todd Durbin ’94
Former intern rises to oversee Major League Soccer’s player and labor departments

Jerome Stanley ’84
South Los Angeles native negotiates the field of sports contracts
Dean’s Message

Fall 2008

More Than High Scores

Having spent the past year meeting with hundreds of alumni working in a wide range of professions, I am further convinced that a USC Law education equips our graduates for leadership in almost every aspect of life. I continue to be impressed by the many ways in which our alumni excel. You are leaders in law firms (both large and small), the government, public interest organizations and the private sector. Moreover, your successes are by no means limited to the professional; USC Law graduates donate countless hours to civic groups aimed at improving our communities.

Your many and varied successes make it impossible to offer a complete catalogue of all that you have achieved. To illustrate the many paths open to those with a USC legal education, this issue of USC Law Magazine focuses on one area of social practice – sports (something that USC knows a bit about!) – and documents the varied routes some of our alums have taken to become leaders in their fields. As always, there is no single path to success. Each alum mentioned has used his or her law training to craft a unique and interesting career.

Such training comes first and foremost from our faculty. I have spoken with alumni from eight decades, and a constant theme in our conversations is the impact that faculty have made on the careers of our graduates. I am proud to report that we have kept faith with our past and welcome two new faculty members to the law school this academic year. Rebecca Brown, a major voice on constitutional theory, joins the faculty as the Newton Professor of Constitutional Law. Nina Walton joins us as an Assistant Professor of Law, adding strength to our business curriculum. Heidi Rummel, our newest Assistant Clinical Professor, bolsters our outstanding clinical faculty. These scholars join a group dedicated to ensuring that a USC legal education remains second to none.

As always, please stay in touch. I look forward to hearing from you as USC Law continues its own proud journey.

All my best,

Robert K. Rasmussen
Dean and Carl Mason Franklin Chair in Law
Spanish dreams
Olivia Gonzalez ’08 is off to Madrid on a Fulbright Scholarship

Olivia Gonzalez ’08 says she loves being a student so it should not be a complete surprise she postponed entering the workforce after graduation with an opportunity to teach English. That the occasion came as a result of winning a Fulbright Scholarship was a “complete surprise” to Gonzalez.

“It took a while for me to fully realize that I won,” says Gonzalez. Gonzalez is headed to Madrid, Spain, where she will teach in a secondary school. She also plans to compare the European Union’s legal system to that of the United States’ system.

A native of Nicaragua, Gonzalez moved to the U.S. as a toddler so her parents could complete their education; her dad earned a Ph.D. and her mom an M.A. She was raised in Seattle and earned degrees in government and Spanish at Claremont McKenna College before enrolling at USC.

Once in law school, she says she was “lost that first year. I had to re-learn how to study. That first year was the hardest academic year I have ever had.”

She says it was also sobering to find she was not at the top of her class and that prompted considerable reflection on where she wanted to go after law school.

“So much of your law career decisions are based on how well you do in your first year in law school,” she says. “It was tough for me to not have done as well as I thought I was going to do. I realized that’s how we are conditioned to measure our success. I had to refocus and separate my success in law school with the other aspects of my life.”

Gonzalez says she met her “best friend ever” at USC and enjoyed exploring Los Angeles. She also joined Moot Court and made it to the quarterfinals (“an ego booster”) and was an editor on the Moot Court board her final year (“probably the most fulfilling experience of my law school career”).

While she has spent many summers with family in Nicaragua, Gonzalez has not yet been to Europe and hopes to travel as much as she can while abroad.

“Who knows what I’ll do after the Fulbright,” she says. “I want to practice law, but I don’t know for how long. I’m about as open as a field right now. But, if there’s one thing these three years in law school have taught me – it’s okay to change my mind.”

— Maria Iacobo

Todd Dickey ’93 Keeps USC Moving

All in the Trojan Family

From his corner office on the first floor of USC’s Bovard Administration Building, Todd Dickey ’93 can see Tommy Trojan in the center of Hahn Plaza, the heart of the University Park campus. It’s an apropos location for USC’s senior vice president for administration, whose job it is to keep a finger on the pulse of the university.

A former real estate transactions attorney with Latham & Watkins, Dickey joined USC in 1996 as an attorney in the general counsel’s office. Three years later, he was general counsel. Dickey says the transition from law firm associate to in-house counsel posed new and exciting challenges.

“At Latham & Watkins, I had multiple clients, including those in environmental fields, entitlement work, and buying and selling of properties,” he says. “Coming here and working for just one client was a little simpler in terms of your mission, but the projects can be more complicated.

“As general counsel, you become a generalist. You have to do it all.”

But for Dickey, who graduated Order of the Coif from USC Law; “doing it all” as general counsel soon became “been there, done that.” In 2005, he was named senior vice president for administration.

“The variety I enjoyed as general counsel has now expanded tenfold,” he says.

Dickey is responsible for the administrative departments that keep the university running, including general counsel; compliance; internal audit; administrative operations; contracts and grants; trademarks and licensing services; real estate and asset management; capital construction; facilities planning and management; career and protective services; and auxiliary services including the bookstore, housing, transportation and hospitality services.

“That means if anything at USC goes wrong, I get the phone call!” he jokes.

Dickey works closely with the university’s Board of Trustees. Each of 10 standing committees meets quarterly, in addition to five meetings of the full board. Dickey attends most of them, and not a day goes by without a conversation with a trustee.

“We have a great board that really cares about the university. They don’t have their own political agendas,” he says. “They’re very constructive, and they always ask the tough questions.”

The most rewarding part of the job, says Dickey, is work that is intellectually challenging and always interesting.

“There is never a dull moment,” he says.

Dickey says his USC Law education has been invaluable throughout his career.

“It was very, very good training,” he says. “You can pick up budget management and interpersonal skills along the way in any career. But law school teaches you how to think clearly and write well – two of the most important skills to have in any business.”

— Darren Schenck
Two USC Law alumni recently opened The Wage Justice Center, a nonprofit committed to enforcing wage judgments for low-income and immigrant workers in the Los Angeles area.

Matt Sirolly ’05 and Melvin Yee ’05, who met at USC and jumped into public interest work as law students, want to protect America’s poorest workers — those who are employed in an “underground economy” and are often denied basic wages or overtime pay.

The pair began taking wage rights cases, often as co-counsel, immediately after being admitted to the bar; they held part-time legal jobs to pay the bills.

“Our plan since we started working on these cases was to establish a nonprofit,” Sirolly says. “After graduating law school, Melvin and I considered legal services jobs, but the allure of creating something new to deal with a problem that was not being addressed ultimately won out.”

The Center opened its doors last fall, thanks to a fellowship from Echoing Green, a foundation that supports emerging leaders by funding the launch of organizations that tackle social problems in an innovative way. The highly competitive fellowship provides two years of seed funding to The Wage Justice Center, along with logistical, technical and moral support.

“The fellowship gives us enough funding to begin working on the project full time,” Sirolly says. “Finding cases wasn’t difficult; the real difficulty has always been coming up with a systemic solution to this problem of back wages in the underground economy. Echoing Green has given us the opportunity to take on this problem in a serious way.”

And the problem is immense: As much as 29 percent of Los Angeles County’s workforce may be employed in the underground economy, according to the center’s web site, wagejustice.org. It can take 18 months to process wage claims, and the California Franchise Tax Board collects only about 20 percent of the wage claims entrusted to it.

Sirolly and Yee were first inspired to tackle wage rights issues when they volunteered with the Neighborhood Legal Services Workers’ Rights Clinic as law students.

“We saw that low-wage workers not only dealt with long hours and grueling work, but faced the grim reality of not receiving the money they had earned, even after the state had ordered payment,” Sirolly says.

While Sirolly and Yee still must secure about three-quarters of the funding needed for the organization over the next two years, they say the organizational support from Echoing Green is invaluable: skills-building conferences for fellows; access to resources, including their own staff; and a network of fellows, past and present, for guidance. The two also benefit from connections made through their public interest involvement as law students.

“USC Law helped groom me for this social justice venture,” Yee says. “The school contributed immensely to me embarking on this endeavor. From my courses to the supportive faculty, and most importantly the individuals I met, the USC Law environment helped inspire me to start The Wage Justice Center.”

— Lori Craig
Law & Order: East

International students learn the law, American style

Walk the halls of USC Law during the academic year, and you will hear J.D. students practicing the language of the law. Listen closely, and you will hear them speaking several other languages as well: Mandarin, Korean, French and German among them, not to mention English in the thrall of many accents. These voices belong to the dozens of international students who come to USC Law each year to learn about the American legal system. Following are profiles of two such individuals, both recent graduates of the school’s Master of Laws (LL.M.) program.

Since graduating from the University of Tokyo with a Bachelor of Laws degree in 2003, Ryozo Kitajima ’08 has followed his dream: first working as a public prosecutor in Tokyo, Sapporo and Fukuoka, later joining the Criminal Affairs Bureau of the Ministry of Justice in Japan.

Then the Japanese legal system went and changed on him.

“Next May, Japan will introduce the jury system,” Kitajima explained. “Since the new system is modeled in part on that of the United States, I wanted to come here to learn how the system works.”

Kitajima had always wanted to be a lawyer. At the University of Tokyo, he realized he was attracted to the role of prosecutor.

“As a prosecutor, I like both investigating criminal cases and being at trial,” he says. “Also, I am interested in taking an active role in the law-making process as an attorney of the Ministry of Justice in Japan.”

While working as a public prosecutor, Kitajima was selected by the Japanese government for a two-year fellowship. He knew he wanted to be in Los Angeles, and several colleagues recommended USC Law, where he has learned much about the U.S. legal system.

“Everything here is so detailed, and evidence rules are very regulated. This is not the case in Japan,” he says. “I want to make some contributions to the government’s effort to design a more suitable legal system in Japan.”

Kitajima is now at Yale Law School, where he continues his study of the American legal system.

Jae Seung (Jason) Lee ’08 has served as a public prosecutor in his native Korea since graduating from Seoul National University School of Law in 1998, first as a prosecutor and judge advocate general (JAG) in the Republic of Korea Air Force, and today as a member of the Chuncheon Public Prosecutor’s Office.

“I love solving problems systematically,” says Lee. “Korea has a lot of systematic problems, but it has very good laws and legal devices, most of which we adopted from Japan.”

Like Japan, Korea is undergoing a legal transformation; the jury system in some specific criminal cases was introduced only recently. Lee enrolled in USC Law’s LL.M. program to help ensure that his country is correctly importing U.S. law.

“Many specific Korean laws are being imported from America,” he says. “But many people in Korea still don’t understand the basic principles of this kind of law.”

For Lee, gaining new legal knowledge and skills is about more than just being a better and more effective prosecutor.

“Viewing the world through the law was always attractive to me,” he says. “I wanted to be a prosecutor because my ideal is to make my country a more just place.”

Lee’s decision to attend USC Law was based largely upon the recommendation of a senior prosecutor, Jong Wook Jeong, who graduated in 2005 and was the first Korean prosecutor to enroll in a U.S. law school as an LL.M. student.

“I loved the LL.M. program,” he says.

This September, Lee began an internship with the Los Angeles County District Attorney’s Office. In January, he, his wife and their 4-year-old son will head back to Korea, where he hopes to put his newfound knowledge of the law to good use.

“It’s my hope that the next time someone argues with me about interpretation of American law, I can prove them wrong and say, ‘That’s what I learned at USC!’”

— Darren Schenck
With the use of “clickers” by professors and laptops by students, blackboards are becoming as endangered as inkwells. And while technology is rapidly changing the dynamics of the classroom, some academics assert that technology does not always improve a student’s learning experience.

Many professors say that the use of laptops by students is a distraction in the classroom, but that advances such as “clickers” — devices that allow instructors to ask questions and gather students’ responses — and electronic course management systems — such as Mediasite that allow instructors to post lectures online — aid instruction.

Thomas D. Lyon says he started using clickers because they were cool. But Lyon, the Judge Edward J. and Ruey L. Guirado Chair in Law and Psychology, quickly found that they helped students engage in his class discussions.

“What clickers do is let everybody participate,” he says. “They force you to explain why some answers are wrong, which leads to a more sophisticated understanding,” he adds. “One of the best ways to learn is to explain why wrong answers are incorrect.”

In addition, Lyon uses Mediasite for posting his lectures and has found that despite his fear that it would decrease class attendance, he “managed to keep them coming,” he says.

One of the criticisms of such technologies is that they foster “spoon-feeding,” a complaint Lyon finds ridiculous.

“These are law students learning enormous amounts of material — you can’t make it too easy,” he says. “I believe you make learning as easy as possible and give them tough exams.”

Kareem Crayton, associate professor of law and political science, says he started using clickers after receiving encouragement from Lyon and other faculty.

“For the students, it keeps them involved and lets them check the level of their comprehension. I feel it is a nice supplement for professors and students.”

While clicker proponents insist the gadgets enhance learning, many say laptops have the opposite effect.

“It creates the danger of being a diversion from the learning process,” says Crayton, who has asked students not to bring them to his seminars. “Students think recreating the conversation substitutes for note-taking. What one should do is train oneself to crystallize what’s important and think about why the material is assigned in the first place.”

Professor Daria Roithmayr agrees that laptops can be a crutch for students.

“It makes a difference in the ability to understand the material when you are not filtering out what is not important,” she says.

Roithmayr says she visited a law class at Harvard University in which laptops had been banned and was struck by the intensity of the engagement between students and the professor.

“There was no barrier between them,” says Roithmayr, who subsequently banned laptops in her own classroom in 2007. “It made me realize what I was giving up. Now I make a concerted effort to learn everyone’s names before they arrive to achieve that kind of interaction I saw at Harvard and I’ve found a much deeper engagement.”

Gregory Keating, who plans to ban laptops this fall for a first-year torts class, says teaching should encourage interaction.

“If students are off in their isolated spaces, that will defeat the collective good of the classroom,” says Keating, associate dean and William T. Dalessi Professor of Law and Philosophy.

For Michael Shapiro, it is simply a safety issue. He says his only concern is tripping over wires and he feels students should do what works best for them.

“If they don’t know enough to pay attention and not play solitaire that’s their problem,” says Shapiro, Dorothy W. Nelson Professor of Law. “They are the ones who will suffer when the grades come out.”

— Karen Newell Young
Student wins writing competition

Third-year student Jeremy Lawrence won the Environmental Law Institute’s “Endangered Environmental Laws” student writing competition. Lawrence won a $2,000 prize and an offer of publication in the Environmental Law Reporter for his piece titled “Where Federalism and Globalization Intersect: The Western Climate Initiative as a Model for Cross-Border Collaboration between States and Provinces.” His work examined a regional plan to address global warming by several American states and Canadian provinces.

“Most people think of state-based solutions as a traditionalist conservative idea, but this regional plan is a new twist on an old idea,” Lawrence said. “This regional plan is aimed at a progressive policy — greenhouse gas reduction — but its cross-border approach is quite different from traditionalist states’ rights aims.”
PRO BONO RECORD
USC Law students set a new record for pro bono work this year by donating more than 3,900 hours. More than 60 percent of the law school’s student body contributed their time to service efforts this year, and nine students donated more than 100 hours.

Those volunteers, along with two USC Law alumni, were recognized at the annual Pro Bono Awards Luncheon this spring, where Doreen Anthony ’08 (left) was named Public Interest Law Foundation Student of the Year, Andrea Ramos ’92 was named PILF Attorney of the Year, and Phillip Kaplan ’77 received the Paul Davis Memorial Award.

In addition to bestowing service awards to students, PILF offered grants to eight second-year and 17 first-year students to support their public interest work this summer at agencies around the country.

2LS ADDRESS THE DAIS
The 59th annual Hale Moot Court Honors Competition saw four 2Ls present oral arguments on a special probation condition in a fictional case that centered on the arrest and probation conditions of a woman convicted of shipping images of child pornography in interstate commerce using a computer.

The final round was judged by United States Appeals Court Judges Danny J. Boggs, Johnnie B. Rawlinson and Milan D. Smith Jr. Matthew Larson ’09 was named the champion; Wende Nichols-Julien ’09 was named runner-up; Matthew Bennett ’09 and Danielle Kudla ’09 rounded out the final four in the year-long competition.

The Hale Moot Court Honors Program is student-run and administered by a board of 3Ls who participated in the competition during their second year. Board members select the topics for argument, create the hypothetical case and help the participants prepare their written and oral arguments.

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Above: Dean Rasmussen with United States Appeals Court Judges Milan D. Smith Jr., Danny J. Boggs and Johnnie B. Rawlinson.

Left: Dean Rasmussen, center, with the finalists Larson, Kudla, Nichols-Julien and Bennett.

TEACHING EXCELLENCE
The 2008 William A. Rutter Distinguished Teaching Award, which honors a faculty member dedicated to excellent classroom teaching, was presented to Charles Whitebread, the George T. and Harriet E. Pfleger Chair in Law.

Whitebread teaches Criminal Procedure and Gifts, Wills and Trusts, and an undergraduate Law and Society course. An expert on the U.S. Supreme Court and criminal and juvenile law, Whitebread is one of the school’s most colorful and popular professors. Presenting the award, Dean Robert K. Rasmussen said it’s possible Whitebread has taught more law students than any professor in the country. He praised the professor for the quality of his teaching and his impact on students.

“I have talked to students whose lives have been changed by the care and dedication of this law professor,” Rasmussen said.

William A. Rutter and Professor Charles Whitebread.
INTERSECTING DISCIPLINES

Neuroscientists, economists and lawyers from USC and other top research institutions met on campus this spring for two days of discussion and brainstorming sessions on studies that might lead to better laws and a more innovative economy. The symposium, “Law, Economics and Neuroscience: Implications for Innovation,” focused on research that included studies of the underlying brain mechanisms involved in decision-making.

“I think people will find that we can enrich the research agenda of all these disciplines with this kind of cross-pollination,” said Gillian Hadfield, the Richard L. and Antoinette S. Kirtland Professor of Law and Professor of Economics and director of the Southern California Innovation Project, which organized the symposium.

USC Law Visiting Professor Mathew McCubbins presented research about trust and the use of electroencephalograph technology and Dan Simon, professor of law and psychology, discussed a study by Alan Sanfey of the University of Arizona in which male participants looked at pairs of female faces and were asked to choose the more attractive face.

USC Law’s James Spindler, an expert in corporate finance, opened the discussion of Harvard University economics professor David Laibson’s research about decisions that involve the future.

AWARDS DAY CELEBRATES STUDENTS, FACULTY, STAFF

During the USC Law Annual Awards Ceremony, 11 students were recognized for their contributions to the law school and the greater community. The Student Bar Association Outstanding Faculty and Staff Awards, selected by the 3L class, honor a faculty member, adjunct professor and staff member for their service to students. This year’s recipients include:

Priya Sridharan
The director of career services, Sridharan is able to provide advice that comes from a career spent in the public, private and nonprofit sectors. One student said Sridharan “changed my life. I went to her with no idea what I should do for a career, and she gave me great advice.”

John Heilman ’82
The mayor of West Hollywood and adjunct professor employs a jovial teaching style, provides detailed feedback on exams and is always available to help students. One student said he took one of Heilman’s bar preparation courses, where he “took more notes during those three hours than I have in a long time.”

Niels Frenzen
Director of the USC Immigration Clinic, Frenzen was described by a nominator as “a living, breathing example of a committed public interest lawyer” and praised for his dedication to mentoring both current students and recent graduates.
At the top of their game

By Maria Iacobo and Gilien Silsby

There is no set path to a career in sports law. A high-profile industry, sports spans the globe and legal landscape with increasingly complex and dynamic issues.

A couple of decades ago, a sports law class offering was a rarity in most law schools, and the American Bar Association’s only sports-related member-group was at its inception.

Today, USC’s sports law curriculum is typical of programs around the country that teach students from multiple-edition sports law textbooks. Not only is the ABA’s sports-related member-group booming, but another national sports lawyers association boasts hosting its 34th consecutive annual meeting in 2008. The sports industry is a multi-billion-dollar industry, and is rapidly expanding even in today’s shrinking economy.

USC Law graduates have created their own game plan to achieve roles in some of the world’s most recognized sports organizations and they use these positions to shape the industry and its players.

Breaking into sports law takes more than just being a fan. Legal knowledge and business savvy are required to navigate the multitude of subjects including contracts, torts, real estate, franchising, insurance, global marketing, employment, collective bargaining and intellectual property.

In fact, “sports law” itself does not refer to any particular body of law. On the contrary, the different areas of law are applied to the industry in layers, creating a matrix of rules that are referred to as “sports law.” What that means to the student or practitioner interested in sports law is that he or she can enter the field from countless points on the legal map.

Los Angeles Lakers General Counsel and Secretary Jim Perzik’s work is illustrative of the evolution of sports law, while Vered Yakovee is still growing and shaping her career in the field. Amy Trask, chief executive of the Oakland Raiders, and Joe Bogdan, senior vice president of legal and business affairs for World Wrestling Entertainment Inc., have used their legal skills to sharpen their business acumen.

Read our “Alumni Profiles” section of this issue (pages 28-31) and you will be introduced to four more alumni with careers in sports law affording different perspectives and challenges. Their stories are compelling and demonstrate the excellence and flexibility that a USC Law education can deliver.
Jim Perzik

HOLDING COURT FOR THE LOS ANGELES LAKERS

Jim Perzik ’62 did not go looking for one of the most coveted legal jobs in professional basketball. Yet today, only his thumbs are lacking world championship rings.

Early in his career as an accountant, Perzik thought he would enhance his business skills with a law degree from USC. In the 1970s, Perzik was practicing transactional law when one of his longtime clients – Jerry Buss – decided to jump into the world of sports after a successful career in real estate development. Perzik handled Buss’ acquisition of the professional World Team Tennis franchise in Los Angeles.

In 1979, Perzik closed what was at that time the sports world’s largest deal. Buss acquired Los Angeles’s NBA and NHL franchises (the Lakers and the Kings) and the 18,000-seat Los Angeles Forum – home to both teams.

So began Perzik’s foray into sports and entertainment law that would have him continue to craft some of the earliest headline-grabbing contracts in sports history. Today, he is the secretary and general counsel for the Los Angeles Lakers, a position he has held for 17 years (nine as secretary).

Perzik also managed the transactions for Buss’ indoor professional soccer and indoor roller hockey teams. For each player, a contract needed to be created; for each rock concert or boxing match that was staged at the Forum, contracts were needed as well.

“Early on, a player contract started as a blank piece of paper,” Perzik says chuckling. “That was fun; there was more give and take. You weren’t working with strict rules.”

Perzik has drawn contracts for a veritable who’s who list in the sports world: Chris Evert, Ilie Nastase, Shaquille O’Neal and Kobe Bryant, among others.

“After we drafted Magic Johnson (in 1979), his first renewal was a 25-year contract at $1 million a year, which was huge at that time. You couldn’t do that now.”

In the nearly 30 years in which Perzik has practiced in the field of sports law, the legal landscape has become more complex.

“Like any business, there are certain concerns that are unique about that business enterprise,” says Perzik.

He ticks off a long list: collective bargaining agreements and operations manuals for each league; sponsorship and broadcast agreements; player contracts, employment agreements for non-player personnel, vendor agreements, venue or stadium agreements.

“You need to understand the rules under which each of these areas is governed,” he says.

An important factor in Perzik’s success has been Buss. Perzik says his boss is the “creative thinker” and remains hands-off so his team can do its work.

“He gives you more authority and more control than anyone I’ve ever worked with,” says Perzik. “He chooses to think about the big picture. He discusses what he wants accomplished in a broad sense and then lets you go ahead and do it.”

That kind of freedom is one of the reasons Perzik remains in the game with the Lakers. In 1999, when the Lakers sold the Forum and moved to the brand-new Staples Center in downtown Los Angeles, Perzik considered retiring. Briefly, Buss urged him to stay on and Perzik saw no reason to give up what he loved to do.

One of his more exciting transactions was the trade that brought Pau Gasol to the Lakers earlier this year.

“You’re right on the inside,” says Perzik. “You’re one of maybe three people who know what our plans are. Everybody, including reporters, is guessing. The amazing thing about the Gasol transaction is we surprised everybody. Nobody had a clue we were trading for him and when we announced it, it was a surprise.”
The evolving legal complexities of the world of sports have kept Perzik busy for the last 30 years.

“Each team has a few people who are referred to as ‘capologists.’ I need to understand how the salary cap operates, what you can do and what you can’t do. When we get involved with player transactions you need to know what you can do before you sign a player to a long-term contract. You need to understand the impact of that contract on your general over-all salaries and what impact that is going to have in the future. When you’re planning a trade there are certain things you can and can’t do to make a trade work.”

With his many years of insight and experience, Perzik is a sought-after mentor by many USC Law students who hope to launch careers in sports law. He appreciates the value of his USC education (Perzik received his undergraduate degree at USC as well) and says he is impressed at how law school taught him to think.

“I was a CPA – a professional person – and I thought a certain way about matters,” he says. “At law school I started thinking about things differently. You don’t take things for granted. You don’t accept things that aren’t proven to you. You look at all aspects of a problem. Your mind wraps around an issue.

“That’s why you find lawyers doing lots of other things. I spend at least half of my time in business affairs, not legal affairs. I had exposure to many things so my antennae were refined. When I see something new that I may not be familiar with, I know I should look into it and not just accept it.”

When asked what advice he gives young lawyers bent on a career in law, Perzik chuckles. It’s a question he is asked constantly. “When you’re as old as I am you create lots of philosophies,” says Perzik. “My philosophy is to enjoy what you’re doing and the people you’re doing it with. Everything else takes care of itself.”
When Amy Trask ’85 landed a job with the Oakland Raiders, many thought she was a business person who happened to get a job in football.

In truth, Trask is a longtime football – and Raiders – fan who happened to land a job in the business world.

“A lot of people think I developed an interest in football after I joined the Raiders,” says the team’s chief executive. “That’s a very big misperception.”

Today Trask is the only woman to head a football team in the NFL, and one of the youngest to rise to chief executive. Trask called the club’s El Segundo headquarters nearly 25 years ago, offering to serve as an unpaid intern while she was a second-year law student. She joined the Raiders as an attorney in 1987, and team owner Al Davis named her chief executive a decade later.

“Al Davis would be quite bothered that I’m saying this, but I think it’s important: I don’t think there’s another sports organization that would have given me – or any young woman – an opportunity 21 years ago,” says Trask. “Al Davis and this organization are blind to race, religion, gender and age. There’s a track record of diversity and inclusiveness here – Al hired the first Hispanic head coach and the first modern-era black head coach, and the first woman chief executive. He doesn’t do it for the recognition. He simply hires whomever he thinks is right for the job without regard to race, religion, gender, ethnicity or age.”

Trask oversees the massive Raiders business operation, which employs about 100 people, not including the players and coaches. She directs all aspects of the Raiders corporation, including finance, marketing, ticket sales, internet operations, broadcasting, and multi-cultural and youth initiatives. She travels extensively to NFL meetings, where she deals with fellow executives and team employees.

“Don’t ask me what a typical day is like,” she says with a laugh. “Every day in my 21 years here has been different. That’s one thing that I love about my job.”

Despite her reputation as a tough-as-nails football executive, Trask also is the ultimate team player.

“When things are busy, it’s all hands on deck,” she says.

That may mean answering the phone – side by side with hourly employees – on busy ticket sales days. She also makes trips to the stands, where she greets and mingles with Raiders fans before each road game.

Trask’s love for football – “It’s an amazing game that combines strength, speed, power and a strong intellectual component that I love” – began in high school; she periodically took her father to Rams games.

As an undergraduate studying political science at the University of California, Berkeley, Trask became captivated by the Raiders. She was drawn to the team’s unconventional, maverick quality. She also admired Al Davis for his tenacity, resilience and independence.

“The Raiders is an organization with a renegade feel to it,” Trask says. “That’s what attracted me. You don’t have to fit a certain mold.”

Coincidentally, when Trask went on to USC Law, the Raiders relocated to Los Angeles, playing at the Coliseum – home to USC football.
Trask says she never intended to practice law, but went to law school for the education. She chose USC because it was small and intimate – something she desired after attending a large university. At USC Law, she met Robert Trask ’84, now an investor. They married after law school.

“I thought law school would give me an advantage in business,” Trask says. “Law school offers a tremendous education. I liked the economic focus and business approach to studying law at USC. I was impressed by the professionalism and quality of exchange between students and professors.”

Constitutional Law, taught by Michael Shapiro, was one of her favorite courses. “Professor Shapiro really stood out,” she says. “He is an amazing, intelligent human being. He has a great mind. Shapiro – and law school overall – taught me critical thinking. No matter what you end up doing, that’s going to help you.”

Shapiro, who has followed Trask’s career, agrees. “Our teaching methods, whether in con law or tax or licensing, are calculated and well-designed to qualify people for the CEOship of major sports franchises, and possibly for other high offices.”

While Trask attended USC Law, she regularly cheered on the Raiders at the Coliseum. In her second year of law school, Trask called the organization about internship opportunities.

“They didn’t know what to say other than to explain that they had never had interns,” Trask says. “But, they let me come over and work.”

The Raiders didn’t have any openings when Trask graduated from USC Law, so she joined a Los Angeles law firm and practiced transactional law. Then a call came from the Raiders’ general counsel, Jeff Birren, who had previously hired Trask as an intern. The team was looking for a young person to help with transactional matters.

“I told him I could be there in 20 minutes,” Trask says. “I just had to give notice.”

When Trask isn’t cheering on the Raiders, she is likely to be found at the stables visiting her horse, Championship Game. Trask purchased the horse in 2003 just before the Raiders went to the Super Bowl. For years, the pair competed in equestrian events. “I find it extremely relaxing when I am riding,” Trask says. “It’s something I’ve done since elementary school, and I truly enjoy.”

Trask doesn’t tout her role as the only female chief executive in the NFL.

“The Raiders environment encourages young people to grow,” she says. “That’s the culture of the organization. As far as my gender, I don’t think about it for one minute. If you don’t want gender to be an issue, don’t make it an issue. It’s as simple as that.”

Many have said Trask may one day be recruited to the top football job – NFL commissioner – a position openly coveted by many, including Condoleezza Rice. But for now, Trask isn’t thinking about anything except the upcoming football season and, ultimately, the Raiders’ first Super Bowl win since 1984.

“Our business is football,” she says. “I don’t look at what’s next – other than the next football season.”
Joe Bogdan
MODERN DAY RENAISSANCE MAN

Joe Bogdan ’88 was to have no business in show business. “I was a frustrated entertainer,” he says smiling. “I was a musician, a stand-up comic and an actor in high school, but I was not very good. I didn’t have ‘the gift.’”

So, at 15 years old, Bogdan decided he would become an entertainment lawyer. Armed with his B.A. in English literature from the University of Illinois, he entered USC Law and found he wasn’t alone; more than half his class wanted to go into entertainment law.

Now, 20 years out, Bogdan looks around and sees a limited number of classmates in the entertainment field. That may be an indication of how tough Bogdan is or how tough it is to break into the field. Or both.

“I’ve seen would-be entertainers and would-be entertainment lawyers give up,” he says.

Bogdan, however, would not give up on his dream. It would require years of moving around the country, perseverance and a willingness to be flexible on the job for him to earn the credentials to become senior vice president of business and legal affairs for World Wrestling Entertainment Inc. (WWE). The billion-dollar New York Stock Exchange company is known internationally for professional wrestling and sports entertainment. An integrated entertainment and sports entity, WWE has its global imprint all over the consumer map: live entertainment, sports, publishing, new media, television, film and consumer products.

“People may look at my career and think I’m unstable,” he says. “I’ve had eight or nine employers in 20 years. But, I don’t view it that way.”

Frequently asked how he got where he is today, Bogdan’s advice is simple to write down, but more difficult in practice.
“Be prepared to accept change. Be prepared to change geography, employers and types of work. I’ve talked to lawyers who want to practice in entertainment law, but don’t want to move. That’s okay. But, they’re going to continue to practice whatever it is they’re doing now.”

Bogdan has carefully followed his own advice of accepting career changes.

The first Los Angeles law firm Bogdan worked for dissolved within his first year of employment; nearly as frustrating was that he practiced about 5 percent entertainment law and 95 percent commercial litigation. Bogdan’s next two law firms dissolved as well.

During these years, he says, he practiced as much technology law as he could, given its considerable relation to entertainment law. When technology and entertainment began to converge in the mid-1990s, it was a huge stroke of luck for Bogdan.

His fourth firm – Manatt, Phelps & Phillips – offered him solid entrée into entertainment law. After a few more years, his patience had finally paid off. Where some of his classmates had been sailing along professionally, it took Bogdan longer to feel he had hit his stride.

“Eight years out of law school I finally felt like I had arrived,” he says. “I was practicing entertainment law and working at a law firm that was on the short list I had when I graduated from law school.” Three years later, Bogdan returned to his hometown of Chicago when his father became ill. Having built a sustainable practice, however, he continued his work in the entertainment field “without missing a beat.”

Bogdan returned to Manatt a few years later. From there he left private practice to work in-house for an on-line music provider and then moved back to Chicago for several years for a position as in-house counsel for an educational video game publisher.

Three years ago, someone forwarded Bogdan the job opening at WWE and he knew it was a perfect fit. His only trepidation was living in suburban Connecticut (WWE’s headquarters are located in Stamford, about 50 miles north of New York City). Single, Bogdan wasn’t sure if suburbia would be a good fit for his personal life.

No worries there. He says he gets into New York at least once a week and Stamford and nearby Greenwich are great places themselves.

“I can’t think of another entertainment company that has as many tentacles as WWE,” says Bogdan.

He adds: “This particular job is the most amusing job I’ve ever had. This industry is so colorful. I never know what’s going to happen from day-to-day.”

While Bogdan had experience in other entertainment venues – music, television, new media – WWE has provided him exposure to the sports world.

“I’ve become a Renaissance man in entertainment disciplines,” he says.

“My appreciation is tremendous for the WWE as both a business model and as an entertainment model,” says Bogdan. “Our chairman is fond of saying, ‘We put smiles on people’s faces.’ It’s amazing and it’s true. WWE is larger than life.”

Bogdan experienced that magic firsthand recently when he provided an acquaintance’s disabled child with backstage passes to a WWE live event. The young fan was beside himself from the exciting experience of meeting his favorite WWE Superstars.

One constant in his professional travels is the recognition of USC Law by his peers – something that surprised Bogdan at first.

“USC as a law institution provides instant credibility. If you mention the USC name, you’re in. It’s phenomenal. And, it’s because of the quality of the education. People know the school.”
INSURING VICTORY WITH CALCULATED RISKS

“How did you get where you are?”
Vered Yakovee ’02 asked sports lawyers, including Jim Perzik, that question for years. Most of the time, people were friendly and took the time to tell her how they did it.
Along the way she learned that there was no single answer to her question.
“No two stories are alike,” she says. “If you want to make it happen, you have to be creative. You have to find your own way.”
Now, six years after graduating, Yakovee has her own practice with both sports and music clients. She is also editor-in-chief of the American Bar Association (ABA)’s quarterly publication Entertainment & Sports Lawyer, and serves on the governing committee of the ABA Forum on the Entertainment and Sports Industries. And, she did it her own way.
Listening to her heart and volunteering her time are two keys to Yakovee’s success. A life-long athlete, Yakovee knew she wanted her “career to have something to do with sports” when she entered USC Law. She sought out Perzik for her law school mentor and developed mentor relationships with others she met by attending the annual Sports Lawyers Association (SLA) conferences.
After graduation, she found freelance work in both litigation and sports. A member of Southern California Outrigger Association (SCORA) ocean outrigger teams since college, Yakovee spent her post-grad evenings on the Pacific preparing for weekend races. As a new lawyer, she volunteered to do anything SCORA needed, and was asked to join the executive board as the Insurance Coordinator. Four years later, she had taught herself the ins and outs of insurance coverage as well as risk management, and became SCORA’s vice president for insurance and risk management.
Another volunteer opportunity came up while attending one of the ABA’s Forum on the Entertainment and Sports Industries annual meetings. The editor-in-chief of the group’s quarterly publication asked her to write a four-part series on all legal aspects of big sports event management, and she agreed, “not realizing what a large endeavor it would be while working full time.”
One year later the series, which became eight articles, was complete.
“I don’t think he expected me to do as much work as I did,” says Yakovee, who convinced others to contribute sections as well. The work was a good learning experience and one she believes led to her being offered the editor-in-chief position last year.
With the insurance background she received from SCORA, Yakovee landed a job at Dickstein Shapiro LLP in Los Angeles. Finding she spent less than half of her time working in sports, Yakovee knew she was not focusing on what she truly wanted to do. Less than two years later, she left and opened her own practice in January 2008.
“It’s kind of courageous and kind of crazy, but I just had to go for it,” she says, laughing in the conference room she shares with other businesses. Behind her is the Pacific Ocean and fantastic views of boats bobbing in the Marina del Rey harbor.

Yakovee has repeatedly been asked why she wants to work in sports law and warned about the work it would involve.

“The practice of sports law is still the practice of law” people would tell me,” she says. “It’s not any different than practicing law in any other industry, and don’t get too excited because it will still entail hard work.”

She concedes that may be true to some extent, but not altogether.

“I tried to tell myself that they were right. But, you know what? It is more fun working in sports law. Part of practicing law is applying the law to the facts. And, if the facts consist of fun stuff that you would read about in Sports Illustrated or someplace else in your free time, then it is more fun. If you’re an athlete and you love sports, then it’s just more fun to work with a sports client. So, I think what I was told was not altogether true. It’s definitely more fun.”

Yakovee is working hard, however, to have her fun. She recently signed on as general counsel for the inaugural U.S. Sports Film Festival to be held October 2008. She will handle some of the festival’s risk management and also organize its continuing legal education program for sports and entertainment lawyers. In addition, her practice has grown beyond insurance coverage to include corporate and other work; her clients include a major rock band, a Heisman Trophy winner, a music festival and a small recording studio.

Grateful for the time and encouragement that others give her, Yakovee pays it forward by speaking to students at local law schools. She has also offered a few students editing and writing roles with Entertainment & Sports Lawyer.

Recently, Perzik called to ask her thoughts on a contract he was working with.

“He asked me a substantive insurance question,” says Yakovee, half in amazement. “I don’t know if he knows how much that made my day. It really marked a coming-of-age moment for me.”

Running a business has been both exciting and time-consuming. With her office just a short walk from her SCORA team’s launch point, Yakovee remains on the team, though she has transitioned out of her insurance role.

And although Yakovee won’t say where she would like to be at the height of her career, one thing she’s learned is that there isn’t an established road to get there.

“I have an ultimate goal,” she says. “I know it’s among the stars and it may be too much for me to reach for. But, I feel like I have to try. Even if I don’t reach the stars, I’ll have had an enjoyable journey, and I may land on the moon to find I like that just as well.”
Students find clerkships that pay dividends throughout their careers

Casting a wide net

By Gilien Silsby

When Sam Goldberg ’06 began looking for a judicial clerkship, he didn’t hesitate to apply outside of California. After all, Goldberg had a standing offer at Los Angeles’ Simpson Thacher & Bartlett, and he saw spending a year in another part of the country as a way to maximize his clerkship opportunities.

In his final year at USC Law, Goldberg flew to Columbus, Ohio, for an interview with Hon. John David Holschuh. The chemistry was right and Goldberg spent the next year in a Columbus district court analyzing motions, observing courtroom proceedings and writing first drafts of orders, tentative rulings and opinions.

“When you go out of state for a clerkship, you get exposure to a different legal culture,” Goldberg says. “You see a different perspective and make connections to another legal market.”

USC Law has a long tradition of encouraging students to apply for clerkships. Developed by professor Jean Rosenbluth and the Clerkship Committee, in conjunction with the Career Services Office, the judicial clerkship program has grown steadily. In USC Law’s class of 2008, 12 graduates landed jobs clerking for judges.

“The benefits from a clerkship will follow the student for the rest of his or her career, and besides, the job is just a blast. You can’t have more fun working as a lawyer,” Rosenbluth says.

“Some of our students are reluctant to leave sunny Los Angeles to pursue a clerkship, she adds. “Clerking elsewhere for a year is a great way to discover another part of the country and have a bit of an adventure before settling down.”

USC Law Dean Robert Rasmussen is a case in point. After graduating from University of Chicago Law School, he traveled to Alabama
to clerk for Judge John C. Godbold in the U.S. Court of Appeals for the Eleventh Circuit. Rasmussen then went on to the United States Department of Justice Appellate civil division where he handled litigation in the United States Courts of Appeals and the United States Supreme Court.

“I always encourage students to explore all of their options; what you learn by working for a judge is much more important than the city that you happen to be in,” Rasmussen says. “It’s the best learning experience they’ll ever receive. You cannot duplicate it.”

USC Law offers help with letters of recommendation and pays for travel for clerkship interviews. Throughout the year, sitting judges also are invited to USC Law to deliver talks on clerkships.

This year, judges Colleen McMahon and Richard Paez visited USC Law. McMahon, a district judge of the Southern District of New York, gave tips on finding clerkships at the district or appellate level. “It is a neat and treasured experience and something that if you’re interested in you definitely ought to explore,” says McMahon. “Judges like to look you in the eyes. You should feel comfortable with a judge if you’re going to spend a year with them.”

Paez, a judge in the Ninth Circuit Court of Appeals, explains that judicial clerkships offer valuable insight into how judges make decisions.

“My former clerks tell me that their experience working with me has given them a great deal of confidence, a great deal of exposure to different areas of the law, and a chance to improve their writing like never before.”

Even for those students who aren’t thinking of going into litigation, there are advantages to clerking, Paez adds. “You get the experience of working through very concrete legal problems in a very short time. It is going to give you confidence.”

That was certainly the case for Goldberg, who has been at his firm since December.

“When you work for a judge you see both sides of what’s going on in the courtroom,” Goldberg says. “You see the kinds of mistakes made in private practice and how it plays out in court. You get a behind the scenes look. You also get the first crack at writing an opinion, which will undoubtedly improve your writing and editing. All of it together really prepares you for working at a firm. It’s a great experience.”

“All of it together really prepares you for working at a firm. It’s a great experience.”

— Sam Goldberg
The ideal clerk

To learn about clerkships from a judge’s perspective, USC Law Magazine interviewed the Honorable George H. King, a judge for the U.S. District Court for the Central District of California and a 1974 graduate of USC Law.

In your opinion, what makes an ideal clerk?
An ideal clerk is a person who is curious about all areas of the law, who is excited to be challenged by the sometimes seemingly intractable legal questions that we will inevitably face in each clerkship term, who is willing to spend extremely long hours in order to get the work done, and who possesses the good judgment to balance the competing goals of timeliness and thoroughness. That person is also someone with whom I can have an intellectually rigorous exchange as we think through the legal issues in each case, and who possesses outstanding legal research and writing skills. The clerk must also understand that personal agendas have no place in chambers. Finally, an ideal clerk is also one who learns the job quickly — in days, not weeks or months.

What tips can you offer students who are considering applying for clerkships?
Take challenging courses for all three years of law school. A transcript loaded with easier classes tends to reflect poorly on an applicant, and easier classes do not prepare a student for the rigorous analytical work that will be necessary as a law clerk. Also, be as flexible as possible. Federal judges receive hundreds of applications for two or three spots, and so the process is unpredictable — for the judges and the clerks.

What is a typical day for your clerks?
There is no typical day. Particularly in district court, a judge has some role in almost every stage of litigation and over cases involving almost every area of law. There are significant differences between the first day of a new trial and a day when an application for a temporary restraining order is filed.

What is the biggest challenge for clerks when they first begin their clerkship?
The biggest challenge is the level of responsibility the clerks will have from the start. Unlike in law school, or even at a firm, you cannot avoid areas of law you don't know or don't like. Cases and motions are not filed with the law clerks — or the judges — in mind, and a law clerk has to hit the ground running from the beginning, regardless of what the cases bring.

Do you have any particularly fond memories of working with your clerks?
I particularly enjoy discussing each matter with the clerks in order to come to the best possible decision that I can make after full consideration of their input. On substantial or difficult matters, we spend many hours (sometimes over a period of days) trying to think through the issues. This process is not only intellectually challenging, but also gives me the satisfaction of seeing young lawyers develop sophisticated legal thinking without losing sight of our ultimate goal of being fair and impartial in every case.

– Gilien Silsby
How I spent my clerkship

My judicial clerkship provided me with invaluable experience that set me apart from other junior associates.

A judicial law clerk sees more courtroom action in a year than most new associates see in five years. I was able to observe arguments presented by some of the finest attorneys and see examples of the best presentation styles and most effective arguments. I also observed presentation styles and arguments that were not so effective. In comparison, most new associates will observe very few arguments presented by the attorneys with whom they work. These associates must learn to identify effective courtroom arguments by trial and error.

While clerking for the Honorable Daniel A. Barker in the Arizona Court of Appeals, I spent countless hours scouring the record of lower court proceedings. These hours taught me the critical importance of establishing a comprehensive lower court record to facilitate effective appellate review. My co-clerk and I each prepared more than one hundred draft opinions and various other legal memoranda during our year of clerking. We worked on a wide variety of cases, including those involving torts, contracts and criminal law, including a death penalty case over which Judge Barker presided while sitting, by designation, on the Arizona Supreme Court.

I am now practicing securities litigation and though my career may never call on me to use the substantive law I learned while clerking, the experience broadened my view of the law. Clerking came with a lot of demands, and for me the learning curve was steep. However, after a few months of learning the ropes, I felt comfortable in my role of informing the judge’s decision-making process and challenging his views. Working under the constant pressure of meeting weekly deadlines initially felt much like preparing to take a law school exam every week. In time, the demanding deadlines helped me learn to quickly identify salient issues and focus my analysis. The weekly “conferences,” during which the clerks brief the judge on all new cases, provided me with the opportunity to hone my oral presentation skills — a skill I use daily when discussing matters with partners and clients.

A judicial clerkship is a top-down educational process that allows you to start your career by working with talented legal minds. It provides you the regular opportunity to review the work of excellent attorneys and to learn the elements of effective advocacy. My year as a clerk has advanced my career by preparing me for challenging legal work and inspiring the confidence of the partners with whom I work. During my first year with a large law firm, I was entrusted with drafting and arguing motions on behalf of a large corporate client. I am certain that these opportunities were offered to me, in large part, due to the skills I developed during my year as a law clerk.

The lessons I learned while working as an extern in a trial court and a clerk in an appellate court provided me with a foundation of knowledge that will last throughout my career. It has taught me the language and protocols of the courtroom, as well as how to frame a winning argument. Both my externship and clerkship have made me a better lawyer.

— Eleanor Mercado ’05
Faculty

*Footnotes* (a selection of recent faculty activities)

**Jonathan Barnett** co-presented a panel on compulsory licenses and damages analysis in patent litigation. His gave his talk on “What’s The Case Worth? Selected Damages Issues” at the USC Intellectual Property Institute held at the Beverly Hills Hotel. The conference was attended by judges, government officials, legal practitioners, business people and academics.

**Kareem Crayton** helped organize an event with David Simon, creator of the popular HBO series "The Wire." Simon spoke at USC Law about the role that journalists play in covering law and politics. The event drew both law and journalism students, who asked pointed questions about criminal justice and urban issues. Whether you’re a police officer on the beat, a politician in city hall, or even a dealer in the drug trade on “The Wire,” the law plays a strong and surprisingly similar role in shaping the challenges and opportunities for these characters, Crayton said. To watch the presentation Simon gave at USC Law, go to [http://www.youtube.com/watch?v=k8E8x8XFLKE](http://www.youtube.com/watch?v=k8E8x8XFLKE).

**David Cruz** launched his blog, Cruz Lines, a “legal blog offering excursions into the Constitution, equality law, sex, gender identity, and sexual orientation.” He has blogged about the California Supreme Court’s decision affirming same-sex couples’ right to marry, U.S. Supreme Court rulings protecting workers against retaliation for raising discrimination claims and denying protection to individual government employees for irrational discriminatory treatment, the U.S. military’s “Don’t Ask, Don’t Tell” policy, and a British House of Lords decision in a statutory rape case, among other topics. [http://law.usc.edu/faculty/blogs.cfm](http://law.usc.edu/faculty/blogs.cfm) [http://www.cruzlines.org](http://www.cruzlines.org) [http://davidcruz.usc.edu](http://davidcruz.usc.edu) [http://mylaw.usc.edu/blogCruz/index.cfm](http://mylaw.usc.edu/blogCruz/index.cfm)

**Ronald Garet** received the University Distinguished Faculty Service Award from the USC Academic Senate. Garet, the Carolyn Craig Franklin Professor of Law and Religion, was recognized for his “furtherance of ethics and faculty rights, and for distinguished service as president of the Faculty Senate.” A member of the Academic Senate, he has served as vice president, president of faculty, and chair of the Faculty Rights and Responsibilities Committee.

**Elizabeth Garrett** participated in a discussion on the financial and budgetary struggles facing Sacramento and Washington, D.C. Hosted and conceived by Provost C. L. Max Nikias, the symposium also included School of Policy, Planning and Development Professor Elizabeth Graddy and Harvard Law Professor Howell Jackson, who, with Garrett, co-edited *Fiscal Challenges: An Interdisciplinary Approach to Budget Policy*, published by Cambridge University Press. Moderated by Kitty Felde, a correspondent with KPCC, the discussion provided timely and rigorous analysis that could help shape future laws and are at the forefront of the presidential campaign. California’s fiscal crisis was also addressed, including discussion of what reforms might help avert similar budget crises in the future and the likelihood that a responsible budget will be enacted this year.

**Dan Klerman’s** article, “Jurisdictional Competition and the Evolution of the Common Law,” was published in *University of Chicago Law Review* (v.1. 74, 2007). He also presented “Interpreting Medieval Legal Texts” at the University of California, Santa Barbara, Medieval Studies Winter Colloquium on the “Disciplining Texts.”
Elyn Saks won the 12th Annual “Books For A Better Life Award” in the inspirational category for her memoir The Center Cannot Hold: My Journey Through Madness, which chronicles her battle with schizophrenia. Saks was one of five finalists in the inspiration category, which also included Lee and Bob Woodruff for their book “In an Instant,” which recorded Woodruff’s rehabilitation following injuries he suffered covering the war in Iraq. Presented by the National Multiple Sclerosis Society in New York, the awards recognize excellence in self-help, motivational and self-improvement books in nine categories.

Vice Dean Robert Saltzman was recently appointed to the Los Angeles Board of Police Commission by Mayor Antonio Villaraigosa. As a commissioner, Saltzman participated in the Martin Luther King, Jr. Kingdom Day Parade and Celebration accompanying Commission Vice Chair and former Urban League President John Mack and Police Chief Bill Bratton. Dean Saltzman also testified in a public session regarding the advisability of the financial disclosure requirements for certain LAPD officers under the federal consent decree that resulted from the LAPD Rampart investigation. Saltzman also participated in a panel discussion of the Academic Support section of the AALS as part of his attendance at the annual meeting. He discussed different approaches to academic support and various ways to measure the success of academic support activities.

Professor Nomi Stolzenberg presented a paper, "American Shtetl: Communitarianism From the bottom Up in the Village of Kiryas Joel" at a conference on The Social Frameworks for Cultural and Religious Pluralism, sponsored by the Pluralism, Politics and Religion Initiative at Washington University in Saint Louis in collaboration with the Paris Research Laboratory on Religions, Societies, and Laicites, held at Washington University.

DUDZIAK EXAMINES MARSHALL’S ROLE IN KENYAN DEMOCRACY


Dudziak details Marshall’s complicated engagement in both Kenyan constitutional politics and the civil rights movement in America, where the sit-in movement started in Greensboro, N.C., in February 1960.

“In his experience, in the U.S. and in Kenya, law was a way to move forward in a context laced with violence,” said Dudziak, the Judge Edward J. and Ruey L. Guirado Professor of Law, History and Political Science. “What we learn from both stories together is Marshall’s deep belief that for equality and full citizenship to be achieved, legal change was, for him, a critical component.

In the book, Dudziak tells for the first time a story about Marshall confronting Kenyan leader Jomo Kenyatta, who he greatly admired, over discrimination against Asians in 1963. Kenyatta had just become prime minister during a short period of self-rule before the country achieved independence that December.

Dudziak became interested in the role of American law and lawyers in the world while writing her first book, Cold War Civil Rights: Rare and the Image of American Democracy, and decided to focus solely on Marshall after learning about his role in Kenya. She researched archives in the U.S. and overseas, and received a fellowship from the American Council of Learned Studies and a USC Zumberge Grant to support her scholarship.

— Lori Craig
The USC Gould School of Law has recruited law and economics scholar Nina Walton, who joined the faculty this summer as an assistant professor of law. Walton recently received a Ph.D. in economics and Masters of Public Policy from the University of California, Los Angeles, where she was a teaching fellow in the department of economics.

Dean Robert K. Rasmussen says Walton is an outstanding addition to the USC Law faculty.

“She uses her economic training to provide fresh insights into pressing legal issues,” he says. “Over the years, USC has had an almost uncanny ability to identify beginning academics who will both excel in the classroom and produce cutting-edge scholarship that sets the terms of the debate. I have no doubt that Nina will add to this legacy.”

Walton says she chose USC Law because of its focus on interdisciplinary study and the strength of its law and economics program. Walton’s research interests include corporate governance and settlement between parties in litigation.

“My research lies at the intersection of economics, law and business and I think USC Law is a wonderful place for me to do that work,” Walton says. “I’ve been very impressed with the caliber of the people here. And it’s really nice for me to be in an environment where there’s such diversity and intellectual vibrancy. There is a lot of capacity to learn and grow here.”

Walton previously received an M.A. in economics from UCLA. A native of Australia, Walton also holds a B.A. in political science and an LL.B. from University of New South Wales, Australia. She practiced litigation for a year in Sydney and spent three years as a project manager with Gap International in San Francisco before beginning her graduate studies.

“I had a very different background for economics than most of my peers because I was approaching it from a legal and policy framework,” Walton says. “When I first took economics classes while studying for my Masters in Public Policy, that knowledge helped me understand the world better, and I knew immediately that I wanted to learn more.”

Walton’s papers focus on theoretical questions involving institutional structures and some of the underlying motivations behind institutional decision-making. Her paper “The Price of Admission: Who Gets into Private School and How Much Do They Pay?” which received the 2006 Ettinger Prize for best research paper by a UCLA Economics Ph.D. student, focused on private schools and how students’ wealth and ability factor into admissions decisions. Walton’s doctoral dissertation looked at how certification by outside advisors can facilitate governing board capacity to monitor managers in corporations, and how a party to litigation should approach settlement negotiations when there is the potential for the shifting of their legal costs to the other side.

Among her ongoing projects is an examination of how political consultants build and maintain their reputations over time. Walton is studying consultants’ work across five election cycles and in more than 17,000 races, and looking at the matching process between political candidates and their consultants.

“It’s another way of looking at whether political consultants matter in that they can affect electoral outcomes,” Walton says. “After all, the laws we have depend on which lawmakers, including judges, are elected. At this point, we don’t understand very well how candidates match with political consultants and vice versa.”

Walton will teach Corporate Governance in the fall and Business Organizations in the spring.

— Lori Craig
Rebecca Brown joins USC Law as expert in democracy and individual liberty

Rebecca Brown, a nationally recognized constitutional law theorist from Vanderbilt University Law School, has joined USC Gould School of Law.

Brown, whose research is widely published in leading law reviews, specializes in understanding judicial review and its relationship to individual liberty under the U.S. Constitution.

“My scholarship seeks to show that democracy, properly understood, is not in opposition to a strong role for an independent judiciary,” says Brown, who joined USC Law this summer and holds the Richard B. Newton Professorship of Constitutional Law.

“I have argued that for the same reason that we want the people to make policy for their communities through their elected officials, we also must preserve an outside check on what kinds of burdens these legislative policies can impose,” she says. “In both situations, the reason is a respect for the dignity and equality of all members of the community.”

In Brown’s view, it is the structure of our constitutional design that provides the greatest hope for ensuring liberty and equality. That structure includes the separation of powers and a robust judiciary whose job it is to ensure that our democratic processes do not intentionally or unintentionally threaten the equal status of individuals.

Brown, who clerked for U.S. Supreme Court Justice Thurgood Marshall, is currently researching a shift in the Supreme Court’s approach to constitutionalism.

“Many great advances that our society and the Supreme Court made since the middle of the 20th century developed out of a conception of individual rights, which helped address some of the salient problems of that time, such as individuals suffering injustice at the hands of the state.

“Today, however, many worrisome encroachments on our liberty are of a very different sort, of a more collective nature, less tied to identifiable individual harms. These include such issues as invasion of privacy, erosion of the separation of powers, aggrandizement of the executive branch, and government entanglement in religion. For such issues, a different model, not so centered around identifiable harm to an individual, will need to evolve,” she says.

Brown has been a law professor at Vanderbilt since 1988, and previously worked in the Office of Legal Counsel in the U.S. Department of Justice. She describes her experience clerking for Justice Marshall as “life altering.” In his late 70’s at that time, the Justice “gave his clerks a direct and personal link to the great constitutional challenge of our nation’s history, the overcoming of racial discrimination through law.”

His insights into the promise of the Constitution shaped Brown’s understanding, and probably contributed to her profound belief in equality as the foundation of democratic constitutionalism, she says.

Eventually, Brown would like to write a book on the jurisprudence of Justice Marshall. “He is most often associated, of course, with his civil rights work as an attorney with the NAACP, but much less attention has been paid to his contributions as a Justice. I am working to add to that literature,” she says.

Brown was raised in Santa Fe, N.M., and received her undergraduate degree from St. John’s College in Annapolis, Md., and her law degree, magna cum laude, from Georgetown University. “I grew up with mountains, big sky, and the Southwestern culture, so coming to Los Angeles feels as if I’m finally coming home,” she says.

Asked if she will start teaching right away, she says: “I am eager to hit the ground running and get into the classroom. My scholarship has been inspired and enriched through my relationships with students and colleagues. From what I’ve seen at USC Law School so far, the students are exceptionally smart, passionate and engaged. Those are all things a teacher loves to see in the classroom.”

In the fall, Brown will teach a seminar on Constitutional Interpretation and in the spring, Constitutional Law.

— Gilien Silsky
After spending last year as a visiting clinical assistant professor and acting director of the Intellectual Property and Technology Law Clinic, Jack Lerner returns for another year at USC Law taking students to far-flung countries as they engage in the practice of IP law.

Last year, Lerner’s students traveled to Chile, the Caribbean and the Tribeca Film Festival in New York City to, respectively: work on a survey and analysis of copyright laws in Pacific Rim economies; learn about a developing country’s economy as part of a project researching international IP law; and speak about a project to develop a suite of novel film licenses designed to help filmmakers license their films for reuse by others.

“This is one of the only clinics of this type in the country where students practice IP and technology law with a significant policy component,” says Lerner. “It provides a wonderful opportunity for our students to get real-world experience working with artists, innovators, policymakers, entrepreneurs and non-profits while contributing to the public interest.”

From the moment he first studied IP in law school, Lerner was hooked. After several years as a litigator in Silicon Valley on issues involving IP, e-commerce, telecommunications, and privacy law, Lerner returned to his alma mater to study copyright policy as a research fellow at the Berkman Center for Internet & Society at Harvard Law School. He joins USC Law from UC Berkeley’s Boalt Hall School of Law where he was clinic fellow at the Samuelson Law, Technology & Public Policy Clinic.

Looking forward to the year to come, Lerner says that “USC has been a wonderful place to work on these issues because of its international presence and its enormous strengths in entertainment and communications on the one hand, and engineering and science on the other.”

Lerner received a B.A. with distinction in English from the University of Kansas and his J.D. from Harvard University.

— Maria Iacobo

Ron Harris, a visiting professor from Tel Aviv University, looks forward to an added bonus when he teaches corporation law this fall. He will have an opportunity to meet law faculty and students, as well as law and economics scholars, in metropolitan Los Angeles. This, he says, will inspire his work in legal and economic history as it relates to corporations.

Harris, professor of law and legal history at the School of Law at Tel Aviv University, was invited to USC Law briefly in 2002, as well as to Boalt Hall School of Law as a visiting professor in 2003-04.

He says that at both USC and Berkeley, classes are smaller than at Tel Aviv University. As a result, he is better able utilize the Socratic method.

“It will allow me more time to prepare for each class and continue a collaborative research project on the history of corporations,” he says. The projects involve the researchers from the University of California, Los Angeles; California Institute of Technology; and Yale University.

He says teaching corporation law is always a challenge because the field is constantly changing. “It’s a very dynamic field, which means I have to adapt my material all the time.”

Harris, who grew up in Jerusalem, says he is also looking forward to meeting USC students — which he did not have an opportunity to do during his last brief visit — and becoming acquainted with the university on a deeper level.

“I found the law school to be intellectually exciting and intimate at the same time,” he says. “And I’m anxious to meet the students. I have heard very good things about them from faculty members there.”

A distinguished Israeli legal historian and a leading historian on the subject of the corporation, Harris earned his B.A., M.A., and LL.B. degree at Tel Aviv University. He earned an M.A. and Ph.D. in history at Columbia University.

— Karen Newell Young

Ron Harris returns to USC as visiting professor from Tel Aviv
Amanda Oliver '05 does not work for four-time NASCAR champion Jeff Gordon, but her uncle brags to friends that she does. “I’ve explained to him that I’ve never met the man,” says an amused Oliver, who works as assistant media counsel for NASCAR Media Group, an affiliate of NASCAR that handles broadcast, new media and entertainment rights.

“People don’t always understand our sport (stock car racing) because we’re not like the NBA or NFL,” says Oliver. “The drivers are independent contractors and NASCAR runs the races. We’re basically a sanctioning body.”

Licensing is a big part of Oliver’s job, a fact she learned while starting her second year at USC Law. Interested in sports and entertainment, Oliver was advised that good jobs in sports law could sometimes be difficult to land. Undeterred, Oliver contacted numerous sports attorneys and asked them what they studied in law school and how they got their jobs.

“There really isn’t any particular area that defines sports law,” Oliver says. “It’s usually a bunch of different types of law — employment, licensing, trademarks — that kind of thing.”

Oliver’s contact at NASCAR was an in-house trademark attorney who encouraged her to take intellectual property and trademark courses. Her e-mail request for advice led to a one-hour phone conversation. Oliver’s tenacity and friendly wit made quite an impression — a meeting soon followed, then an internship and ultimately a job offer.

Whether licensing the famous NASCAR bar logo to appear in movies, handling production agreements for NASCAR-themed movies and television projects like “Talladega Nights” or negotiating usage rights for racing footage, Oliver often calls on lessons learned in Alexander Polsky’s Alternative Dispute Resolution and Mediation class and Jane Shay Wald’s Trademark Law course.

“Sometimes you get to a point where it’s too adversarial and nobody really wants to work with the other side,” says Oliver. “It’s not always legal language — you may just need a creative business solution.”

According to Oliver, the role-playing and real-life scenarios in Polsky and Wald’s classes provided insight that has been useful since the first day on the job.

A longtime fan of professional baseball and basketball, Oliver has also joined millions in her love of NASCAR.

“There is nothing cooler than a live event,” says Oliver, who attends the massive races when her schedule allows. “The energy of the crowd and the roar of the engines is incredibly exhilarating and a ton of fun.”

Oliver grew up in Webster, Texas, and now makes Daytona Beach her home. Although miles away from Los Angeles, she keeps in touch with many USC Law classmates, and considers those relationships a touchstone of sanity in the real world.

“That first year out, you’re connecting a lot with friends from law school because it’s a transition you never expected.” says Oliver. “No matter what area of law you go into, there are days where you’re like, ‘What am I doing?’

“I’ve even reached out to people I wasn’t close to in school just because they’re here in Florida. It’s nice to have that shared experience with other new lawyers.”

Reaching out is also the key to connecting with potential sports law employers, according to Oliver. The community is close-knit and decision-makers are often too busy to actively recruit recent law grads.

“If you find an area of law that interests you, don’t let anyone discourage you,” says Oliver. “Even if you start out doing something else, continue to network. There may be opportunity in reaching out to someone at the right time.”

— William Vaughn
Thinking like a lawyer keeps Rick Neuheisel ’88 ahead of the game

New UCLA head football coach Rick Neuheisel ’88 recalls a coaches’ meeting he attended several years ago. After the meeting was over, he erased the white board and began drawing the kind of flow charts he had used to break down problems in a Constitutional Law class at USC Law.

“The way you organize a legal argument is exactly how you organize pass defense,” he says. “As in law school, you know when you have it right, when you’ve worked out the solution. It’s exactly the same satisfying feeling.”

He jokes: “What I’m saying is: If you can pass the bar, you can read defenses!”

Neuheisel would know. As a senior at UCLA, he quarterbacked the Bruins to a 1984 Rose Bowl victory, throwing four touchdown passes en route to a 45-9 rout of Illinois. He was named the game’s Most Valuable Player, the crowning achievement to a stellar victory.

A few months later, he was drafted by the San Antonio Gunslingers of the fledgling United States Football League (USFL), where he played for two seasons before the league disbanded.

Through it all, Neuheisel never lost sight of his ultimate goal: attend law school and become an attorney.

“I thought that’s what I was going to do for a living once my playing days were over,” he says. “It was always my career path.”

It was a path that Neuheisel veered from while he was still a student at USC Law, when then-UCLA head football coach Terry Donahue asked Neuheisel if he would volunteer to tutor a recent transfer: future NFL Hall of Fame quarterback Troy Aikman.

“Troy had all the physical attributes, but more than that, he had the hunger to learn and to know what he needed to know,” says Neuheisel.

The satisfaction of seeing his instruction put into practice on the football field rekindled Neuheisel’s passion for the game.

“I knew I wanted to be a coach when I came to UCLA as a volunteer,” he says.

Since serving as an assistant coach at UCLA from 1988 to 1993, Neuheisel has enjoyed success as head coach at the University of Colorado (1995-98) and the University of Washington (1999-2002), compiling an overall 66-30 record and securing a Rose Bowl victory with the Huskies. More recently he served as offensive coordinator with the NFL’s Baltimore Ravens.

Neuheisel says that as a coach, he draws upon what he learned at USC Law almost every day.

“I said it before, and I’ll say it forever,” he says. “Law school is all about problem solving. You learn different ways of looking at problems and how to solve them.”

But Neuheisel says that thinking like a lawyer has also gotten him into trouble, particularly at the University of Colorado.

“I had studied the recruiting rules carefully,” he explains. “A coach was allowed only one visit to a recruit’s home. One time, I called a recruit when I was in his neighborhood. Turns out, that was frowned upon!”

Neuheisel says he wasn’t aware he was doing something wrong, but his legal argument was rejected.

“I took my medicine and learned from the experience,” he says. “I learned that interpretations are everything.”

As Neuheisel gets a fresh start at his alma mater and looks ahead to the challenges of again running a major college football program, he reflects fondly on his USC Law education.

“I’m tremendously thankful to the law school,” he says. “Beyond a great education and student body, the faculty were more than just teachers to us. They made us feel like they were with us, seeing us to the finish line.”

— Darren Schenck
Todd Durbin ’94 heads player relations for Major League Soccer

Todd Durbin ’94 has always been an avid sports fan, however he knew little about professional soccer when he landed an internship at Major League Soccer (MLS) after graduating from USC Law School. Fourteen years later, Durbin is still with MLS — today as executive vice president of player relations and competition, managing the day-to-day operations of their player and labor departments.

“I signed up for the internship after my friend’s father introduced me to Sunil Gulati, the then Deputy Commissioner of MLS,” says Durbin, sitting in his New York City office. “I wasn’t a huge soccer fan at the time, but I was an avid sports fan. Since my internship was unpaid, I actually worked on the side at the Ritz-Carlton in Marina del Rey as a banquet server to make money.”

Nine months later, Durbin, bitten by the soccer bug, was hired full time, a year before the MLS’s inaugural game. In 1996, the Palos Verdes native moved with MLS from Los Angeles to New York City and quickly moved up the management chain.

Durbin currently oversees all negotiation and administration of international and domestic player contracts. He formulates and implements all team rosters and budget guidelines which include methods of acquisition, trade policies and procedures, and team salary budgets. In addition, he manages the day-to-day relationship with the MLS Player’s Union.

“MLS was a start-up,” he says. “It was exciting — I was working with people who brought the ’94 World Cup here. Because we were small and had limited resources, we had the opportunity to do a lot of things. I started off at the lower end of the spectrum and got on-the-job training. Now I head the player relations and competition department.”

Today, only three of the original employees on board at the beginning of MLS are still with the company.

“When I started as an intern, I worked on marketing presentations that were made to potential sponsors, but what I really wanted to do was work in the player and competition area. There were very few players signed in September 1995. By February of 1996 we had over 200 players. I was lucky to be working with talented people like Sunil and current MLS Deputy Commissioner Ivan Gazidis who trained and developed me.”

In soccer, both the initial signing of a contract and the renegotiation of an existing contract can be complicated, says Durbin. “We have players, both domestic and international, who come from different cultures and speak different languages. That is one of the great aspects of this sport.”

Unlike many other professional sports, MLS centralizes all player contracts at the League level. Durbin is involved with nearly every contract for the more than 350 players on MLS rosters. Since 1995, Durbin has signed more than 500 player contracts. With his experience in signing players from all over the world, Durbin has forged relationships with national soccer federations and clubs across the globe.

Durbin was involved in formulating the newly created Designated Player Rule, which is commonly referred to by the media as the Beckham Rule. David Beckham, the English soccer superstar, signed with MLS’ Los Angeles Galaxy in January 2007. Beckham’s multi-million dollar annual contract is “outside the salary budget” so his additional costs are paid for by the team, not MLS, says Durbin.

Durbin said his USC Law education taught him to think critically. His favorite professor was former Dean Scott Bice, who taught torts.

“I still sometimes hear Dean Bice’s voice,” Durbin says. “The torts class he taught was absolutely fantastic. He was very demanding but fair. He really helped us train ourselves to think analytically.”

— Gijen Silsby
Agent of chance

Jerome Stanley ’84 is a major player in the world of athlete representation

W. Jerome Stanley ’84 entered USC Law aspiring to become a sports agent. As an undergraduate at USC Marshall School of Business, he worked with an agent who represented Stanley’s friends and fellow Trojans Ronnie Lott and Marcus Allen. But USC Law nearly changed his mind.

“Law school at USC broadened my horizons,” says Stanley, who became fascinated with the federal courts and interned for U.S. District Court Judge Terry J. Hatter Jr. “I left with a nice, balanced view of things that my law degree would allow me to do, so I was no longer narrow in my career focus.”

He ultimately followed his passion for athlete representation and in 1989 started his own company, which evolved into Culver City sports law firm Stanley & Associates. Within six years of graduation Stanley made headlines when his client, basketball player Brian Shaw, tried to renege on a deal with the Boston Celtics to play for an Italian team.

“That really led me to move to another place in the business because I wound up representing, basically, an Italian billionaire who wanted this player,” Stanley says. “He sent us on private jets to retain law firms in New York and Washington, D.C., and have arbitrations against the NBA. It was a true mess. But eventually, we all settled down and he signed with the Boston Celtics.”

Stanley’s hard work caught the eye of Celtics player Reggie Lewis, who hired him.

“I got him the second-largest contract in NBA history at the time,” Stanley says. “That kind of got me on my way.”

Since then, he has represented football players Keyshawn Johnson and Rodney Peete, basketball player Tina Thompson, and NBA all-star Baron Davis, for whom Stanley negotiated an unprecedented $85-million maximum allowable salary. Athlete management is more about being a businessman than being a lawyer, Stanley says, and it’s more about dealing with people than handling numbers.

“It was the human interaction that got me interested in this industry,” he says. “There is no manual for how to deal with some of the things you have to deal with.

“You have to teach people what’s in their best interest. You’re dealing with 20-somethings who have never had any money or a job.”

A South Los Angeles native, he surprised neighbors by enrolling at USC — “it was a fortress to us.” Stanley says athlete representation was a draw because it would surround him with people who looked like him and talked like him.

“There weren’t many black partners in L.A. firms 20 years ago,” he says.

Stanley made history as the first black sports agent to represent the No. 1 pick of the National Football League draft, Keyshawn Johnson. While today there are more black agents representing high-profile athletes, Stanley says racism remains prevalent in his industry. He calls it “as-needed” racism.

“It’s a real subtle thing,” he says. “Non-minorities will open the door or give an opportunity for a minority if they feel they need you. But that’s as far as it goes. It still is a very significant factor, in my opinion.”

While he works hard for his success, Stanley is prouder of the balance he’s achieved and his accomplishments outside athlete representation: raising his nine-year old son Cassius and serving as a member of the Los Angeles Board of Airport Commissioners, the New Coliseum Partners and the L.A. Convention Center.

“I try not to get too overly serious about what I do,” Stanley says. “It’s important, but I try to keep it in balance. Today, I’m better at every aspect of my professional and personal life than I’ve ever been. I’m stronger now than I’ve ever been.”

— Lori Craig
LESSON ONE: NEVER MAKE YOUR MOVE TOO SOON
Being the early frontrunner can be overrated. In these primaries, it proved downright lethal. John McCain and Barack Obama emerged as party nominees by easing to the front of the pack at just the right time.

Recall how these nominees were faring last year. A cash-strapped McCain campaign ditched the Straight Talk Express for a cramped RV. McCain ran town hall meetings with a skeleton crew, while the flusher teams of Rudy Giuliani and Mitt Romney jetted around the country.

Meanwhile, Obama (though better funded than McCain) struggled to stay on the stage with the odds-on favorite Hillary Clinton. Compared to Clinton’s debate mastery, Obama appeared at times unsure, halting, and even wooden – starkly different from the electrifying speaker of 2004. Clinton led Obama and a field of also-rans by at least 10 points in June 2007.

But something happened in late 2007 that recast both candidacies. Their strengths emerged just when the apparent leaders stumbled or faded. McCain’s stock improved on the positive news from the Iraq surge policy. Obama turned in stellar performances on the trail and in televised speeches. Both transformations received valuable assistance from the press, which presented these two men as political underdogs poised for an upset.

Whether due to deft strategy or plain luck, these developments reflected superb political timing. Both candidates became serious contenders late enough in the process to avoid the withering media scrutiny that had dogged the early frontrunners, but not so late that the early leaders could effectively make the contest a foregone conclusion.

LESSON TWO: ORDER, NOT SIZE, MATTERS
If leading in the polls early was a liability for candidates, leading off the primary season was a prize for states — or so some thought. In a monumental challenge to Iowa and New Hampshire’s first-in-line status, Florida and Michigan defied the national parties and scheduled their primaries for late January. That move proved decisive.

Sinking in the Iowa polls, McCain and Giuliani bet that ceding this state would allow them to direct resources to states where they appeared stronger. McCain’s target was New Hampshire, whose primary only days later delivered just as it had in the 2000 primaries. That wager proved smarter than Giuliani’s gambit in Florida, which ended in disappointment. Giuliani rightly recognized that Florida had more delegates at stake than all the earlier contests; however, the primary was weeks after Iowa. By then, McCain had managed to win narrowly in South Carolina. Giuliani’s lead in Florida evaporated as party leaders quickly lined up behind the apparent man-to-beat.

Order also figured into the Democratic campaign. Had Florida or Michigan held their contests later, the nomination might have gone to Clinton. Obama deftly avoided committing to a re-vote in either state, leaving him in a virtual tie with Clinton through Super Tuesday. That made his 10 straight wins in February ultimately decisive.

Particularly in caucus states, Obama gained delegates that Clinton could not match without Florida and Michigan in the mix. When the national party examined the question in May, the die had been cast.

Ironically, Clinton was correct in her final arguments to superdelegates. She was the more energetic candidate down the stretch, winning in places where she was heavily outspent. In that period, she also scored more state victories and attracted more votes than Obama did. And she won a collection of large, important states totaling more than 270 electoral votes. But none of those metrics mattered once perceptions of the race had gelled.

LESSON THREE: EXPECT THE UNEXPECTED
Anyone who thinks the suspense and drama ended with the primaries should buckle up. This race already has defied most expectations, and there is little reason to believe that the pattern won’t continue. With two unconventional candidacies and a bevy of volatile political issues the only things one can safely predict is the campaign ahead will be tough, expensive, and involve at least one issue nobody sees coming.

My pet theory is that Election 2008 will be much closer than expected. How close? Consider this possible November surprise: Suppose that only three states switch from their preferred party in 2004 (New Hampshire, Colorado, New Mexico). America would witness the first electoral tie in modern presidential history. If that happens, we will learn about an arcane U.S. Constitutional provision governing presidential elections. When both candidates receive 269 electoral votes, guess who decides the winner? Article II directs the House of Representatives to cast ballots, with each state’s delegation controlling one vote.

House Democrats are a majority on 28 of the 51 delegations, but six of these are solidly “red states” where the popular votes would favor McCain in the “tie vote” scenario (Tennessee and West Virginia are two examples). In those six states, House Democrats outnumber Republicans by just one member. Should a conservative Democrat from such a state consider party ideology or the state popular vote in choosing the President?

If you thought Bush versus Gore was controversial, stay tuned!
In the spirit of competition and philanthropy, 875 alumni at 68 firms, corporations and organizations have shown their support of the USC Gould School of Law by participating in the 2008 USC Law Firm Challenge! The Challenge is a fun and exciting contest that boosts alumni participation in the USC Law Annual Fund. Alumni representatives rally their colleagues to make a gift to the annual fund, which supports scholarships, student organizations, the library, faculty research, clinical education, special programs and more. The group with the highest alumni participation wins! From all of us at USC Law, thank you. We are proud of the loyalty and generosity of our graduates and friends at the firms, corporations and organizations listed below.

The Winners
(100% participation)

Group 1 (30+ alumni)
Gibson, Dunn & Crutcher, LLP
Janna Boukel '83, Ken Dusan '81
O'Melveny & Myers (985)
Kathryn Sanders '83, Anita Subine '01,
Jessica Hardy '06, Amand Mehtani '07

Group 2 (11-30 alumni)
Bingham McCutchen, LLP
Warren Risster '98
California Department of Justice
Gloria Castro '92
Howard, LLP
Gregory Cordrey '97
Igel & Manella
Richard Kendall '79
Littler Mendelson
Kara Jasavy '98, Fermin Llaguno '96
Manatt, Phelps & Phillips
Diana Iketani '97
McDermott, Will & Emery
Chris Scheithauer '96
Milbank, Tweed, Hadley &McCloy, LLP
Hayes Robbins '95
Munger, Tolles & Olson
Tammy Godley '96
Runam & Tucker
Susan Matsuda '92
White & Case
Daniel Woods '77, Devon Myers '05

group 3 (2-10 alumni)
Akin Gump Strauss Hauer & Feld
Hush Sohal '79, Lee Kolodny '94,
Christina Moore '94
Baker & Hostetler, LLP
Dawn Kennedy '07
Dorsey & Whitney, LLP
Zachary Bultbuis '91
Feinberg, Mindel, Brandt and
Klein, LLP
Steve Mindel '85
Fisher & Phillips
Sean Kanda '07
Fogler Levin & Kahn
Nancy Yaffe '95
Gunderson Dettmer Stough
Villeneuve Franklin & Hachigian
Scott Dettmer '82
Hahn & Hahn
Tedd Moore '97
Heller Ehrman
Sam Wald '06
Karns & Karahan
Walter Karahan '63
Kirkland & Ellis
Ross Yoo '96
Lagerfeld, Senecal, Gosney & Kruse, LLP
Reed Geyer '07
Locke Lord Bissell & Liddell, LLP
Eduardo Mattrnote '95
McGuire Woods, LLP
Lindsey Hansen '96
Picher, Nichols & Meeks
Bill Ticknor '99
Venable
Brandt Mori '06
Weiland, Golden, LLP
Jeff Golden '87

For a complete list of participating firms, please visit: http://law.usc.edu/alumni/giving/challenge

For more info or to get your firm involved next year, please contact: Emily Page, assistant director of graduate relations at 213-740-2644 or epage@law.usc.edu
CALENDAR

Thursday, September 25
Adam Freeman Scott Memorial Grant Celebration
Carl M. and Carolyn C. Franklin Faculty Lounge

Wednesday, October 1
Clerkship Reception
Town and Gown

U.S. Supreme Court: A Preview
Location TBA

Friday, October 10
The Journey Through Madness: A discussion with
Associate Dean Elyn Saks
USC Law School

Monday, October 27
Roth Lecture 2008 Featuring
Judge Terry Hatter
Town and Gown

Saturday, November 8
Alumni Tailgate – USC vs. California
Crocker Plaza

Thursday, November 13
Regional Reception
San Jose

Friday, November 14
Bay Area Young Alumni Bar Review
Location TBA

Monday, December 1
Bar Admission Ceremony
Town and Gown

Thursday, December 4
Los Angeles Young Alumni Bar Review
Location TBA

Thursday, December 11
Orange County Young Alumni Bar Review
Karl Strauss