

LOQUITUR

THE ALUMNI MAGAZINE FOR VERMONT LAW SCHOOL

WINTER 2018



BETTER BUSINESS

for people. for profit.
for planet.

LOQUITUR

WINTER 2018

Volume 31

PRESIDENT AND DEAN

Thomas J.P. McHenry

VICE PRESIDENT FOR ALUMNI
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BIG BUSINESS LITIGATOR, NEW ORLEANS, LA.
ROBERT "BOB" MAXWELL JD'86 REPRESENTS
MAJOR U.S. MANUFACTURERS LIKE FORD AND GM.
READ MORE ABOUT BOB AND OTHER VLS GRADS
WHO LEAD IN BUSINESS, PAGE 21.
PHOTO BY JOHNATHON KELSO

ON THE COVER: SAHITI KAREMPUDI JD'11/MELP'08
PHOTO BY ROBERT BENSON







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CLOCKWISE FROM TOP: ADOBE STOCK;
LAURYANNE NEGER, PHOTO BY IAN HOLMES;
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Rob Bossi

THOMAS MCHENRY, PRESIDENT AND DEAN, VERMONT LAW SCHOOL

LETTER FROM THE DEAN

THE BUSINESS OF LAW

Dear Alumni and Friends,

As the new and ninth president and dean of Vermont Law School, it is my great pleasure to introduce this edition of *Loquitur*—our “Better Business” issue—featuring alumni entrepreneurs, corporate counsel, and other leaders in business who deal day in and day out with complex environmental and other regulatory structures.

This area of law and policy is familiar territory for me because I spent 30 years in private practice advising on environmental laws and regulations, much of the time for businesses, some small and family-owned and others large enough to have operations in all 50 states and overseas. And when these businesses faced new regulations, I helped them develop solutions and compliance programs that not only ensured environmental quality but also minimized cost.

My experience has taught me that what businesses want most is not deregulation, but instead certainty and a level playing field in which each business is subject to the same rules and scrutiny. “Just tell us what we need to do” was the client’s typical directive. But that was not always easy to do, as complex and at times overlapping regulatory requirements often made providing clear advice a challenge.

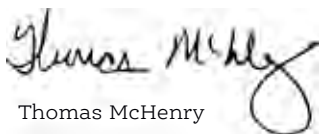
My business practice has also taught me that environmental regulation has come a long way. The 1980 Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA), the 1976 Resource Conservation and Recovery Act (RCRA) and their state counterparts have both revolutionized and privatized environmental law. As a result, nearly every commercial transaction involving the sale of real property or a business requires some form of environmental diligence. There is an army of capable consultants and lawyers, many of them VLS alumni, standing by to assess and document the allocation of liability. And it has been my privilege to share this regulatory history and my insights as a legal practitioner with my Environmental Business Transactions class over the last four summers at VLS.

Our feature story on the current regulatory climate, “Proceed With Caution: (De)Regulated Zone,” Page 11, should be of particular interest. In it, our alumni who represent clients in a variety of industries offer a broad range of perspectives in the debate over how to best balance private interests and government regulation. We will be interested in your response.

This “Better Business” issue also contains many rich and diverse stories, from those of entrepreneurs seeking to balance profitability and sustainability to corporate counsel for multinational companies: alumni like Vikram Patel JD’13, who founded Benchmark Coffee Traders with an eye not only on profit but also a better quality of life for coffee bean farmers and their families; Lauryanne Negers LL.M’11, in-house counsel for Paris-based PMU, an economic interest group of French horseracing and betting companies; and veteran litigator Bob Maxwell JD’86, who represents major U.S. manufacturers like Ford and GM. In these pages they share their perspectives, motivations, and how VLS has influenced their careers.

I hope you will enjoy reading these stories as much as I have.


All my best,



Thomas McHenry
President and Dean

SYMPOSIA

VJEL EXPLORES 'THE ENERGY TRANSITION'

The editors of the *Vermont Journal of Environmental Law* addressed the legal, regulatory, and policy challenges associated with transitioning from the current energy system to a cleaner energy economy during their 2017 symposium, titled "The Energy Transition," in October. "Climate change is an internationally recognized threat, with about 29 percent of the United States' greenhouse gas emissions coming from the electricity sector alone and another 27 percent from transportation, based on 2015 data from the U.S. EPA," says VJEL Symposium Editor **Elizabeth Doherty JD/MERL'18**. "By shifting the current electricity and transportation sectors to cleaner fuel sources, we can address—and possibly eliminate—more than half of our GHG emissions. Although such a shift is both possible and necessary, it is also important to protect the economy, respect the division of state and federal jurisdiction, and acknowledge national security and reliability concerns associated with an increasingly smart grid." 



Law Review Examines Media Law and Journalism

In September, journalists, legal practitioners and scholars drew a full-house to VLS as they examined the constitutional and other legal safeguards of our free press during the 17th annual *Vermont Law Review* Symposium, "Media Law and Journalism: Protecting Democracy's Safeguards." Among the guest panelists were Lynn Oberlander, executive vice president and general counsel for Gizmodo Media Group; Brent Kendall, legal affairs reporter for *The Wall Street Journal*; and Matthew Baum, professor of global communications and public policy at the John F. Kennedy School of Government and Department of Government, Harvard University. 



BRENT KENDALL

SYMPOSIA AND OTHER PUBLIC VLS EVENTS ARE LIVE-STREAMED AND ARCHIVED ON THE VLS YOUTUBE PAGE AT [YOUTUBE.COM/VERMONTLAWSCHOOL](https://www.youtube.com/vermontlawschool).




NATALIA MAY JD'09

CLIC FOCUSES ON OUTREACH

The Community Legal Information Corner (CLIC) at the Julien and Virginia Cornell Library at VLS is in its third year of operation offering free legal reference services to the general public—self-represented litigants, solo and small-firm attorneys, and other individuals needing access to legal materials, including alumni. Since opening, CLIC has processed more than 700 inquiries.

This year CLIC has been focused on outreach, visiting Vermont public libraries and training rural librarians how to provide legal reference services with open-access materials. As CLIC Coordinator **Natalia May JD'09** puts it, “CLIC has taken its first baby steps, and now is ready for a more steady posture.”

Born and raised in Russia and trained in U.S. law and information science, May sees growing opportunities in bridging VLS outreach initiatives with the public at large. “Let us take this show on the road. Can a CLIC Bookmobile be far behind? I grew up in the Soviet Union where access to information was limited, to say the least. So, I am especially invested in educating Vermont residents about legal resources they can obtain for free.”


CLIC opened in July 2015 after the Vermont State Library’s law program closed in Montpelier. Financed through an annual grant from the Vermont Department of Libraries, CLIC offers legal reference services during regular Cornell Library business hours. Situated in two rooms on the ground floor, CLIC provides free walk-in access to Westlaw and Lexis, various legal self-help books, and Vermont legal materials. Although the legal materials do not circulate, patrons may print, download, email, scan or fax their search results. Librarians are available to suggest legal sources and provide guidance on how to use the sources. However, librarians are unable to provide legal advice. If a patron needs a lawyer, librarians provide a referral to appropriate legal services. For more information about CLIC, call the “Ask a Law Librarian Line” at 802-831-1313 or email reference@vermontlaw.edu. 

New Leadership at ELC, ENRLC

In August environmental leader and advocate **David Mears JD/MELP'91** took the helm of our top-ranked Environmental Law Center (ELC) as director and associate dean for environmental programs. “It is my honor to help shape the next generation of environmental problem-solvers at a world-class environmental law and policy program,” says Dean Mears. “As I think about



our goals for the future, I find inspiration in the Vermont Law School motto, ‘law for the community and the world.’ We must prepare our graduates to work at the local, national and international levels, and also to work across disciplines—law, policy, economics, and the sciences, including social science—to advance environmental law and policy. This is especially true with regard to climate change, the greatest single threat humanity has ever faced.”

This year VLS also welcomed a new director at the Environmental and Natural Resources Law Clinic (ENRLC): **Jill Witkowski Heaps**. Professor Heaps comes to the ENRLC from Annapolis, Md., where she served as the director for the Choose Clean Water Coalition, an alliance of more than 200 organizations working together for clean water in the Chesapeake Bay watershed. Prior to her time in Maryland, she was the deputy director of the Tulane Environmental Law Clinic and the waterkeeper at San Diego Coastkeeper. Professor Heaps says she has “seen the difference that having an attorney can make to underrepresented communities and the importance of reaching out to those who need it most in order to shift the balance of power.” 



Welcome, **PRESIDENT AND DEAN MCHENRY**

In October the Board of Trustees of Vermont Law School and the greater VLS community officially welcomed Thomas J.P. McHenry as the school's ninth president and dean during our Presidential Installation Ceremony on the South Royalton Green.



In this excerpt from his installation speech, Dean McHenry shares what drew him to Vermont Law School and what he envisions for the future of VLS.

WHY I CAME TO VLS

I first learned about this position in November of last year, and not a day has gone by since that I have not thought with excitement and anticipation about this job.

I have greatly enjoyed 30 years of law partnership with numer-

ous interesting clients, large and small, a substantial pro bono practice and regular teaching responsibilities.

However, I wanted to totally devote my energies to new tasks, and I wanted to be fully occupied. My friends were correct to warn me: "Be careful what you wish for."

What excited me most about coming to Vermont Law School was the opportunity to participate in the training of the next generation of environmental law and policy students.

I BELIEVE ...

I firmly believe in the value of education ...

I taught in the Upward Bound programs in Lowell, Massachusetts, and Berea, Kentucky; at the Charles Hayden Goodwill Inn School for Boys in Dorchester, Massachusetts; as an environmental teaching assistant at Yale; a lecturer at New York University; and as an adjunct professor at Claremont McKenna College and here at Vermont Law School for four summers.

I believe in the power of law—and policy—to achieve social justice.

I believe in the power of science to inform solutions to the world's problems.

I believe in diversity and I am opposed to orthodoxy, whether on the right, or left.

I believe that diversity of culture, language, and ethnicity benefits human progress and is fundamental to an enriched educational program.

It is difficult to imagine a more important time for sensible and forward-looking environmental law and policy. At the national level, we are facing an assault on environmental regulations, a perception that environmental laws and policies have not served

us well when they have in fact brought cleaner air and water, regulated waste management, and protected crucial habitat and biodiversity. We have somehow conflated a natural human urge against being told what to do with the important task of achieving environmental quality.

VLS GOING FORWARD


We will take pride in educating our students, in the words of [former Dean] Tom Debevoise, "beyond their presumed abilities."

We will take greatest satisfaction as educators in their engagement and advancement—and in their professional success as they transform themselves into law and policy experts and join their intellects and ambitions to the service of the world.

That is the function of an educational institution. That is especially the function of a school devoted to the teaching of law and policy, and is especially satisfying for one as mission-driven as Vermont Law School.

I welcome the challenges and opportunities that lie ahead, and ask your guidance and support as we imagine, and create, the Vermont Law School of the future. A future that is committed to the best possible legal education for all VLS students, and dedicated to the promotion of environmental quality and social justice.

I hope and trust that you will join with me, with the faculty, staff, students and alumni of VLS, to realize a more just and sustainable world.

That commitment to community is one of many reasons I am so proud to be the ninth president and dean of Vermont Law School. Thank you! 

Watch the Presidential Installation Ceremony and hear Dean McHenry's full speech on the VLS YouTube page at youtube.com/VermontLawSchool.

About Dean McHenry

ON JULY 1, 2017,

Thomas J.P. McHenry, a nationally recognized environmental law attorney, began his term as the ninth president and dean of Vermont Law School. Formerly a partner with Gibson Dunn in Los Angeles, Calif., Dean McHenry brings 30 years of environmental and administrative law practice to VLS, the nation's top-ranked environmental law school.

Dean McHenry is a longtime member of the VLS community and taught for several years in the school's Summer Session. He has taught environmental business transactions and comparative U.S./France land use law, which included taking a group of VLS students to Paris and Provence to meet land use lawyers and planners. He plans to continue the tradition of learning outside the classroom, whether taking VLS students to visit abandoned mining

sites now regulated under the Superfund and being used to install solar panels or visiting local farms to learn more about the challenges facing food growers and producers.

Prior to his leadership role at VLS, Dean McHenry co-chaired the Leadership Council at the Yale School of Forestry & Environmental Studies and served as vice-chair of the Roberts Environmental Center at Claremont McKenna College, where he taught environmental law and policy to undergraduates for 25 years. His other nonprofit and community service includes the Council on Watershed Health in Los Angeles, the National Forest Foundation, the Natural Heritage Institute, Wildlife Trust, the Wolf Fund Advisory Board, the Center for Large Landscape Conservation, the Connecticut Fund for the Environment, the California State Parks Foundation, California Waste Association, and the Santa Lucia and Tejon Conservancies.

Dean McHenry has provided legal counsel internationally on environmental and natural resources legislation and regulations in Asia, Africa and the Caribbean for the World Bank and the Food and Agriculture Organization of the United Nations.

He earned his JD at New York University School of Law, a master's in forest science at the Yale School of Forestry & Environmental Studies, and a bachelor's degree in history at Yale College.





Courtesy photo


Animal Law Society Takes Top Honor

The Animal Legal Defense Fund recently named the Animal Law Society at VLS a 2017 Student Animal Legal Defense Fund Chapter of the Year. ALDF selected the VLS student group, which tied for the award with a chapter at the University of Otago in New Zealand, from among 195 chapters in the United States and 24 chapters around the world. VLS students accepted their award during the annual Animal Legal Defense Fund Student Convention and Animal Law Conference, Oct. 13 in Portland, Ore. “We are honored to receive this prestigious award and continue the growth of animal law at Vermont Law School,” says **Will Lowrey JD’18**, co-chair of the VLS Animal Law Society during the award year, 2016-2017. “Thank you to the Animal Legal Defense Fund and to the dedicated members and faculty advisors of our student chapter at Vermont Law School. We are inspired and prepared to have another great year advocating on behalf of animals.” [VL](#)


FORUM FOR A NEW ECONOMY

This fall the New Economy Law Center at VLS, the first of its kind in the country, launched a “New Economy Law and Policy Forum: A Speaker Series on Building a Sustainable, Just and Democratic Future.” The forum, comprised of four sessions scheduled through October and November, was designed for members of the public who seek long-term change to the current political economy and covered topics ranging from campaign finance reform to accelerating localization movements. Participants were encouraged to work to energize their local economy, share wealth more equitably, and run for office. [VL](#)

For more information about the series, visit go.vermontlaw.edu/new-economy-forum and watch the archived sessions on the VLS YouTube page.



Proceed With Caution: (De) Regulated Zone



The federal government regulates areas ranging from agriculture to transportation, from banking to environmental protection. Regulatory enforcement, like beauty, is in the eye of the beholder. *Loquitur* spoke with legal advocates representing members of the regulated community—offering a variety of viewpoints—about the current regulatory climate in the U.S. >>

By Rebecca Beyer



While driving home from vacation late one night in August, Michael Formica JD'98 had a close call with a truck that nearly side-swiped his family's vehicle.

He chalked the incident up to exhaustion.

Nevertheless, when he returned to work Monday, he got on the phone with a hog farmer who had concerns about a new regulation from the Federal Motor Carrier Safety Administration. The goal of the regulation? To keep tired truckers off the road.

As the assistant vice president of domestic affairs and legal counsel for the National Pork Producers Council, Formica represents approximately 60,000 hog farmers in the United States on issues ranging from animal and food safety to the environment. Trucking is a collateral concern for council members who worry about regulations that might increase costs unnecessarily—"Our members don't drive trucks, but they hire guys who drive trucks," Formica says.

The regulation Formica and the farmer discussed in August requires most commercial truck drivers to use an electronic logging device to record their time behind the wheel. According to the final rule issued by the Department of Transportation in 2015, the devices will cost several hundred dollars per year. By contrast, Formica points out, the traditional method for logging driving time—paper and pencil—was practically free.

In Formica's view, the rule is exactly the kind of "stupid regulation" President Donald J. Trump had in mind when he vowed to eliminate bureaucratic red tape, including with Executive Order 13771, issued just days into his presidency, which calls on executive agencies to identify two regulations that could be repealed for every proposed new regulation.

"You don't want people driving on the roads who are tired," says Formica, who expresses optimism that Trump's so-called "one-in, two-out" approach might be beneficial. "You need regulations, but hopefully maybe you get smarter regulations."

Nearly a year into his term, experts say it's too early to gauge Trump's impact on the U.S. regulatory regime. Like Formica, some attorneys who represent business

interests are hopeful that compliance burdens will be eased; others are concerned about a lack of clear guidance from federal agencies charged with ensuring the safety of nearly everything people interact with on a daily basis. Meanwhile, consumer and environmental advocates worry Trump is rolling back regulations at great risk to financial stability and public health.

For those of us who don't represent hog farmers or study the intricacies of the Administrative Procedure Act, awareness of regulations is generally limited to instances when they or their absence fail to protect people from harm. After Hurricane Harvey, reports began to emerge about regulatory shortcuts and shortfalls that may have reduced the amount of wetlands around Houston capable of absorbing floodwaters and increased the likelihood of chemical fires. A former fire chief in London blamed a "one-in, three-out" regulatory approach in that city for the Grenfell Tower fire that killed dozens of people. The threat of disasters like these—and the accom-



Original photo: Gage Skidmore

panying backlash from consumers—is enough to make self-regulation worthwhile for many companies even during regulatory rollbacks.

Indeed, in some cases, business leaders have offered to step into the void opened by Trump's deregulatory agenda—promising, for instance, to take action after the president withdrew from the Paris climate agreement.

“All they need is one industrial accident or one bank failure and people will interpret that incident in light of the deregulatory ethos in Washington,” says Cary Coglianese, a law professor at the University of Pennsylvania Law School. “And that will just prompt a reaction of greater regulation or other negative repercussions for that industry.”

But private enforcement isn't good enough, says Joshua Galperin JD'07, director of the Environmental Protection Clinic at Yale Law School, who has written about the practice.

“It unmoors [corporate] promises and efforts from any sort of requirements—it becomes just volunteerism,” he says. “As far as they're carrying through with that, that's good. If they choose not to carry through, by and large there's no mechanism to enforce that.”

Patrick Parenteau, an environmental law professor at Vermont Law School, agrees.

“Government has to set the performance standards,” he says. “That's not something a market can do. How you achieve these government standards, I think that's where you need the private sector and industry to step up.”

George Kelly JD/MSL'87, who fell in love with market-based solutions to environmental problems in a class at Vermont Law School, occupies a middle ground of sorts in the debate over how to balance private interests and government regulation. In 1997, he founded Environmental Banc and Exchange (EBX), which helps public and private clients offset their environmental impact and was later acquired by Resource Environmental Solutions (RES). Firms like his are the perfect antidote to the argument that regulations kill jobs, a long-standing justification for deregulation. Without regulations, RES, ranked by Inc. as one of the fastest-growing private companies in the United States, wouldn't exist.

“If the standards get looser, [companies] don't have to mitigate, and we don't have business,” Kelly says simply.


For those of us who don't represent hog farmers or study the intricacies of the Administrative Procedure Act, awareness of regulations is generally limited to instances when they or their absence fail to protect people from harm.

Kelly, now chief markets officer at RES, says he's working with a few clients who are considering a less rigorous approach to mitigation in the hopes that the Trump administration succeeds in rolling back certain environmental regulations, including a recent attempt to rescind the Clean Water Rule and redefine waters that are subject to oversight by the Environmental Protection Agency (EPA). But Kelly says the picture right now is “nuanced.” He notes that rule changes can be agonizingly slow, tied up in court for years, and then put in place just in time for another administration to undo them.

For that reason, Parenteau says the regulated community should be “cautious” about making any drastic moves based on current EPA Administrator Scott Pruitt. He notes that courts blocked many of President George W. Bush's environmental actions.

“There may be a temptation to take advantage of what looks like a relaxation of the regulations, but, in the long run, it's not a good idea to follow the political trends,” Parenteau says. “They always bounce back.”

In fact, courts have already ruled against some of the Trump administration's efforts to reverse Obama-era rules. In July, the D.C. Circuit Court of Appeals rejected an EPA effort to suspend a regulation restricting meth-



*In the end, of course, assessing regulatory (or deregulatory) impact is almost entirely subjective, **whether someone cheers a new regulation or jeers it depends on what they stand to gain or lose.***

ane emissions. And in August, a federal judge in the Northern District of California found that the Interior Department had improperly postponed another rule that is expected to increase royalties on the extraction of fossil fuels on federal and tribal lands.

Despite these setbacks, some experts say Trump's strikes against rulemaking and rules go beyond the retrospective offensives that previous administrations have mounted against their predecessors.

"If it was anything Obama favored, they're against it," Coglianesse says of the Trump administration. "They're not the first to do something like that, but I think what is different is the extent to which this is happening."

Executive Order 13771, in particular, stands out. In addition to the "one-in, two-out" provision, the order imposes a regulatory budget, requiring that the cost of new regulations for Fiscal Year 2017 be "no greater than zero," and stating that a maximum cost for each agency will be determined going forward.

Keith Belton, who directs the Manufacturing Policy Initiative at Indiana University and served as an economist in the Office of Management and Budget under Bush, said he's interested to see how Trump's executive order will be implemented, adding that it could be a "positive" development if the "end result is more net benefits for the public."

But others are concerned that the order makes no mention of benefits at all.

"There's no scrutiny whatsoever given to lost benefits from the two or more rules that would be eliminated to offset the cost of the new rule," says Coglianesse, who chairs the Administrative Conference of the United States' committee on rulemaking. "That's a very serious structural failing."

Belton says he takes comfort in the fact that Trump did not rescind previous executive orders by Presidents Clinton and Obama instructing agencies to maximize benefits.

"We'll have to see what he does," Belton says.

SOME PEOPLE AREN'T WILLING TO WAIT. ON Feb. 8, Public Citizen and the Natural Resources Defense Council (NRDC) filed suit claiming Executive Order 13771 exceeds Trump's authority.

"The Executive Order's direction to federal agencies to zero out costs to regulated industries, while entirely ignoring benefits to the Americans whom Congress enacted these statutes to protect, will force agencies to take regulatory actions that harm the people of this nation," the suit states.

In the end, of course, assessing regulatory (or deregulatory) impact is almost entirely subjective; whether someone cheers a new regulation or jeers it depends on what they stand to gain or lose. In 2010, for example, the International Dairy Foods Association (IDFA) applauded passage of the Healthy, Hunger-Free Kids Act, which made changes to school meal programs. But when the U.S. Department of Agriculture (USDA) finalized rules to implement the law, the IDFA was unhappy with a regulation banning low-fat flavored milk (non-fat flavored milk was allowed) and worked hard to change it.

In May, Sonny Perdue, Trump's pick for USDA secretary, announced he would roll back the flavored milk ban, just a few days after he was confirmed to his post.

"Ag Secretary Perdue Moves to Make School Meals Great Again," read the department's press release.

Public health advocates scoffed. But the IDFA was triumphant. Perdue's decision, says IDFA Director of Regulatory Affairs and Counsel Emily R. Lyons JD'14, "was definitely up there" among regulatory changes under Trump that her association considers most positive.

Christopher M.F. Smith JD'14 understands the subjective nature of regulation firsthand. After law school, he served four years as director of capital markets at the Vermont Department of Financial Regulation. In June, he moved to a law firm, accepting a position as an associate at Cohen

Kinne Valicenti Cook in Massachusetts.

"Since I've joined private practice, I've been kind of surprised at how quickly I'm like, 'Those regulators!'" he laughs. "Every lawyer has a job—to zealously advocate the interests of their client. When the nature of your clientele changes, so does your perspective."

Regardless of how one feels about regulations, everyone agrees they aren't going anywhere.

"Is all our water meeting water quality standards?" Parenteau asks. "No. Is our air healthy? No. Have we cleaned up all the hazardous waste sites? No. There's so much more that needs to be done that the only legitimate question is, is there a smarter way to do that?"

Smarter regulations are exactly what Formica is after. The electronic logging device rule is only the latest target of the National Pork Producers Council. In 2014, Formica secured an exemption for truckers hauling livestock from another Federal Motor Carrier Safety Administration rule, this one requiring 30-minute rest breaks for every eight hours of driving. Hog farmers and others were concerned the rule would jeopardize their animals, which are transported in trucks and need to be cared for around the clock.

"I'm not going to begrudge anyone a rest break," says Formica. "But if it's hot out, you've got to be able to cool the animals down."

After learning of his members' concerns and hearing from veterinarians, Formica wrote to the

secretary of transportation at the time, called in some political allies, and got his waiver (from the Obama administration). That's the way the process should work, he says, adding that the best regulated entities can hope for is "a seat at the table."

Lyons echoes that sentiment. When the USDA was considering changes to the school meals program, the International Dairy Foods Association submitted a comment to the agency along with nearly 250,000 other individuals and organizations. It took a new president, but ultimately the association got low-fat flavored milk back on the menu.

"Everybody's voice needs to be heard," she says. "Industry plays a part in that public participation process as well." ■

Rebecca Beyer is a freelance writer living in New York City.

Some experts say Trump's strikes against rulemaking and rules go beyond the retrospective offensives that previous administrations have mounted against their predecessors.



Original photos, from left: White House; Daniel Borman; Carol M. Highsmith



BALANCING ACTS

Is the definition of profitability changing? For Vermont Law School alumni who made their way into the world of business and industry, sustainability is both a given—and a sales tool.

By **Corin Hirsch**





VIKRAM PATEL JD'13,
FOUNDER AND DIRECTOR
OF BENCHMARK COFFEE
TRADERS, VISITS A COFFEE
ROASTERY IN CHICAGO, ILL.

PAPUA NEW GUINEA IS NOT NECESSARILY A PLACE WESTERNERS FLOCK TO DO BUSINESS. THIS MOUNTAINOUS ISLAND IS A PATCHWORK OF TRIBES, RIFE WITH HIGH CRIME, LOW LITERACY, AND DETERIORATING ROADS. YET IT ALSO PRODUCES SOME OF THE BEST COFFEE IN THE WORLD.

Vikram Patel JD'13 flew to Papua New Guinea during his second summer at VLS to look at coffee estates in the country's lush, tribal western highlands. There, he was impressed by the schools and robust social projects that were being funded through coffee bean sales—and it colored his career plans. “[At VLS] I wasn’t sure how I was going to apply my schooling that would realistically give me a way to impact people in real life,” says Patel, who felt a growing pull toward business rather than law. In Papua New Guinea, he sensed how a business opportunity might mesh with the chance to improve people’s lives.

While still at VLS, Patel began brokering shipping containers of coffee beans from the country; once he graduated, he realized he could fill both end roles, too. “I thought, ‘I can work directly with the farmers and be the importer. I’ll just do it myself,’” Patel recalls, which led to founding Benchmark Coffee Traders two years ago. Patel now buys green coffee Arabica beans directly from the Sigri Estate in Papua New Guinea—as well as Yemen and Peru—and sells them to U.S. specialty-coffee roasters while trying to ensure enough yield on both sides to support a better quality of life for the farmers, and a profit for himself.

Patel’s may be an atypical path

for a VLS grad, perhaps, but the progressive values nurtured in South Royalton are transferable to industry, where the definition of profitability is shifting from one entirely tied to money to one more in tune with sustainability, ecologically sound practices, and human rights. It can be a tricky balance to strike, as Patel has found—even in a sector as evidently “eco” as fair-trade coffee.

COUNTING BEANS



PAPUA NEW GUINEA is a rough place. You can’t just start walking around—you need a lot of security first,” says Patel, who lives outside of Chicago. “There’s government corruption, terrible education, 600 tribes. Some of the most dangerous people there are the police. It feels like you’re working in the 1800s or something.”

Yet there’s also surging demand in the U.S. for sustainably sourced coffee. In 2015, consumers spent \$19.3 billion at coffee shops, according to the National Coffee Association, and the number of specialty coffee shops in the U.S.—about 32,000 in 2015—grows 3 to 4 percent each year, fueled in no small part by the Millennial desire for all things craft.

Yet for every \$12 or more you pay for roasted beans here, a farmer in places such as Papua New Guinea

may have fetched only \$2 per pound for so-called commodity coffee. “At \$2 to \$2.50, nobody can get paid” enough to benefit, Patel says. The Sigri Estate he works with supports five farms and nearly 4,000 pickers. “The farmers are the most powerless in the process. Processing equipment is costly, and a lot of them are getting their fruit bought at really low prices.”

To make the fair-trade angle work for both farmer and importer, “You have to understand where the market is, and where [farmers] fit into it,” Patel says. To fuel demand for his slightly higher-priced Arabica beans, Patel relies on roasters whom he emails, calls, and visits constantly. “I put 70,000 miles on my car last year. Working directly with farms is costly, and many roasters don’t have the opportunity to do that. But that group [of roasters] is really interested in transparency as well as quality.”

At 31, Patel understands his generation’s penchant for ethical sourcing—of clothes, food, coffee—is a driver of businesses such as his. “You’re not just selling people a product, you’re selling people impact. Farmers have so little experience with someone that can help them source coffee in a sustainable way. Being able to take them out of the supply chain, and work with



HARVESTING COFFEE IN PAPUA NEW GUINEA

them directly, and show [roasters] exactly where the money is going, is valuable to a lot of people.”

POWERING UP, AND DOWN

THE WHAT, WHERE AND how of sustainable energy in the future drives the work inside the 7-year-old Institute for Energy and the Environment at VLS, where 15 or so students per year engage in research such as using legal models to bolster community solar projects. They also work directly with clients of the IEE’s Energy Clinic, picking up some economics and engineering along the way. “When we’re working on a community solar project, it’s not just sufficient to put together a good legal model. We have to put together a good business model, too,” says the clinic’s director, Professor Kevin B. Jones, and that can serve alumni

who go on to careers in the energy sector. “The clean energy industry is pretty dynamic right now.”

When he was part of the clinic, Jeff Aslan JD’13 worked on energy audits for the VLS campus, helping to establish a revolving fund for energy-saving projects. That work has come to bear on his current gig as energy program manager with Sustainable Connections, a Bellingham, Wash. nonprofit that assists local businesses with sustainability planning via an array of services such as energy audits and connecting clients with resources for waste reduction, green building, and replacing inefficient systems and technology. “Some of this work is typically done by utilities around the country, but we take a more hands-on approach,” says Aslan. “[Utility companies] don’t go as deep as we do.”

Sustainable Connections has worked with 600 businesses and institutions—from retail stores to

the city of Bellingham—cumulatively saving \$1 million per year in energy costs, the equivalent of taking 760 cars off the road. Those rosy numbers might belie the fact that there is often a “sell” involved; replacing 500 lights with LED bulbs takes money, for instance, but Sustainable Connections points companies toward grants to cover some of their costs, and emphasizes that firms can usually recoup the initial outlay in five to seven years.

“The point that we often try to stress for people is, just because an investment makes financial sense, it’s not enough,” Aslan says. “We look for things where there is not just a financial benefit, but a human benefit,” such as better indoor air quality or lighting for employees.

Cost-benefit analysis to “sell” sustainability-related projects is something Mindy Blank MELP’13 is familiar with, too. Blank is executive director of Community Resilience Organizations (CROs) in Burlington, Vt., a nonprofit helping municipalities—mostly in Vermont, so far—build resistance to potential disasters such as climate change-related superstorms and power outages.

“Without a doubt, you have to do cost-benefit analysis. It’s very important to appeal to the financial side,” says Blank, not only for towns with tight budgets but for business. Solar power arrays, edible riparian barriers and other flood mitigation strategies cost money up front, so the long-term benefits need to be emphasized and reemphasized.

Blank, formerly an energy analyst with the International Energy Agency and also a teacher at Green Mountain College, thinks that the U.S. hasn’t found sufficient market mechanisms for climate change mitigation. “We can talk about cap and trade systems, or we can talk about carbon credits. We have those, but none of them are particularly

effective, in my opinion,” Blank says. “[Climate change] is a financial opportunity for innovators. We need to look at profitability in a different sense, and community resilience as the market mechanism for climate change adaptation.”

MINDING THE LAND

PROFIT MARGINS ARE generated in diverse places, from the 18th floor of an office tower to the black dirt underneath a farmer’s boot. Investing in that dirt, or in land in general, is a time-honored practice for some high-net worth families and individuals who scout ways to generate wealth.

Shawn Smith JD/MSEL’98 has spent much of her career connecting that group—as well as institutions and businesses—with real-estate opportunities in conservation and agriculture, as well as assisting with the tax, zoning, and permitting issues that come with owning large tracts. She describes her clients as primarily, “People who have had real estate gifted to them, or high-net worth folks who want to be invested in a hard asset and don’t just want a second home, but are mission- or values-driven,” says Smith, who grew up in farmland-rich Iowa.

Smith has dealt with over \$1 billion in real estate assets and \$160 million in real estate sales over nearly two decades in business, much of them with the Boston firm LandVest. A few years ago, Smith founded her own firm, Earth Asset Partnership, which is rooted in the 1,300-acre Vermont farm and forest tract she runs with her wife, Melissa Hoffman. The farm serves as a living lab for conservation, agriculture, sustainable food systems, and ecological design—as well as a base from which to begin reaching a more targeted clientele, mission-driven investors.

“There’s a lack of product available to mission- or values-driven

investors. There’s not a lot to pick from,” Smith says. Working and conserving land can be an attractive long-term investment—especially for women, Smith says, “who have a more patient attitude toward how their money is tied up. How are you going to use this property for

lending goal to put alongside profitability, and the reason is because we as a society misplace value,” Smith says. “Everybody wants to commoditize everything, from air to carbon sequestration to animals and soil value. We need to move away from that thinking, that these things that

SMITH NOTES THAT THERE ARE LEGIONS OF YOUNG FARMERS LOOKING TO LEASE LAND—AN OPPORTUNITY FOR THOSE WHO OWN OR MAY HAVE INHERITED LARGE FARMS, AND WANT TO SEE THEM USED IN RESPONSIBLE WAYS.


at least 10 years? Perceive it as an investment, treat it like an investment, and not something to flip in short course for high return.”

Smith notes that there are legions of young farmers looking to lease land—an opportunity for them who own or may have inherited large farms, and want to see them used in responsible ways. “I can help people figure out how to make the landscape a working landscape that builds soil health and helps maintain or create healthy wildlife habitat, and diversity. How do we create a food system on the property that makes sense for that owner?”

Behind that bucolic idea, however, is the nitty gritty, such as choosing a legal entity structure, permitting, conservation planning, and exit strategies—areas where Smith’s unique blend of legal training and land planning experience mesh, and have also shaped her passionate ideas about the future of agriculture and land use. “How to benefit the natural world is a chal-

sustain our life have a value because we need them and rely on them. How can we turn this around and actualize value without over-assigning U.S. dollar or currency value to things, and how do you make a farm enterprise profitable?”

In Papua New Guinea, farming is profitable, if functionally so: Sigrí Estate’s coffee-bean sales fund three schools, living quarters for pickers, road maintenance, living quarters, health care, an HIV/AIDS awareness program and an ecologically sound approach to growing coffee.

Patel says he has “just crossed the line of volume to be taken seriously” as a coffee importer—a benchmark (no pun intended) four years after graduation. “When your family expects you to be a lawyer, and you take a turn, it requires intense and delicate conversations,” Patel laughed. “Ultimately, it’s about deciding what you want to do.” 

Corin Hirsch is a New York-based writer.



BETTER BUSINESS

A Gallery of VLS Alumni

From Portland, Ore., to Paris,
France, from home offices
to corporate boardrooms,
business insiders share their
bottom line.

LAURYANNE NEGERS

LLM'11

IN-HOUSE COUNSEL, PMU

Based in Paris, France, Lauryanne is in-house counsel for PMU, specializing in business law—commercial, data privacy, antitrust, and contracts.

“PMU is an economic interest group created by 50 French racing companies in order to organize betting on horseracing in France,” says Lauryanne. “My company has the monopoly in France on betting and horseracing, and has worldwide partnerships.”

THE JOB “I am privacy counsel, specializing in data protection law. I help my company to be compliant with new regulations by making audits, identifying risks and implementing procedures. I am also an expert in contract negotiations and drafting contracts. I manage litigations from their inception to their end—criminal and civil business law—and I provide all kinds of legal support and training to my clients.”

THE BOTTOM LINE “Let legal be your guide,” says Lauryanne. “I measure success when I win a litigation, when I have the last word in contract negotiations, when I see in a client’s eyes that they understand a complicated law I explain to them, when my boss tells me that I did a good job, when I don’t search for a job but other companies solicit me because of my ‘profile,’ and when I go home and I feel that it was a good work day.”

THE MOTIVATION “I love to learn new things. As law is connected with everything, it is possible to learn new things in every new project. I also love to be an expert because it permits my brain to go always further in reflections. Outside work, my family is my foundation. They have the power to motivate me when I lose my motivation.”

THE VLS EFFECT Lauryanne says her VLS education influenced her career in that it has provided her with an “opening to another language, another culture, another law. Today, a lot of companies look for international profiles and I am often contacted. I also had a wonderful experience at VLS. All the teaching staff is fabulous and very kind. They were very receptive, which was very comforting for a foreign student. They make you feel special and I try to continue with that idea in my mind every day.”





FOR PEOPLE, PROFIT, AND PLANET

ABIGAIL “ABI” BARNES JD’16

CO-FOUNDER AND CEO, ALLERGY AMULET

IN BRIEF Allergy Amulet is “a rapid, portable, point-of-consumption food allergen/ingredient detection device that connects to a patent-pending disposable test strip,” explains Abi. “The device enables simple, mobile measurements to help individuals avoid ingesting target allergens/ingredients. The Allergy Amulet is intended to create greater food transparency and provide users greater assurances that their food is absent of a certain target ingredient.”

THE BOTTOM LINE “In recent years, we’ve seen the emergence of Certified B Corporations, Benefit Corporations, and triple-bottom-line companies. These companies consider people, profits, and the planet in their business decisions. In other words, companies should consider a broader class of societal ‘stakeholders,’ rather than just shareholders, in corporate decision-making. This is also how we measure success at Allergy Amulet. I believe this is not just good for our economy and society, but good for business.”

THE MOTIVATION “The prospect that our product could help millions of people living with food allergies.”

THE VLS EFFECT “I met my co-founder, Dr. Joseph BelBruno, while a student at VLS. He was, and still is, a chemistry professor at Dartmouth College. You could say that our schools’ close proximity to one another—Dartmouth is a short distance from VLS—played a role in getting Allergy Amulet off the ground.

“VLS is a rare breed, and I’m fortunate to call the school my alma mater. I had easy access to world-class professors, lived a short drive from the best ski slopes in the Northeast, could rent cross-country skis and kayaks from the library, and was never far from delicious food and drink. The writing, communication, and analytical skills I took away from VLS have proven invaluable professionally, and I believe my VLS education has better prepared me for taking on the hurdles that accompany starting a business.”



JOSH NICOSIA

JD/MSEL'04

CHIEF COMPLIANCE OFFICER, VICE PRESIDENT OF DEVELOPMENT AND LEGAL AFFAIRS, JAMBA JUICE COMPANY

THE MISSION "Jamba's mission is to inspire and simplify healthy living," says Josh.

THE BOTTOM LINE "Growth and development are important benchmarks for success. I strive to continuously propel my team's advancement in their careers, as well as my own development in corporate and franchise law."

THE MOTIVATION "With my role in both real estate development and legal affairs at Jamba, I enjoy being able to make an impact on multiple areas of the business. The needs of the organization are ever-evolving, so each day is unique. It's also inspiring to see my team's work come to fruition. We take time to celebrate the wins, which keeps the team motivated as well."

HEALTHY DEVELOPMENT

THE VLS EFFECT "It is interesting how things come full circle. My coursework in development, land use and planning at VLS through the MSEL program is what initially sparked my interest in pursuing work in-house with a Vermont developer. I always enjoyed working with

local planners and municipal leaders. I migrated toward franchise law over ten years ago and have focused my efforts on becoming an expert within this area. Having recently moved to Texas as part of Jamba's relocation from California, I was given the opportunity to lead not only our legal team, but our development department as well. Jamba Juice operates more than 800 company-owned and franchised locations worldwide. In addition to navigating the regulatory hurdles of operating within a franchise system and as a publicly traded company, my initial training at VLS has once again proven effective at expanding my executive leadership role within the organization."

VIKRAM PATEL

JD'13

FOUNDER AND DIRECTOR, BENCHMARK COFFEE TRADERS LLC

THE MISSION “Our mission is to source, import, and distribute top-grade green coffees from Papua New Guinea with 100 percent transparency and traceability. We do this in parallel with helping to support a strong social agenda at origin that directly benefits coffee farmers and pickers through free housing, free healthcare, and free schooling for their children.”

THE BOTTOM LINE “My goals are about growth and impact. A socially responsible business must have business growth goals as well as social goals. Focusing on only social goals without taking care of the business becomes unsustainable and unrealistic. Focusing on just the business without fulfilling the social goals misses the opportunity for a greater accomplishment. My yearly business goals center around the volume of coffee sold, the number of new accounts created, and the rate of repeat orders. My social goals for the business include the number of jobs supported and created as well as new charitable contributions. This year, Benchmark funded the books for three free schools we help support through the producers we work with in Papua New Guinea.”

THE MOTIVATION “A belief in the possibility of doing well by doing good coupled with a deep desire to build my own business are probably the core components that led me down the path of social entrepreneurship. Now that the business is established, more growth and greater impact lead the motivation.”

THE VLS EFFECT “The VLS experience is almost synonymous with fostering and supporting environmentalism and, more generally, humanitarianism. The first glimpse of a potential opportunity to create a socially responsible coffee business became apparent during my second year of law school. I think VLS really primed me to take action at that time. This early involvement with the coffee estate eventually led me to launch Benchmark.”





BRIAN POTTS JD'04

FOUNDER AND CEO, PRO-BOARDS, LLC, THE MAKER OF THE LEGALBOARD

Brian is also a partner at Perkins Coie LLP in Madison, Wis., and co-founder of Goods Unite Us.

THE MISSION “Pro-Boards’ mission is to make keyboards for professionals, starting with lawyers. There’s no reason that professionals need to be working on a keyboard designed for accountants in the last century.”

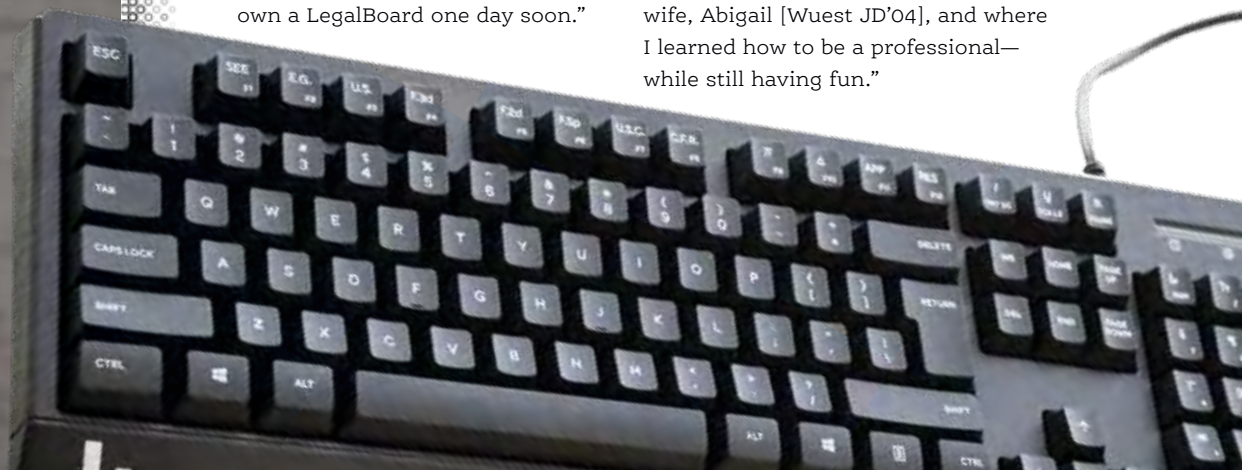
THE BOTTOM LINE “The LegalBoard makes practicing law both faster and easier. We believe every lawyer will own a LegalBoard one day soon.”

RETOOLING FOR PROS

THE MOTIVATION “Starting Pro-Boards, LLC was incredibly fun and exciting. I just did it as a side project, and it has sort of blown up. Still, I love being a lawyer. I have no plans to leave the practice of law, no matter how many keyboards we sell.”

THE VLS EFFECT “My years in Vermont were some of the best years of my life. VLS is where I met my amazing wife, Abigail [Wuest JD’04], and where I learned how to be a professional—while still having fun.”

Courtesy photos





ready
to

@KUYA GEORGE
— 2017 —

SAHITI KAREMPUDI

JD'11/MELP'08

CO-FOUNDER AND DIRECTOR OF PARTNERSHIPS,
DAHLIA COMMUNITY ENGAGEMENT

THE MISSION “To work with intersecting communities to facilitate mutual understanding and greater alignment in order to achieve common, beneficial goals for their members.”

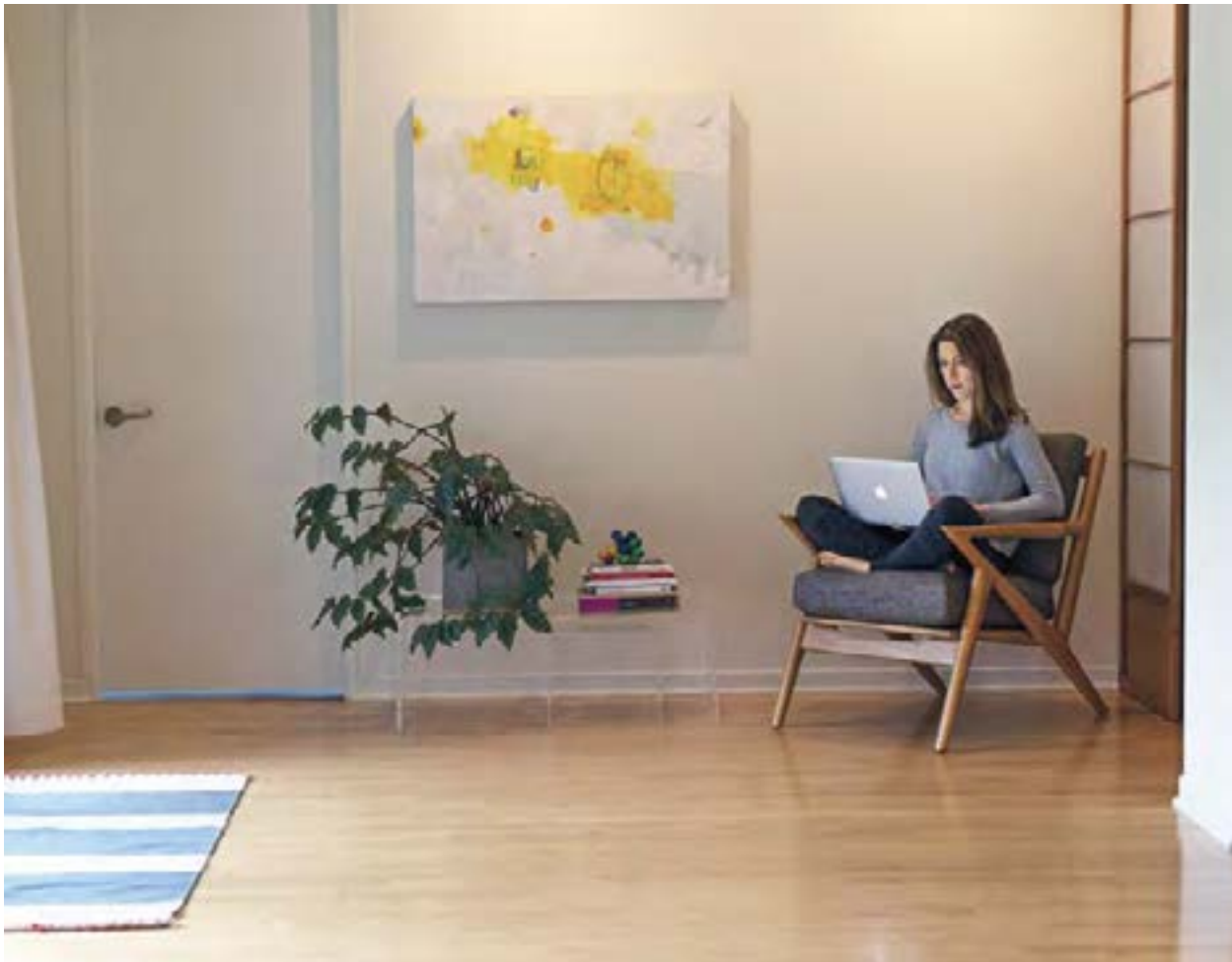
THE BOTTOM LINE “To really do good work. It sounds so broad, and maybe cliché, to say that, but it’s our guiding principle. We saw a clear need for this type of consulting work to really embed ourselves within communities, especially during my time co-managing a program with a nonprofit and a city department. A lot of time is spent within conference rooms coming up with ideas, but it’s difficult to make staff time to go beyond the bare minimum and really explain what’s happening and why, as well as achieve more buy-in from communities affected. Success for the company means having enough clients to keep us busy, but not overworked, and a wide variety of clients. Success to our clients means having projects that can be embraced by the community and implemented.”

THE MOTIVATION “I had worked at a nonprofit for about four years and at a certain point I was working over 60 hours a week. My supervisors kept suggesting I cut down my time in the community and really focus on other things. Spending time with the actual people who are being affected is the most important part of the work, and I spent about a year looking for a job where I could really focus on the part that I loved, and spend less time on conference calls and filling out paperwork. I couldn’t find what I was looking for, and after the election, I really felt the need to do something more. And Dahlia was born! So as terrible as it was, I draw a lot of my motivation from these post-election feelings. Every time I’m feeling hopeless, I think about the difference I can make in my own backyard. We’ve been in business for almost exactly six months, and we’ve been lucky to work with groups such as Uber, local community benefit districts, and the City of San Francisco.”

THE VLS EFFECT “I was a MELP’08 and JD’11. It was a difficult time to be graduating from law school. The economy and job market weren’t great. I wasn’t exactly sure what I wanted to do after law school, but I went to VLS to learn skills to help people. I always loved the wonkiness of policy and majored in environmental studies at Emory, and specialized in paleoclimatology. Learning more about environmental policy and law was exciting, and a really fascinating topic. I interned at nonprofits, and started to see the disconnect between writing policy and communicating these policies to the public. I always go back to this north-star point: Is my work helping other people? But also is my work contributing to what the community is already doing? In that way, my work really reflects my training as a lawyer. My work is done for the client, and with the client’s guidance, because they are the one benefiting.

“My favorite professors at VLS were Cheryl Hanna and David Firestone. I really loved Professor Firestone’s Environmental Law class, which really taught me to pay attention to every single word, and to be extremely intentional in what I say. And to be perfectly honest, being grilled by Professor Firestone really trained me to be grilled at large public meetings and not lose my composure. I had many after-class conversations with him, and he is the nicest and most supportive professor. Professor Hanna taught me to be compassionate, and Constitutional Law with her was one of my favorite classes. Especially in these interesting times, I often think about what she would say, or how she would teach these current affairs in a class. Both of these professors truly did change my life.

“I also wrote an incredibly in-depth paper about Watergate and how it changed the presidency forever. I really couldn’t have guessed that my random legal obsession, which my time at VLS really let me develop and delve into, would be so important and timely now.”



Johnathon Kelso

ABIGAIL WUEST JD'04

CO-FOUNDER AND CEO, GOODS UNITE US

Abigail is also a government appeals attorney.

THE MISSION “We may not have the power to take the money out of politics, but at Goods Unite Us, we’re committed to empowering individuals to effect change through their daily purchases,” says Abigail. “We know it’s not enough, but this is one small step toward balancing out the outsized influence of corporations in our political system. More specifically, Goods Unite Us provides progressives a way to purchase products with some assurance that they are not inadvertently putting money in GOP pockets. Goods Unite Us is a purchasing site that only includes products from companies who either donate overwhelmingly to progressive candidates, or who pretty much stay out of politics altogether. Since the U.S. Supreme Court has decided that corporations have protected speech, we want to know what they’re saying. And we want to help provide transparency around money in politics.”

PURCHASING POWER

THE BOTTOM LINE “Goods Unite Us is just beginning, but our primary goal is to help progressives make better, smarter purchases so that we can reduce the disparity between how corporate money aids GOP candidates versus progressive candidates. But we also hope to make a profit because we have promised to donate 50 percent of all profits to progressive candidates and causes.”

THE MOTIVATION “The last presidential election really was the tipping point, but I have long believed that getting money out of politics is the key to saving our democracy. There was a time when the grassroots movements and protests actually affected change. But, unfortunately, today public officials do not seem to be listening to anything but money. So progressives need to adapt and find ways to reclaim our political voice.”

THE VLS EFFECT “VLS was three of the best years of my life. I made wonderful relationships and learned a lot about who I am. VLS surrounded me with passionate, smart yet laid-back people, and it taught me a lot about who I wanted to be.”



TEXTING AND DISRUPTING

KEVIN JD'16 GILLESPIE

**CHIEF EXECUTIVE OFFICER AND
FOUNDER, TEXT A LAWYER, INC.**

THE MISSION “Create a low-bono legal services platform for the masses. Text A Lawyer takes the billable hour and breaks it down into bite-sized pieces that almost anyone can afford. Lawyers and clients are connected through a mobile app for limited scope, limited engagement attorney-client relationships that sever at the end of the conversation. Attorneys can still earn a reasonable living and work from home in their pajamas, all while actually helping those who need legal advice the most.”

THE BOTTOM LINE “Success is measured by every person who has their legal question(s) answered for a reasonable fee, instantly.”

THE MOTIVATION “I am motivated by the idea of becoming a disruptor in the legal tech industry.”

THE VLS EFFECT “I credit VLS for being the incubator that allowed my idea to give birth and grow. Other schools teach you to practice law. VLS taught me I could change how attorneys practice law.”

JORDAN GAITHER

JD'17

FOUNDER AND CEO, LAW POCKET, INC.

Law Pocket is a smartphone app that connects a user to an attorney to discuss their legal matters.

THE MISSION “We are...To Lead, our generation to the next steps of entrepreneurship. / To Ascend, our people to the plateau of self-enlightenment. / To Win, progressively over all failures even the ones we may fail to understand. / To Process, our doubts as a possibility and never an end. To

SIMPLIFYING THE LAW

Open, the doors of opportunity for all who seek. / To Create, a mindset that fuels an equitable manifestation of peace. / To Keep, ourselves true to the history that developed our success. / To Engage, our peers in the forging of a new frontier. / To Transform, our fears into bridges of courage. For we are the change we seek, one palm at a time.”

THE BOTTOM LINE “Our bottom line is to make the law simple for common understanding. I measure success by progress. If I can’t improve on today what I learned yesterday, then tomorrow I have more work to do.”

THE MOTIVATION “I am motivated by the challenges I face daily as an entrepreneur. Two challenges that I face are fundraising and consciousness. It is often hard to get others to financially support something that you love without them having a consciousness for your passion. It is my goal to create technological solutions utilizing the law to offer others the opportunity to understand the law.”

THE VLS EFFECT “Vermont Law School is my Harvard of the world. VLS gave me the opportunity to grow and stretch myself in all areas of life. In particular as a leader. I faced a ton of adversity coming from a small HBCU in Grambling, La., to a small New England town called South Royalton. I loved every bit of it.

There were times where I cried and wanted to go home because of how tough it was to complete my degree.

But I realized that I was learning information to be a better servant of others. I constantly use concepts I learned in Corporations or Contracts in handling the business affairs of my company. My criminal law class taught by Professor Sand changed my life. He gave such a philosophic view on criminal [law] that it inspired me to seek a prosecutor position. I currently serve as an apprentice for the DeKalb County District Attorney’s Office in Atlanta, Ga. My mentor, [former] Dean Jackie Gardina, constantly reminded of how the law was bigger than my personal aspirations. Dean Shirley Jefferson, [Vice President Lorraine] Atwood, Professor [Jeannette] Eicks, Katie Merrill and many more paved a path for me to be successful. I love Vermont Law School with all my heart. I am so grateful to be a part of the Swan Community.”

Johnathon Kelso



ROBERT “BOB” W. MAXWELL JD’86

SENIOR PARTNER, BERNARD CASSISA

THE MISSION “We are a boutique law firm based in New Orleans that specializes in scientific and products liability litigation in the Gulf South region,” says Bob. “We represent major manufacturers, including Ford Motor Company, General Motors, Hyundai Motor Company, Navistar, Toyota Motor Sales, and Kia Motor Company.”

THE BOTTOM LINE “We strive to provide cost-effective solutions to complex business problems and handle sophisticated litigation matters.”

THE MOTIVATION “Being responsible for unique scientific and engineering issues in major litigation with national implications.”

THE VLS EFFECT “I began litigating cases for corporate clients within six months of graduating from VLS. The education and practical experience gained during law school left me well equipped to handle trial work so early in my career. And after all these years, I still have occasion to quote David Firestone!”

Johnathon Kelso





CLASS NOTES

NOTES FROM THE VERMONT LAW SCHOOL ALUMNI ASSOCIATION

Before a student dons the robe and hood, marches in the class parade, sits on the town green, and graduates from Vermont Law School, that student first studies the connection between business and law. The link between the two is foundational to a VLS education—central to the core curriculum in Corps or Contracts and to cases in the legal clinic. We quickly recognize that the connection between business and law aligns with VLS’s driving mission—“Law for the Community and the World.” Alumni pursue careers—like the ones featured in this issue of *Loquitur*—in a way that is unique to VLS.

In pop culture, attorneys are interchangeable. The old joke begins, “How many lawyers does it take to...?” The joke would fail if it began, “First, we treat each individual attorney as unique and worthy. Second, which individual attorneys should we summon in order to screw in a lightbulb?” VLS alumni, however, defy that popular perception and stand out from the pack.

To a degree that is rare, our alumni attorneys are devoted optimists. Perhaps this is because of the type of student drawn to a small law school in the heart of New England. More likely, this is because class-

mates, faculty, and the larger community encourage this approach. It is a hallmark of a VLS lawyer to be passionate about the law, the client, and the work. This devotion is tethered to faith in reason, history, progress, and process. This combination harks back to the purpose of Vermont Law School—we study and then practice the law, not for our own ends, but for the community and the world. Only an abiding optimist could be so hopeful in the law’s potential to better the world far from our small school.

As Oliver Wendell Holmes wrote, “law is the business to which my life is devoted, and I should show less than devotion if I did not do what in me lies to improve it, and, when I perceive what seems to me the ideal of its future, if I hesitated to point it out and to press toward it with all my heart.” Holmes understood that an attorney’s commitment yields a worthy career where we achieve progress through faithful devotion to the work. He could have been thinking of the 42 years of VLS alumni.

In a year when the pillars of our society have been rattled, many lawyers have been steadfast—fighting for immigrants, refugees, the disenfranchised, and the persecuted. I am proud of our fellow

alumni who—with abiding hope and commitment—epitomize the best of VLS through their pursuit of causes in our community and far beyond.

The Vermont Law School Alumni Association (VLSAA) had a terrific 2016-2017 year—advising on the dean search, supporting emerging regional groups, and facilitating the outstanding 2017 Reunion and Homecoming. We welcomed several new Board members, deepened our connections across the classes, and held our first meeting in Washington, D.C., in several years—and joined the Washington, D.C. regional group for a fun evening afterwards!

This will be my last letter as president of the VLSAA. It has been a true pleasure to serve the alumni and the law school in this capacity. The VLSAA has terrific leaders who will steward the alumni well in the coming years, and I look forward to following their example as a proud Swan.

Sincerely,
Brian E. J. Martin JD’10
President, Vermont Law School
Alumni Association
Washington, D.C.



THE 1980 CLASS MARSHALS: MIKE RIZZUTO '80, SAM WEINER '80, MIKE "PROPHET" MARONICH '80, AND JACK TOMARCHIO '80.

1976

Mark Portnoy
mhportnoy@gmail.com

1977

Thomas Donnellan
tomlaw333@comcast.net

1978 40TH REUNION

Please email alumni@vermontlaw.edu if you are interested in serving as class secretary.

1979

Deborah Bucknam
dbucknam@vtlegalhelp.com

1980

Scott Cameron
jscameron@zclpc.com

Jack Tomarchio JD'80 reported that on July 29-30, 2017, the 1980 Class Marshals (including **Mike Rizzuto**, **Sam Weiner**, **Mike "Prophet" Maronich**, and Jack—missing was Mindy Trepel) reunited at the mountain vacation home of Mike "Scooter" Rizzuto in Warren Center, Penn., the first time the group had met since 1982. The moving force of the reunion, Mike Maronich (now a trial court judge in Connecticut), said, "it was great to see these guys again after so many years." Mike Rizzuto, who now owns a gymnastics school in State College, Penn. added, "With everyone so busy with families and careers, it's hard to keep in touch, let alone get together." Jack Tomarchio, a venture capitalist and consultant in the Philadelphia suburbs, added, "Mike was kind enough to open his vacation home to us and we all

were determined to make this happen. Sam Weiner, a tax attorney in New York City drove the furthest, from his summer home in Rhode Island. Sam said, "It was a thrill for me to reunite with my fellow Class Marshals! Probably the greatest honor in my life was being elected a Class Marshal by my classmates and leading them in our graduation procession."

1981

Tim McGrath
timbomcg@juno.com

1982

Larr Kelly
photolarr@verizon.net

John F. Shea MSEL'82 was praised in the 2017 edition of Chambers USA Guide for his "very strong understanding and appreciation of municipal law and effective client service" across a broad range of environmental matters, with an expertise in solid waste, water supply and permitting. Mackie Shea, PC, the Boston boutique environmental law firm, and its three shareholders were recognized by the guide as one of the top environmental law firms in Massachusetts.

1983 35TH REUNION

Martha Lyons
malyonsesq@hotmail.com

In April 2017, **Steven H. Swartout, Esq. JD'83** retired from his position as executive vice president, general

counsel, and chief administrative officer of Canandaigua National Corporation, a multi-bank financial holding company with businesses in Canandaigua, N.Y., Sarasota, Fla., and Whitehouse, Ohio. Steve and Cheryl continue to reside in Canandaigua; they have three grown children and four grandchildren.

Charles O'Brien JD'83 has been selected by the New York State Defenders Association (NYSDA) Board of Directors in Albany, N.Y., to replace Jonathan E. Gradess upon his retirement later this year.

1984
Charles Van Gorder
chase@vglaw.com

Barry Bram JD'84, his wife Mary, their sons Aharon and Gabe, and daughter McLain and her husband David, and grandchildren Dash and Dayze continue to enjoy the outdoors in Idaho (see photo) as well as other venues when they can get away from the fun and games of the Bay Area. Barry runs a commercial real estate brokerage which focuses on representing leasing tenants, from lawyers to tech firms and investors, not only in the Bay



BARRY BRAM '84 ENJOYS EXCURSIONS IN IDAHO'S GREAT OUTDOORS.



Stay Connected

EVERY DAY IN MY POSITION AS DIRECTOR OF ALUMNI RELATIONS, I am deeply humbled and inspired by the work our alumni are doing. I have learned that Vermont Law School graduates are vastly diverse but firmly connected. As a VLS alumna, I sincerely appreciate the school, and am eager to see all alumni succeed in their professional and personal quests.

There are many ways you, as alumni, can stay involved with VLS through volunteering. You can serve as a mentor for recent graduates, current students, or master's alumni. You can organize a regional group in your area or initiate an affinity group based on shared professional interests. You can run to serve on the VLS Alumni Association board of directors or serve on any of its committees. Serve as a class officer or a reunion committee member for your milestone reunion. Share your time and speak with a prospective student. Organize an alumni panel on campus or a CLE event or happy hour event in your area. Stand in as a mock interviewer for graduating students. Host an externship or SIP. And more! Please reach out to me to explore these or other ways you can get involved.

We now have three affinity groups: Energy; Vermont Law Review; and Alliance. There are 13 regional groups: Albany, Atlanta, Boston, California, Chicago, Denver, Paris, Philadelphia, Minnesota, New Jersey, New York City, Vermont, and Washington, D.C. This year, we held over 75 alumni events throughout the world.

Admittedly, our biggest challenge is keeping information on all of you up to date, so if any of your classmates are feeling neglected or out of touch, please let us know. It might be because we do not have their current contact information.

To those who are already involved, we thank you for volunteering your time and energy! You are what keeps this community strong and vibrant! We are always looking for ways to improve, to learn from our alumni, and to work creatively together. Please reach out to us with your ideas and feedback. Keep an eye out for the Homecoming 2018 save-the-date information (June 22-23, 2018). It's going to be a great weekend! Whether you are celebrating a reunion year or not, I hope you will join us and celebrate being a VLS graduate.

May we continue to coach and challenge each other; revel in our victories and encourage each other during times of confusion. Remember, the best way to predict the future is to invent it. If there are ways that we could improve, please tell us! Swans fly together, so join us and let your thoughts and ideas be heard. Reach out to me at mharwood@vermontlaw.edu. Thank you!

Melissa Harwood MELP'12
Director of Alumni Relations

Area, but wherever his work takes him, around the country and beyond through his firm's partnership with CORFAC International. Barry writes, "life is 'but a dream,' as the song goes," and that he enjoys connecting with alumni in the Bay Area whenever the occasion arises.

1985

Please email alumni@vermontlaw.edu if you are interested in serving as class secretary.



KEVIN M. BERNSTEIN '85

Kevin M. Bernstein JD'85, of Bond, Schoeneck & King's Syracuse, N.Y., office, has been recognized as a 2017 Upstate New York Super Lawyer in the field of Environmental, and has once again been honored in the annual Chambers USA: America's Leading Lawyers for Business directory for Environmental—New York.

1986

M.P. Zimmerman
pattyzim@comcast.net

1987

Mark Ouellette
mouellette01@gmail.com

David Galgay JD'87, a partner at Verill Dana in Portland, Maine, has been named Best Lawyer 2018 in Real Estate Law.

Thomas Hall JD'87, a partner at McGill & Hall in Belmar, N.J., successfully argued before the New Jersey Supreme Court that an attorney and a practice management consultant who assisted a chiropractor in forming an illegal "Doc-In-a-Box" medical practice, in violation of the Corporate Practice of Medicine Doctrine and New Jersey regulations governing medical practices, were jointly liable for insurance fraud. As a result, the plaintiff insurance company is potentially entitled to damages in excess of \$4 million from the defendants.

1988 30TH REUNION

Sandra Allen
sallen19@roadrunner.com

1989

Kim Montroll
kimmontroll@gmail.com

1990

Mario Gallucci
mfg7102@aol.com

1991

Peg Stolfa
margaret.stolfa@gmail.com

1992

Margaret Olnek
mlo@olneklaw.com

1993 25TH REUNION

Lainey Schwartz
geowoman3@aol.com

1994

Joseph C. Galanes
joseph.galanes@gmail.com

1995

Karen Moore
kj.moore@judicial.state.co.us

1996

William S. Fewell
williamfewell@vermontlaw.edu

Mollie Roth JD'96 helped host the first VLS southwest alumni event in February, attended by about 15 people. The second southwest gathering took place in September for the Lex Pro Urbe et Orbe event. "As for me," Mollie wrote, "I have survived the first 15 months back practicing law since 2007 for a large corporation, not sure I even knew that compli-

ance was an option back in the day. Of greater interest to me (do not tell my primary employer) is the microbiome conference I have been running, about to hold it for the fourth time in Boston in April. The research and companies in this space are incredibly interesting and the role of bacteria in human health and disease only just starting to be understood. Aside from that, the usual, travel, scuba diving and BS'ing with **Dan Margolis JD'96** and **Sabrina Seal JD'96** on FB take up the rest of my time."

1997

Cheryl C. Deshaies Davis
davis4nh@comcast.net

1998 20TH REUNION

Thomas F. Leary
thomas.f.leary@gmail.com

Tom Leary JD/MSEL'98 is now a captain in the Navy JAG Corps, and recently began a new assignment as the deputy assistant judge advocate general for military personnel. In his role, Tom leads a team of officers and civilians responsible for the development and execution of policy in the areas of officer recruiting, military personnel management, promotions, and career progression of Navy Judge Advocates, and oversees the development and implementation of the Navy JAG Corps' recruiting program and diversity initiatives. He just wrapped up three years as deputy legal counsel to the chairman of the Joint Chiefs of Staff, where his practice areas included international agreements and special operations. Tom writes that he is, "looking

forward to seeing old friends at our 20 year reunion in 2018!"

Angie Essary Pitha JD/MSEL'98 is the founder and principal of Client Loyalty Strategies, a company providing client development services for law firms. Pitha draws upon sixteen years of business-development experience at companies such as LexisNexis, Venable LLP, and Brownstein Hyatt Farber Schreck LLP to serve small- to mid-sized law firms that are committed to growing revenue and retaining and winning clients. Contact her at angelapitha@clientloyaltystrategies.com and follow her on Twitter at @ClientLoyaltySt.

1999

Joy Kanwar-Nori
joy.kanwar@gmail.com

Chuck Conroy JD'99 was sworn in by U.S. Attorney General Jeff Sessions as an immigration judge at the Immigration Court in New York City and began hearing cases in August 2017.

Cullen Howe JD/MSEL'99 recently became senior attorney and the New York director of Acadia Center. The center, with offices in Connecticut, Massachusetts, Rhode Island, New Hampshire and Maine, works to build clean, low carbon and consumer economies by advocating for more clean energy and energy efficiency solutions and for actions that dramatically reduce greenhouse gas emissions.

Renelle L'Huillier JD'99 has been elected as shareholder of the firm Devine Millimet, effective June 14, 2017. Renelle joined the firm in 1999 and has focused her practice

on public finance, representing a majority of New Hampshire's municipalities, as well as healthcare organizations, educational institutions, and other public entities.



RENELLE L'HUILLIER '99

2000

Anna B. Fry
adafry@aol.com

Kristy M. Caron
Kristycaron@gmail.com

2001

Karen Domerski Murray
kmurray9515@gmail.com

2002

Paige Bush-Scruggs
paigescruggs@comcast.net

Dori Jaffe JD/MSEL'02 is now a senior attorney with the Sierra Club in Washington, D.C. She will be advocating for the decarbonization of the electrical grid including the expansion of clean energy and the retirement of coal-burning power plants in the Southeast.

2003 15TH REUNION

Shannon Bañaga

vlsmahe@yahoo.com

Monica Collins MSEL'03 recently left her position of nine years as a litigation paralegal at Langrock Sperry & Wool, LLP in Middlebury, Vt., to return to VLS as the new assistant director of Career Services, working primarily with master's degree students.

2004

Spencer Hanes

spencer.hanes@duke-energy.com

Josh Nicosia JD/MSEL'04 is the chief compliance officer and vice president of development and legal affairs at Jamba Juice Company. Jamba Juice is a publicly traded health and wellness company with over 800 locations worldwide. Last year, Josh moved with his family from San Francisco, Calif., to Frisco, Texas, as part of the company's relocation. His leadership through the transition was recognized by Texas Lawyer magazine. His legal team was awarded Legal Department of the Year in the Team Building category.

2005

Meg Munsey and Kelly Singer

vermontlaw2005@gmail.com

Melissa James JD'05 is a litigation staff attorney at Simpson, Thacher, & Bartlett, LLP located in New York City. Additionally, she is an adjunct professor at LIM College teaching business law to undergraduate students. Melissa reports, "I currently

live in Harlem where I spend my personal time raising my beautiful daughter, Amanda Jolie-Bee."



MELISSA JAMES '05 AND DAUGHTER AMANDA JOLIE-BEE.

Candi Jones Alfred JD/MSEL'05 and her husband, Jean-Pierre, welcomed their first child, Sacha James, on June 1, 2017, at 8:39 a.m. The family resides in southern Maryland where Candi serves as senior associate counsel for the Department of the Navy, Naval Air Systems Command, F/A-18 and EA-18G Program.

2006

Ashley Carson Cottingham

ashleybrey@gmail.com

Ebony Riggins

erriggins@gmail.com

2007

Greg Dorrington

gregdorrington@gmail.com

Liz Lucente

liz.lucente@gmail.com

Josh Galperin JD'07 has been on the faculty at Yale Law School and

the Yale School of Forestry & Environmental Studies for the past five years. He will be leaving Yale after the 2017-2018 school year to join the faculty at the University of Pittsburgh School of Law where he will teach Admin, Con Law, and an environmental law and policy seminar. Josh and his wife Sara Kuebbing had twins, Aviva and Meyer Galperin, in December.

Maggie (Stubbs) Doran JD/MSEL'07

and husband welcomed to the world their second daughter, Diana Maxwell, on March 16, 2017. Diana's older sister, Sylvie Huntley, will be three in November 2017. Maggie continues to work as an attorney for the Board of Veteran's Appeals in Washington, D.C., just starting her tenth year at the job. Maggie added, "Sampson, my dog while at VLS, is still with us and will turn 12 in February."



MAGGIE DORAN '07 GAVE BIRTH TO DAUGHTER DIANA (ON THE RIGHT) IN MARCH 2017. HER OLDER DAUGHTER SYLVIE (ON THE LEFT) WILL BE THREE IN NOVEMBER.

Jessica Fox JD/MSEL'07 became the newest Ingham County Bar Association President for 2017-2018.

Adam R. Lee JD'07 is running for Mayor of Auburn, Maine.



LIZ LUCENTE JD/MSEL'07 WITH HUSBAND KYLE AND CHILDREN ARLO AND ADELIE.

Liz Lucente JD/MSEL'07 is the general counsel and communications director of MnSEIA (Minnesota Solar Energy Industries Association), a 501(c)(6) solar energy trade group representing the various solar business sectors statewide. Also working at MnSEIA is **David Shaffer JD'14**, director of policy and development. With a staff of three, the organization runs the gamut of state legislative work, and is heavily involved in agency policy development and public utility commission regulatory issues. Liz reports that she and husband Kyle Schwarting love Minnesota and are parents of two children, Arlo (age 4) and Adelle (age 2).

2008 10TH REUNION

Samantha Santiago Beaulieu
santiago.samantha@gmail.com

Jamie Williams
willjamie@gmail.com

Bill Eubanks LL.M'08 and Helen Dombalis welcomed Vivian Harper Eubanks into the world on August

12, 2017. She weighed 6 pounds 4 ounces and measured 19.25 inches at birth. As Bill writes, he and Helen "can't wait for Vivian's first visit to SoRo as the newest Fighting Swan!"



VIVIAN HARPER EUBANKS, DAUGHTER OF BILL EUBANKS LL.M'08 AND HELEN DOMBALIS.

Mandy Mott JD'08/MSEL'05 and her partner, Peter Taglia, adopted a beautiful Catahoula Leopard Dog named Bella in September 2016. As Mandy reports, she loves riding in



MANDY MOTT JD'08/MSEL'05'S CATAHOULA LEOPARD DOG NAMED BELLA.

the trailer while they are bicycling and running errands.

Ryan Anthony Reid JD'08, a public defender in Wisconsin, was honored by the Wisconsin Law Journal in September as "a rising star of Wisconsin's legal community." Those chosen for this honor will be featured in a special Wisconsin Law Journal publication. Consideration for the recognition was based on the following criteria: 1) Attorneys that are on the fast track to making a significant impact on the legal profession. 2) Attorneys that represent determination in legal work, in community betterment and in improving their own law firms. 3) Attorneys that have been practicing law for eight years or less.

2009

John Miller
johndmillerjr@gmail.com

Jennifer McDonald
jmcDonald@drm.com

John Meyer JD'09 has been causing trouble in Montana since founding Cottonwood Environmental Law

Center right out of law school. He and VLS professor Jack Tuholske invalidated the construction permit for a \$550 million coal railroad and in November 2016 the U.S. Supreme Court denied a petition for writ of certiorari by the U.S. Solicitor General in a precedent-setting Endangered Species Act case brought by Cottonwood. Meyer spent a month between two hospitals in 2015/2016 after getting into a serious ski accident that left him in a coma for several days. After emerging from the dead, Meyer got engaged in 2016 and hired a new attorney to work for Cottonwood. The ENRLC has submitted an amicus brief in a Ninth Circuit case Meyer is handling in the Ninth Circuit.



ALLISON HANZAWA JD'08 AND JOHN MILLER JD'09 IN JUNEAU, ALASKA, PICTURED IN FRONT OF THE MENDENHALL GLACIER.

John Miller JD'09 vacationed in Alaska earlier this year and paid a visit to **Allison Hanzawa JD'08** in Juneau.

2010

Cara Cookson

cara.cookson@ccvs.vermont.gov

Laurie Wheelock

lauriewheelock@gmail.com

Brian Martin JD'10 and wife **Katie Amestoy Martin JD'11** moved

their family this year from Vermont to Washington, D.C. As Brian describes, "D.C. has made for an excellent new home. We've had the good fortune to visit with classmates and to meet many other VLS alumni who live and work down here. But our love for Vermont remains undaunted--three separate trips back in the summer alone!

It was great seeing many alums, faculty, and old friends at the June Homecoming in South Royalton (such a blast!) and at the terrific rooftop reception in D.C.!"

Brian Jones JD'10 was named as the new director of Private Protective Services for Department of Public Safety in North Carolina. Brian comes to the department from the Durham County Sheriff's Office, where he was the director of planning and development.

Lise F. Solbeck (formerly Daniels) JD'10 reached the one year mark

with the Grafton County (NH) Attorney's Office as a regional circuit court prosecutor. As Lise describes, "it was a long path to get to this point, but well worth it, since I am loving my work, my fellow assistant county attorneys, and my police departments. The work is never dull and is often rewarding." After 18 years as a New Hampshire resident, Lise sold her house and moved to Post Mills, Vt. Lise writes, "my kids are mostly fledged (and all in their 20s, yikes!) and doing well. Life is pretty much fantastic."

After graduating cum laude from VLS, **Michael Cole JD'10** obtained an LLM in Environmental Law at the George Washington University Law School with highest honors. He published his thesis in Florida State University's *Journal of Land Use and Environmental Law*. He currently works as an attorney-adviser at the Office of the General Counsel for the Federal Mine Safety and Health Review Commission. In 2014, while working at the Commission, he accepted an offer to publish a fourth article, "Gender Disparities in Environmental Negotiations," in the spring of 2014 issue of *Resolved: Journal of Alternative Dispute Resolution* at Charleston School of Law.



JEFFREY HEINRICK JD'10 AND TRACEY MACKENZIE HEINRICK JD'10 WELCOMED LIAM JACK HEINRICK TO THE WORLD IN APRIL. IN THIS PHOTO, JACK IS HAPPY RESTING ON A BLANKET PROVIDED BY "AUNTIE SADIE SPRUCE JD'10".

Jeffrey Heinrick JD'10 and **Tracey MacKenzie Heinrick JD'10** welcomed to the world Liam Jack Heinrick on April 4, 2017 in Phoenix, Ariz. Jeffrey writes that Liam is "a happy and healthy little boy and we

are soaking up every moment with our miracle baby. We look forward to bringing him to the 2020 reunion."

2011

Amanda George-Wheaton

amanda.georgewheaton@yahoo.com

Sarah McGuire

sarah.mcguire18@gmail.com

Sahiti Karempudi JD'11/MELP'08

recently left her nonprofit job that focused on community building and land use policy in San Francisco to start a small consulting company in the city. Dahlia Community Engagement focuses on working with local tech companies to help their employees engage with the community they live in, as well as provide outreach and engagement support to the City and to local community groups.

2012

Susan Lettis

susanlettis@gmail.com

Lauren Miller

lauren.miller.e@gmail.com

Anthony Orlando JD/MELP'12

recently accepted the position of director of admissions at Western New England (WNE) University School of Law. Anthony worked at WNE for the past two years in the assistant director role, after practicing in real estate, business, and estate planning at a small firm in his hometown of Leominster, Mass. Anthony and his wife, Kristen, attended the Tunbridge Fair in Vermont again this year. Anthony can be reached at Anthony.J.Orlando@gmail.com.



MOLLY SHUBERT HANN JD'12

Molly Shubert Hann JD'12 recently accepted a new position with Fischer, Bessette, Muldowney & McArdle, LLP in Tupper Lake, N.Y.

Blake Johnson JD'12 was featured in the June 2017 issue of *Del Mar Lifestyle* in the "professionals to watch" style section. Blake writes, "I'm honored and happy they chose to highlight making an impact in the

nonprofit community in San Diego alongside other business leaders."

Tracey Ullom JD'12/MELP'13 is currently working as an advanced markets attorney for National Life Group in Montpelier, Vt., where her day-to-day activities include designing and advising on qualified retirement plans and non-qualified financial solutions for business owners. She also dives into large and high-net worth estate planning techniques using life insurance and annuities. Much of her job requires keeping up with the current political landscape, the national tax reform, and other financial market changes in Washington, D.C., and at the state level. Much of her work has revolved around implementing the Department of Labor Fiduciary Rule.

Monica Miller JD'12 filed a petition for a writ of certiorari seeking the U.S. Supreme Court's review of the U.S. Court of Appeals for the Fifth Circuit's decision upholding a Texas



A SNIPPET OF THE FEATURE ON BLAKE JOHNSON JD'12 IN THE JUNE ISSUE OF *DEL MAR LIFESTYLE* MAGAZINE.

school district's practice of subjecting its students to prayers at school board meetings. This Supreme Court petition was selected as the Petition of the Day on SCOTUSblog.com.

2013 5TH REUNION

Brian Durkin

brian.o.durkin@gmail.com

Rae Kinhead

rmkinhead@gmail.com

Christopher Supino LL.M'13 graduated from VLS with an LLM in Environmental Law (Energy Certificate). From 2013 until May of 2017, he was an associate and then senior associate at The Holsclaw Group, LLC in Plainfield, Ind., representing energy clients (principally regional transmission organizations) before the Federal Energy Regulatory Commission (FERC) in a variety of regulated matters. In May of 2017, he took a new position as senior corporate counsel at MISO in Carmel, Ind., where he is now the lead attorney working to develop and implement MISO's competitive transmission processes (FERC Order 1000).

Matthew John Eldred JD'13

received his Master's of Law in National Security Law with distinction from the Georgetown University Law Center on Sunday, May 21, 2017. John is a lawyer with the National Security Agency outside of Washington, D.C. He provides to his clients advice on issues emanating from NSA's operational use of the Foreign Intelligence Surveillance Act, particularly Section 702.

Mindy Blank MELP'13 has stepped into Peg Elmer's previous role as the

executive director of Community Resilience Organizations (CROs), a non-profit accredited in 2015 and now zeroing in on project implementation. Mindy is working with many towns and partners across Vermont to help them accelerate implementation of climate change plans and build civic engagement and social cohesion. The organization works on a grassroots level as well as at the municipal and regional level. CROs developed and now uses a Resilience Assessment Tool that helps gauge the status of resilience in communities, and is soon to be tailored for academic institutions and businesses. The organization's framework is replicable and can be "exported" to other towns and regions beyond Vermont.

Alex Castino JD/MELP'13 will soon be closing on what is considered to be the first of its kind water sharing deal. He is the project manager on a farm conservation and water sharing project for Larimer County, Colorado.

2014

Whitney Standerfer

whitneystanderfer@gmail.com

Cristina Mansfield

cristinaleila@hotmail.com

Christopher M. F. Smith JD'14

recently started as an associate in the Business and Banking Group at Cohen Kinne Valicenti & Cook in Pittsfield, MA. The firm serves as external counsel to a variety of businesses from the Boston Symphony Orchestra, to credit unions, to single person startups. Prior to his current job, Christopher was director of capital markets in the securities division of the Vermont Department

of Financial Regulation, overseeing the corporate finance activities within the state of Vermont. In that role, Christopher developed policy to help encourage capital formation and economic development in Vermont, from crowdfunding to EB-5. He also served on working groups for the North American Securities Administrators Association, developing and influencing national policy and law in these areas.



JESSE FRIES JD'14

Jesse Fries JD'14 has been named a partner with Orwin & Fries Law Office in Somerset, Kentucky. Founding partner of Orwin & Fries Bruce Orwin commented, "I am pleased to welcome Jesse as a partner. His strong background in the Lake Cumberland community and legal experience will be important as we continue to focus on personalized, custom-tailored legal representation for our clients." Jesse earned a Bachelor of Arts from the University of Louisville.



ANDREW FOWLER JD'14 AND EMILY MIGLIACCIO JD'14 MARRIED ON JUNE 24, 2017, IN WARWICK, RI.

Andrew Fowler JD'14 and **Emily Migliaccio JD'14** wed in Warwick, R.I., on June 24, 2017. Both practice environmental and land use law—Andrew at Anderson & Kreiger LLP in Boston, Mass., and Emily at Cervenka Green Ducharme & Antonelli LLC in Providence, R.I. They live in Attleboro, Mass., but “pine for Vermont.”

2015

Crystal Abbey
cnabbey88@gmail.com

Alona Tate
alona626@yahoo.com

David Scott JD'15 has joined Greenbaum, Rowe, Smith & Davis LLP as an associate in the firm's Environmental Department. The firm is one of New Jersey's leading business law firms, serving as a principle resource for clients with interests

in the state. David's environmental law practice emphasizes transactions and regulatory compliance. He provides counsel on environmental issues that arise in real estate transactions, including hazardous waste and groundwater contamination, underground storage tanks, and the cleanup and remediation of contaminated sites.



DAVID SCOTT JD'15

Meg York JD'15 currently works as a staff attorney with Mercy for Animals, a multinational animal welfare organization, currently operating in the United States, Canada, Mexico, Brazil, India, and China. She facilitates undercover investigations at factory farms and is responsible for providing legal support to the investigations department by conducting necessary legal research into state, federal, and international laws and regulations. She assists in requests for criminal prosecutions of animal abusers by reviewing investigative footage and field notes, drafting legal petitions, meeting with counsel and law enforcement, conducting witness and trial preparation, working with the media, and participating in speaking engagements. Most recently, she drafted

and submitted a criminal complaint against Elite Farm Services, a chicken catching company in British Columbia. Prior to working on Elite, she also worked with Canadian Crown Counsel to obtain the first ever jail sentences issued for farmed animal abuse following an undercover investigation.

Jack Hornickel JD/MELP'15 is currently practicing as a staff attorney at a nonprofit organization representing small farm businesses in the Hudson Valley, Catskills, and Finger Lakes region of New York State. He has been working in this field for two years.

Andrew W. Minikowski JD/MELP'15 published an article, “The Creation of Tribal Cultural Hegemony under the Indian Arts and Crafts Act and Native American Graves Protection and Repatriation Act,” in Volume 92 of the *North Dakota Law Review*.

Amy Davis JD'15 is pleased to announce the Law Firm of Bucknam and Black will be renamed to Bucknam Black Davis. They have been working on the transition since June, and it will become official this fall. She is excited to be managing the firm alongside fellow alumna **Deborah Bucknam JD'79**.

2016

James LaRock
jamesmlarock@gmail.com

2017

Catlin Davis
catiedavis.cd@gmail.com

Honoring PROFESSOR EMERITUS GIL KUJOVICH

IN NOVEMBER, VERMONT LAW SCHOOL NAMED longtime Professor Gil Kujovich Professor Emeritus, recognizing the many contributions he has made to the VLS community since joining the faculty in 1981. Deeply respected by former students, faculty and staff members, Professor Kujovich is as admired for his warmth, generosity of spirit, and sense of humor as he is for his intellect, academic scholarship, and leadership on affirmative action and equality in education. He retired in 2014 but his contributions to Vermont Law School are lasting.

“He has been my mentor since my very first days on this campus,” says Associate Dean Shirley Jefferson JD’86. One of his first prodigies, she has modeled much of her work in the Office of Student Affairs and Diversity on Professor Kujovich’s example. “He made sure that we put into place the resources to support students like me at VLS.”

Students like me. Dean Jefferson refers to a history of inequality in U.S. education and the educational deprivation she experienced in her youth in the still-segregated public school system of Selma, Ala. That deprivation left her ill-prepared for law school, and she struggled at VLS until Professor Kujovich stepped in. He identified the shortcomings in her former education and took responsibility for rectifying them—for not only Shirley Jefferson, the second black woman to attend VLS, but for all students of color at VLS. “I’m a living example,” she says. “He was trying to make right what had happened in this country. His dedication is a prime example of what this country can do to correct past discriminations.”

Professor Kujovich, a U.S. Army veteran, graduated cum laude from Middlebury College and magna cum laude from Harvard Law School. He worked in the U.S. Court of Appeals in the Ninth Circuit for Judge Shirley Hufstедler and went on to clerk for U.S. Supreme Court Justices Potter Stewart and Byron White. He also worked as special assistant to the general counsel in the U.S. Department of Defense, chief counsel to the White House Intelligence Oversight Board, and assistant to the United States Secretary of Education.

He drew on his professional experience to teach at



VLS, specializing in Constitutional Law, Civil Rights Law, and Administrative Law. In addition to his courses in these areas, he taught Federal Courts, Race and the Law with Dean Jefferson, and Civil Rights Seminar with Professor Clara Gimenez JD’03, whom he also mentored. He served as faculty advisor to countless students on their Advanced Writing Requirement (AWR) and Independent Research Projects (IRP). He also served as VLS vice dean for academic affairs and as the school’s first interim associate dean for student affairs and diversity.

He published numerous articles on affirmative action, desegregation, and diversity. During the debate on civil unions he was called on to testify concerning the constitutionality of the civil union, or same-sex marriage. He testified numerous times before the House and Senate Judiciary committees, responding to federal and state constitutional concerns.

Professor Kujovich is not one to back down. Although he may not have liked it, students fondly referred to him as “Kujo,” remembers Dean Jefferson. And as VLS


faculty colleagues, he continued to mentor her even after he retired. She would sometimes find him sitting in the back of her Race and the Law class, quietly observing. “He is a real perfectionist and tried to make me one—after 35 years I still owe him a final draft of my AWR,” she jokes.

Another former student, Michael Hill, echoes Dean Jefferson’s sentiments. “Although I went to two law schools [VLS and Yale] and had great professors at both, Gil was hands-down the best—pushing us all further than we thought possible, all while staying on the positive and making us feel better about ourselves and our abilities. As we’ve stayed in touch over now more than 35 years, he still pushes me (I remember his look of clear disappointment a few years back when I’d plainly forgotten the holding in a Con Law decision we’d covered in 1981). Shortly after my wife and I bought a home in Vermont, he gave me a high-intensity flashlight for night walks that shines far brighter, far further, and with far greater focus than I’d thought possible. A great metaphor for this great teacher and man.”

SEND WELL WISHES TO PROFESSOR KUJOVICH

Recently Professor Kujovich has been unable to participate in the functions of the school due to serious illness. In April, he received a stem cell transplant for myelodysplastic syndrome, a type of cancer of the bone marrow, which has created many medical issues. Well wishes and cards may be sent to

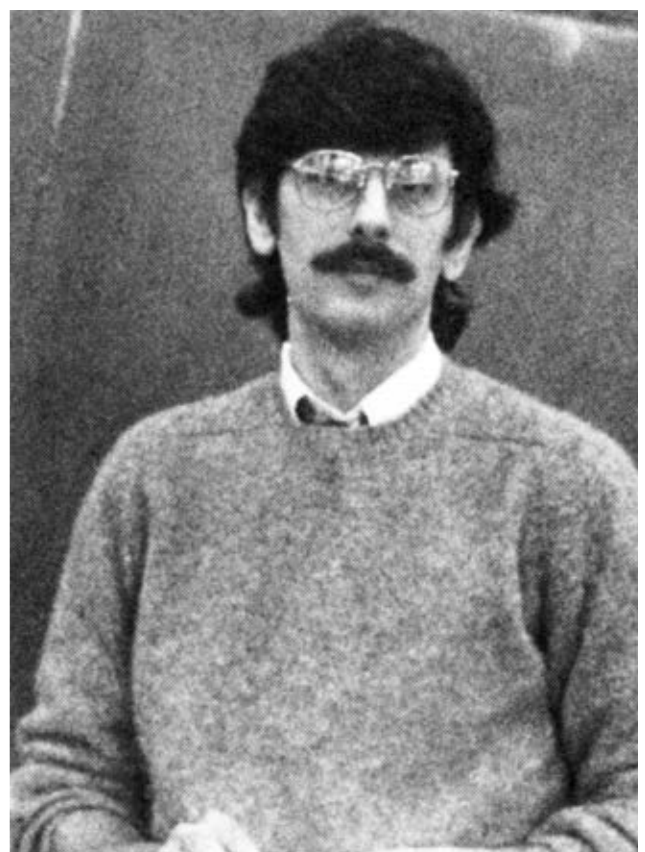
161 S. Huntington Avenue, Apartment #217, Boston, MA 02130.

He hopes that sometime in the future he will be able to again participate in Vermont Law School functions. 

In honor of Professor Kujovich’s contributions to Vermont Law School, VLS asked alumni, faculty, and staff to share tributes to their teacher, mentor, colleague, and friend. These tributes are published online at vermontlaw.edu/blog/tribute/gil-kujovich. We invite you to share yours by clicking on the “Submit” button.



PROFESSOR
KUJOVICH IN
THE 1980s.



WINTER READY

This excerpt is from a poem by Leland Kinsey (1950-2016), a seventh-generation Vermonter unofficially known as the poet laureate of the Northeast Kingdom.

Everything that does not migrate
has fattened up, bedded down,
cocooned up, seeded itself.
Life's two principles-
reproduce; survive to reproduce again.
By this process the world is brought
back to us as we know at winter's end.
And by this process, even beyond
the evident hand of man, the world
slowly changes utterly.

IN MEMORIAM

Linda Williamson JD'05, 65, died of pancreatic cancer on May 30, 2017, in Windsor, Vt. Born in Fairfield, Conn., Linda attended Windham College, a liberal arts college in Putney, Vt., during a time of fierce anti-war protest. She left after a single semester, heading west to the snowfields of Utah where she worked as a ski instructor for several years. Linda was the director of the Hartland Public Library in Vermont from 1987 to 2001. During her time at the library, she built an outstanding collection, transforming the library into the town's living room—a welcoming place where patrons could find community along with reading material. Her lasting legacy to Hartland is the library building at Foster Meadows. A strong community spirit drove Linda in other aspects of her life. In 2000, a local development project planned to discharge up to 10,000 gallons per day of treated wastewater into Lull's Brook. Linda successfully fought to safeguard the watershed, becoming a founding member of the Lull's Brook Watershed Association. Although she left college before earning her degree, Linda was determined in her pursuit of education. She received a Bachelor's Degree in Management from the College of Lifelong Learning, followed by a JD from Vermont Law School in 2005. Linda was a founding attorney with the Windsor/Orange Legal Assistance Project, providing lo-bono and pro-bono legal assistance to indigent clients. She was a tireless advocate, often serving as involuntary legal counsel to the community's most vulnerable. Linda lived a dy-

namic and multi-faceted life; she was a gourmet cook, an expert gardener; a ski instructor at Mt. Ascutney; and trainer of her beloved Thoroughbred-Percheron horse, Mel, who reached Prix St. George level with the help of local trainers. Mel was a charismatic presence at Upper Valley dressage shows, and one of the loves of Linda's life. Linda is survived by Tom Williamson, her husband of 41 years; her three children, Jenny, Sam, and Amy; and two grandchildren. She will be deeply missed by her friends, her family, and the community.

Shannon Olon Rigsby MSEL'02, 47, died on May 31, 2017, in Rapid City, S.D. Born at the Air Force Academy in Colorado Springs, Colo., Shannon was an Air Force child who spent his childhood in various locations, including England and Colorado, before finally settling in Sturgis, S.D. as a teenager. He graduated from Sturgis Brown High School in 1988. Shannon studied at South Dakota State University for four years, where he found his love for language and cultivated lifelong friendships. He was enlisted in the Army National Guard in Brookings, S.D. After four years, Shannon transferred to the Navy, where he was assigned to an intelligence division. A talented linguist, Shannon became fluent in Russian language in Monterey, Calif., and greatly enjoyed his time stationed in Kunia, Hawaii. Upon receiving his honorable discharge from the Navy, Shannon entered law school at the University of South Dakota. Shannon was deeply involved with the USD Law School's Alternative Dispute

Resolution Board. He simultaneously earned his JD from the University of South Dakota and a master's in environmental law from Vermont Law School. He graduated in 2002, earning honors distinctions from Vermont Law School. While in law school, Shannon met and married Cassandra Lynne McKeown. They married in May 2001, and together raised their daughter, Ashley Nicole McKeown. As an attorney, Shannon's experience was broad, including working as a solo practitioner in Sioux Falls, as a deputy prosecutor for the Rosebud Sioux Tribe, and as the registration officer for the University of South Dakota School of Law. He immensely enjoyed his work for the tribe and the law school, and carried fond memories of his dedicated colleagues. At the time of his passing, Shannon was anticipating his re-enlistment with the National Guard as a judge advocate general. Shannon was intellectually very curious and broadly read in history and science. His primary joys in life included spending time with his father, who had a profound influence on his life, playing games of strategy with his sister, Laura, whom he cherished, and hanging out with his dogs. Shannon was preceded in death by his mother, Mary Jo Kludt. He is survived by his father, Olon "Russell" (Cindy) Rigsby; sister, Laura Ann Rigsby Graczyk; siblings, Daniel Angus McLean (Ana), Carleen (Eric) Colhoff, and Jennifer McCaskey; former spouse, Cassandra McKeown; daughter, Ashley McKeown; and many aunts, uncles, cousins, nieces, nephews, friends, colleagues, and comrades.

VERMONT ALBUM



SUNRISE AT KENT'S LEDGE DURING FALL BREAK 2017.
PHOTOS COURTESY OF MEGAN FUERST MELP'18, OUR AUTUMN
INSTAGRAM CONTEST WINNER. FOLLOW @VTLAWSCHOOL.



SAVE THE DATE HOMECOMING 2018 REVISIT THE ADVENTURE

SOUTH ROYALTON, VT

JUNE 22-23, 2018

Ice cream
social

CLE
lecture

Annual
bike ride

State
of VLS

Milestone
reunion/class
photographs

Alumni
parade

All alumni are welcome!
Classes ending in '8 or '3 are
celebrating milestone reunions.

| | | | |
|------|------|------|------|
| 1978 | 40th | 1998 | 20th |
| 1983 | 35th | 2003 | 15th |
| 1988 | 30th | 2008 | 10th |
| 1993 | 25th | 2013 | 5th |

Swans Fly Together

Looking for ways you can volunteer with VLS as a graduate? Are you interested in gaining more experience in networking, setting up CLE events, organizing alumni panels, coordinating happy hour events, etc.? We are always looking for new opportunities to build stronger relationships with alumni and strengthen the VLS community. A regional group or affinity group is a great way to get involved!

AFFINITY GROUP: A group of alumni linked by a common interest or purpose.

REGIONAL GROUP: A group of alumni linked by location.

Regional groups and affinity groups provide an opportunity for graduates to interact and to participate in the development and growth of the VLS community following graduation.

FOR MORE INFORMATION

Call or email Alumni
Relations Director
Melissa Harwood
at mharwood@
vermontlaw.edu
802-831-1339

Or visit **connect.**
vermontlaw.edu/networks





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