

# EMORY | lawyer

WINTER 2025

## TRUE NORTH

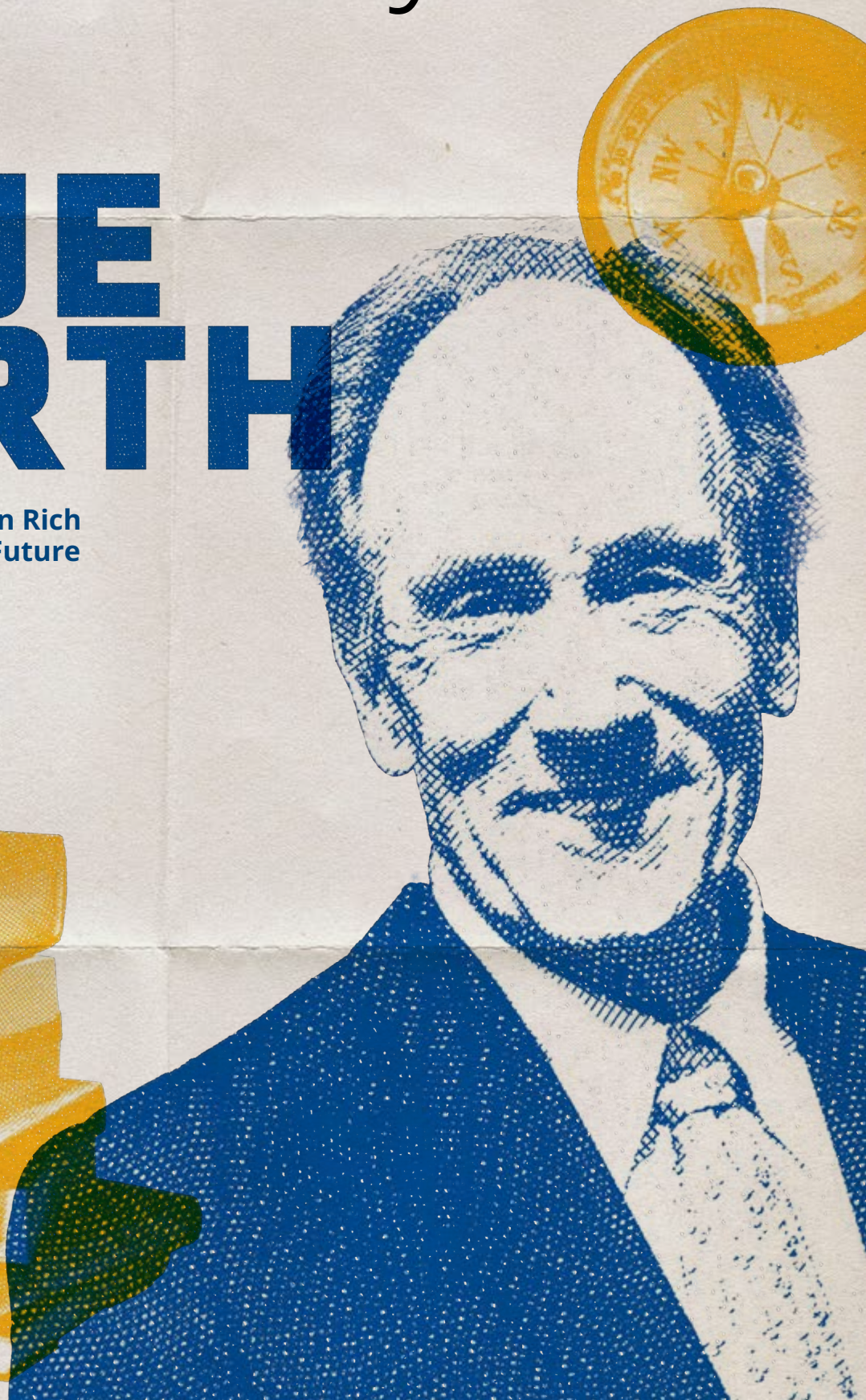
With Historic Support, Dean Rich  
Freer Charts Emory Law's Future

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SCOTUS analysis

New faculty

Emory Law's Patent Clinic





# Building momentum, *with gratitude*

**NOW, HALF A YEAR INTO MY DEANSHIP, I AM STRUCK PRINCIPALLY BY TWO EMOTIONS.** One is excitement. From the outset, we have stated our mission clearly: to educate and prepare principled, sophisticated lawyers who can thrive anywhere, in any milieu. The pillars of that mission are academic eminence and student flourishing – the latter meaning that we

are aiming to build the best professional development program of any law school in the country. Every initiative we consider will be held up against this mission and these pillars. These are, as I have said, our True North.

We have hit the decks running. In these pages, you will read about the outstanding scholars and teachers who have joined our faculty this year. And for next year, we will hire senior scholars in two core areas: to fill the Robert Thompson Professorship in corporate law and the John & Sheri Latham Endowed Professorship in Civil Litigation. Our faculty, ranked in the top

18 by esteemed surveys of scholarly productivity and impact, is getting even stronger.

Our new Student Flourishing Initiatives are in full stride, bringing students increased awareness of professional expectations and providing skills – academic and soft skills – needed to flourish in law school and beyond. Our faculty will soon undertake a curricular study to ensure that our course offerings maximize our students’ ability to flourish.

The other emotion – the dominant one – is gratitude. Clear missions and excitement in ourselves do not get us very far. It takes action – and, in our case, action by hundreds, even thousands, on Team Emory Law – actions to make a difference. We

are making progress because people are stepping up.

Our students are engaging in building their individual paths to success. Our faculty is considering a host of initiatives to enhance our academic eminence and the student experience. The staff of the law school is indefatigable in ensuring that things get done, including the signature events through which Emory Law projects its brand to the larger community. The university supports our mission at each turn.

Alumni and friends are engaging in countless ways. Their dedication to our students is manifest through their mentoring, teaching, advising, hosting, interviewing and hiring, through engagement with the Cooper Inn of Court and affinity groups – the list goes on and on. In these pages you will read about dedication of time, talent, and treasure in our mission.

One of these, the cover story, includes news of Bill Carney and his transformative gift to create the William and Jane Carney Center for Business and Transactional Law. Bill is a legendary scholar and teacher who designed our nationally acclaimed Center for Transactional Law and Practice, which he and Jane also funded generously. Emory Law is ranked 22nd nationally in Business and Commercial Law, in considerable measure because of the Transactional Law Center. The new, larger Center for Business and Transactional Law will house the Transactional Law Center and make possible innovative new ways to strengthen our pillars of academic eminence and student flourishing. It will also leverage our home in Atlanta, a world business hub.

All of these stories and many more bespeak excitement – we are moving forward. Behind each story is a reason for profound gratitude.

I have had the privilege of meeting with hundreds of members of Team Emory Law over the past months. The phrase I have heard more than any other is: “Rich, just tell us what we can do.” I’m pretty good with words, but I have trouble adequately expressing my gratitude for this level of engagement and support. This will have to do: from my heart, thank you.



Richard D. Freer  
Dean and Charles Howard Candler Professor of Law

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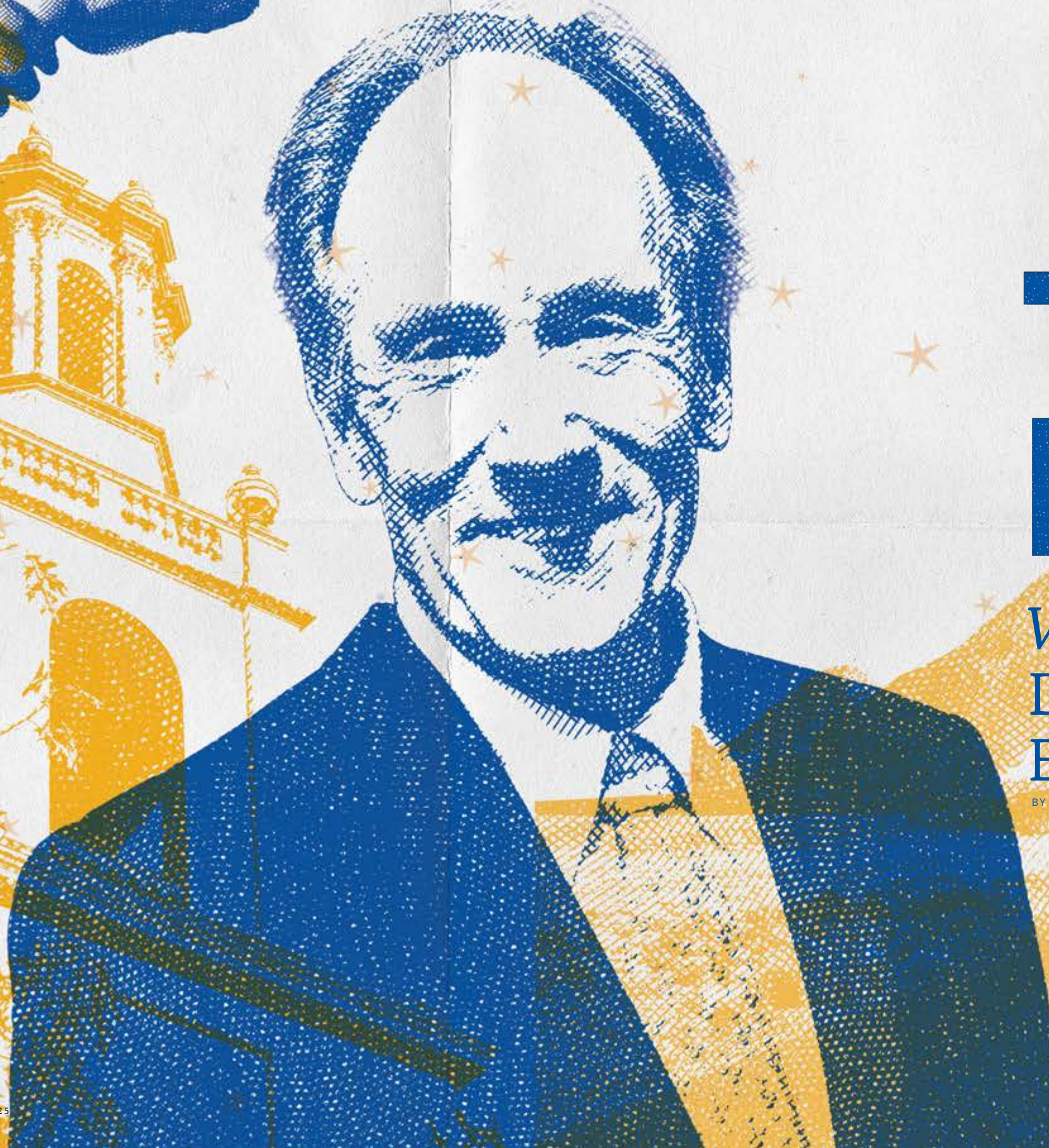
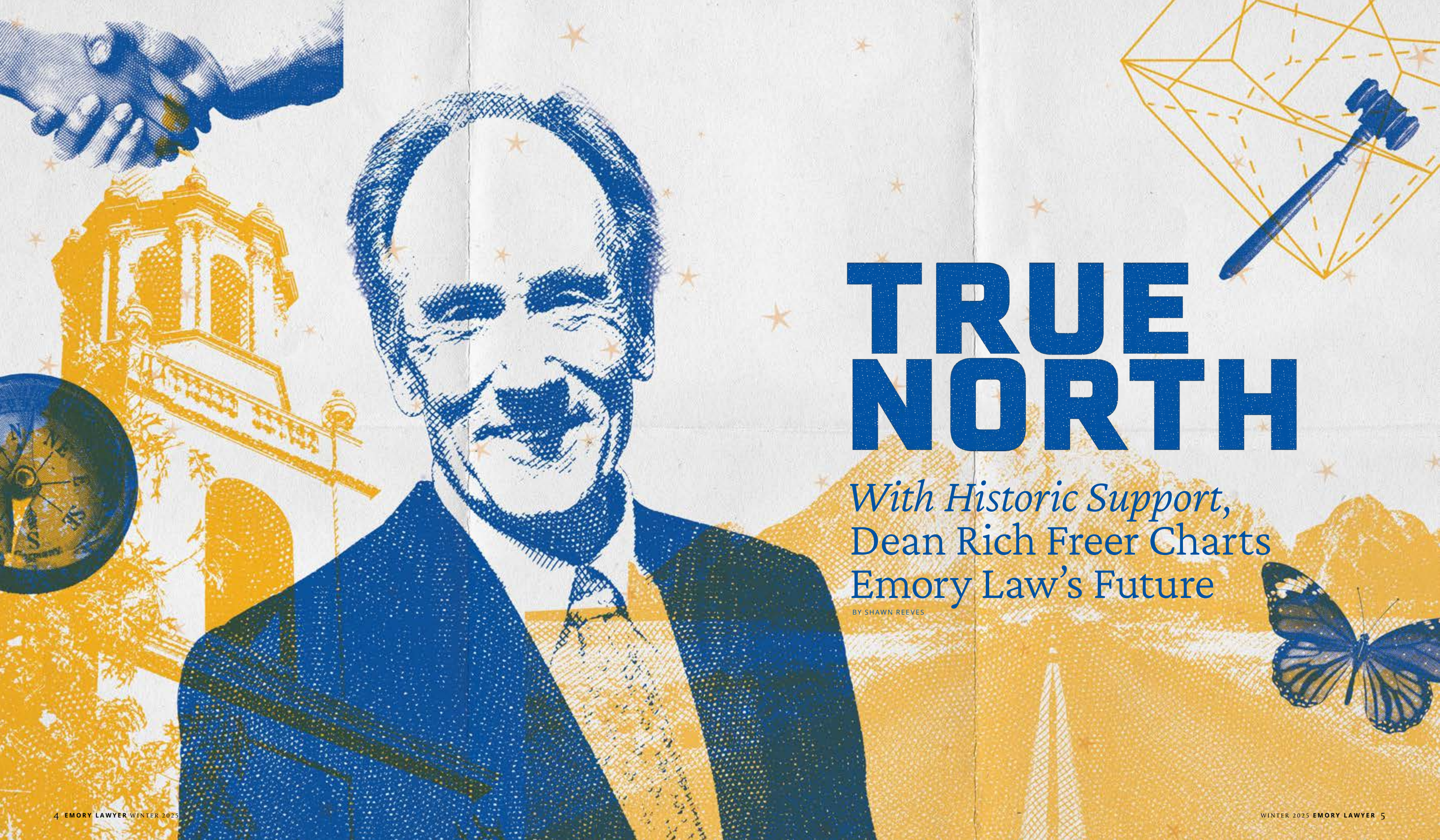


## First-year students

including Soumya Siravara (center), gather important information during Fall 2024 new student orientation events.

PHOTOGRAPH BY MELLE HUDSON





# TRUE NORTH

*With Historic Support,  
Dean Rich Freer Charts  
Emory Law's Future*

BY SHAWN REEVES



*On Rich Freer’s desk sits a compass. It points north. True North.*

As the new dean of Emory University School of Law, he applies it metaphorically to all that he does and aspires to accomplish. “Does this proposal lead to academic eminence?” he asks. “Does it lead to students flourishing?” With these guiding questions, Freer charts his vision for Emory Law, navigating the steps necessary to propel the school forward.

In his first 100 days as dean, Freer—who taught at the school for four decades—made his drive clear: a focus on Emory Law’s core mission of educating sophisticated, principled lawyers equipped to serve their clients and lead their communities.

To him, flourishing is more than legal success; it’s about personal growth and service, which he feels transports the practice of law from a mere profession to a personal calling. “The law is a noble profession because it’s about service. You are dedicating your professional life to solving other people’s problems,” he says. “The clients are putting part of their lives, part of their businesses, in your hands, and that’s a huge responsibility.”

For more than a century, Emory Law has guided students on this path, training them to become lawyers grounded in integrity, empathy, fairness, and accountability. Freer’s vision is to elevate Emory Law for the long term through a focus on student flourishing—academically, professionally, personally—and by fostering academic distinction among faculty, already nationally renowned for their scholarship.

With support from alumni and benefactors, cutting-edge scholarship and innovative teaching from the faculty, and engagement from students, Freer is determined to lead Emory Law to new heights. Every decision is guided by True North and grounded in a rigorous focus on fundamentals, on building professional skills, which lead to self-confidence.

**Inspiring Game-Changing Support**

Emory Law alumni are expressing enthusiasm and excitement for Freer and his vision. Since Freer took office in July, Emory Law has secured an unprecedented \$18 million in investments. Inspired by his leadership, generous donors have come forward to establish endowments and distinguished professorships. They have contributed to scholarship funds and invested in centers and related programming, manifesting a shared commitment to Emory Law’s present and future successes. Through historic philanthropic support, these donors—along with others who will undoubtedly join them—are investing in Emory Law today. They are investing in Freer and where he is bound to lead Emory Law tomorrow.

Two Emory Law alumni, **John Latham** 79L and **Facundo Bacardi** 96L, have stepped forward with gifts that Freer says will pave the way for hiring top-notch legal scholars, particularly in the areas of civil litigation and business law.

Latham, a Dean’s Advisory Board member and Emory trustee emeritus—along with his wife Sheri—has endowed a Distinguished Professorship in Civil Litigation. With this position, the Lathams aim to attract a great scholar and teacher—similar, John Latham says, to Freer, with whom he enjoys a “fantastic” relationship. “I trust the endowment to Dean Freer,” Latham says.



John Latham

“I know he’ll use it to bring in a scholar who can help lift the law school’s ranking and concentrate on the basics: imparting in students a solid legal education with which they can pass the bar and obtain the jobs they seek.”

In similar fashion, Bacardi, who serves on Emory’s Board of Trustees, has committed to funding senior-level scholars and practitioners who will enhance Emory Law’s academic environment by offering specialized knowledge in business law, which is crucial for students wishing to enter corporate legal practice.

Bacardi established the William Augustus Lane Jr. Distinguished Professorship Endowment, which bears the name of his father-in-law—a principled lawyer and businessman who exemplified the very traits and ideals on which Freer centers his vision for the school. “Dean Freer’s commitment to educating principled, sophisticated lawyers is spot on,” he says. “His vision will shape both curriculum and teaching to produce students ready for the next steps in their lives.”

With new faculty members specializing in civil litigation and business law, students will have greater access to specialized courses and advanced legal training in these core areas. The new hires will build upon the excellence and academic rigor for which Emory Law has long been known.



Facundo Bacardi

Emory Law ranks #22 nationally in business and commercial law. This fact reflects the quality and scholarship of business law faculty members and the remarkable success of the school’s Center for Transactional Law and Practice, which was founded in 2007 by **Charles Howard Candler Professor of Law Emeritus William J. Carney**, a cornerstone of Emory Law for more than three decades. In 2015, Carney strengthened the center’s work with a \$1 million matching gift. A decade later, he has stepped forward with an unprecedented \$6 million gift to create the William and Jane Carney Center for Business and Transactional Law. The Center for Transactional Law and Practice will be a vital component. His investment is driven by a deep commitment to combining strong legal education with training in drafting, negotiations, and other skills pivotal to business practice.

Carney has known Freer for 41 years and shares his vision for Emory Law. “Dean Freer has good values, both academic and professional,” he says. “He understands the practice of law and what students need, and I believe he will elevate the prominence of the school’s business law component.”

Central to Carney’s vision—and Freer’s—is melding legal education with practical skills training to allow Emory graduates to enter the profession practice-ready. His transformative investment will leverage the center’s place in Atlanta, one of



Professor William J. Carney

the world’s most important business hubs.

Atlanta as a home of entrepreneurial activity and commercial success is something Emory alumna **Ellen Agnor Bailey** 63C 87MBA knows well.

“He understands the practice of law and what students need, and I believe he will elevate the prominence of the school’s business law component.”

— William J. Carney

A trustee emerita and the niece of beloved Emory Law professor William Agnor, she remembers visiting her uncle in the law building when she was a child. Her mother, daughter, and two granddaughters are Emory alumni, as well. Bailey is a successful businesswoman and consultant with deep connections to both the Emory and the Atlanta communities. Throughout her career, she has experienced and benefited from the value of good, ethical lawyers with whom she has enjoyed true working partnerships.

Those experiences, in part, inspired her to invest in Freer and Emory Law. Bailey has supported the university, financially and otherwise, for 56 consecutive years. Now she has made a gift to fund a law faculty award and endow a professorship, both in memory of her late fiancé, **Judge Hilton Monroe Fuller Jr. 64L**, who served as a professor, litigator, and DeKalb County Superior Court judge.

Bailey says her family has long valued education as a building block for the future. She counts as many as 14 Emory degrees among family members, and this connection adds remarkable depth to her giving. “Emory has been part of our family for as long as I can remember,” she says. “Emory isn’t just a school to us—it’s a place that shaped who we are. My family believes education is one of the most important gifts one can give, and that’s why we felt strongly about supporting Emory Law in this way. Our hope is that by giving back to the

law school, we’re helping to shape the future of students who will make a difference in the world.”

With nearly 200 years of collective involvement with Emory Law—whether as students, professors, donors, or all three—these philanthropists are investing their treasure, in addition to their time and talent, in the school. They are confident that Freer will lead Emory Law into an exciting new era as is Emory President Gregory L. Fenves.

“Rich Freer has been an extraordinary professor and a dedicated member of the Emory Law community for decades,” says President Fenves. “He has the vision, skill, and commitment to elevate the School of Law in profound ways, and I see that demonstrated by the tremendous support Dean Freer’s leadership has garnered in just his first 100 days.”

This support has allowed Emory Law to secure essential resources for recruiting leading faculty members, enhancing academic programs, and attracting talented students. These initiatives are only possible through the enduring generosity of benefactors like Carney, Latham, Bailey, and Bacardi.

**Looking to the Future**

As Freer considers the future, he will not stray from the two questions that have guided his term to this point: will a proposal (1) enhance academic eminence and (2) enhance student flourishing.

Guided by those pillars, the Law School will enhance current partnerships with the university and beyond—and build new, strategic partnerships—to bolster Emory Law as a leader in legal education. The school needs to be nimble enough to adapt while remaining rooted in the values that have defined the school for 108 years.

Through their generous giving, Freer says, donors are modeling service, sacrifice, and leadership. “Those investing in us could do a lot of other things with their wealth, support a lot of other causes,” he says. “That they are investing in Emory Law is at once humbling and energizing. They are saying that they believe in us. They believe in where the school is going.”

And with Freer at the helm, that direction is decidedly True North.





Law's *Big Test* Goes

# BACK TO SCHOOL

Is the bar exam  
catching up to  
legal practice?

BY ANDREW FAUGHT





**MORE THAN TWO CENTURIES** after the first bar examination was conducted in the Delaware Colony, the National Conference of Bar Examiners (NCBE) is rolling out a new test – the NextGen bar exam – that will focus less on memorizing legal doctrine than on being versed in the practical applications of law.

“It’s making us reevaluate how we prepare our students,” says Kamina Pinder, an Emory Law professor of practice who in July took on the added role of director of academic excellence. “Changing the bar at all is always going to have a tremendous impact on legal education, but this change is particularly significant because it’s shifting the focus.” Georgia will begin administering NextGen in 2028; five states will become the first to use the test starting in 2026. NextGen will replace the Uniform Bar Exam (UBE), which NCBE introduced in 2011. “We’re always looking to improve what we do well, but

we’re also looking at it with an eye toward, ‘Is it also going to prepare them for what they need to pass this new iteration of the bar exam?’” says Pinder, who has long taught bar preparation courses, in addition to grading bar exams. The exam will continue to focus on core legal concepts that include civil procedure, constitutional law, torts, and criminal law, while including new subject matter, such as contract law and family law. But there will be more. The test also will assess “lawyering skills,” such as legal research, writing, client counseling, issue spotting, and negotiation. “Let’s face it: Lawyers don’t take multiple choice tests when they come out of law school,” Pinder says. “It’s not really practice oriented, but it does serve a purpose engaging how much the students know.” On its website, NCBE puts it thusly: “The exam will reflect many of the key changes that law schools are making today, building on the successes of clinical legal education programs, alternative dispute resolution programs, and legal writing and analysis programs.”

“They said they were taking some subjects off the bar,” Pinder says. “Some of that has changed, and there has been a little bit of back and forth. We are trying to pivot as quickly as possible to be responsive to what is ultimately



going to be the type of bar exam that most of the students in the country are going to have to take.” Under the leadership of Richard D. Freer, dean and Charles Howard Candler Professor of Law, Emory is moving apace into the new era. Two courses have been added to the curriculum: Survey of Integrated Legal Concepts (which is being taught now by Pinder and focuses on test-taking strategies), and Survey of Integrated Legal Skills, which will be introduced in 2025. Pinder, meantime, says that she is working closely with colleagues to help them “reshape” student assessments to make them more consistent with the bar exam. The new coursework is part of the law school’s Student Flourishing initiative launched in August by Freer. In addition to the new coursework, faculty are engaged in a “ground-up” assessment of the existing curriculum to ensure that students are best equipped beyond Emory. The initiative calls for enhancing mentoring and creating a “pipeline of support” for undergraduates considering law school, for students during their legal education, and for graduates. Helping in the curricular reassessment is John Acevedo, associate dean of students and academic programs. The effort will begin in earnest in 2025 – a full three years before the first Emory students will take the NextGen exam.

“The idea is that we want not just theoretically trained lawyers, but lawyers who know how to interact with clients and do research on their own.”

— John Acevedo, associate dean of students and academic programs

“We’re going to take a look at which courses we may need to add, and whether we need to adjust unit load requirements,” says Acevedo, who teaches constitutional law and criminal law. “Because the NextGen bar is going to test not only substantive knowledge, but also lawyering skills, we’re going to have to start thinking how we teach subjects.” Since he took the bar exam in 2004, Acevedo says that employers, in part due to the wealth of online legal documents, want graduates to be more self-sufficient “and more ready to go on day one.” The new bar exam is indicative of that, he adds. “‘Practice ready’ was the catchphrase from a couple of years ago,” Acevedo says. “The idea is that we want not just theoretically trained lawyers, but lawyers who know how to interact with clients and do research on their own.” As for the Emory Law curriculum, “we don’t need to completely overhaul it. What we’re looking at right now is how we test the current subjects.” Acevedo expects NextGen to be revised over time. Some legal topics, such as the Second Amendment’s protections for bearing arms, “fall out of favor because they’re so contested,” he says. “You need questions for which there’s a fairly clear answer.” NextGen, for its newness, still will test the foundational tenets of law. Half of the Uniform Bar Exam requires essay responses,

while the balance of the test poses 200 standalone multiple-choice questions. For the NextGen exam, about 40% of the test will be standalone multiple-choice questions. Roughly a quarter of the exam time will be allotted to integrated question sets, while a third will be devoted to “longer performance tasks,” in which students, for example, are given excerpts from a fictitious case, and then they are asked to write a legal document or memo. “The NextGen bar exam is going to have more of an emphasis on this time of writing, in which students are given more of the law and they have to produce a document that synthesizes all of the law,” Pinder says. “Obviously, preparing students for practice is a major part of them flourishing,” she adds, noting that the school has prepared a new exam skills program for 1Ls. The effort will focus on more timed writing exercises, which she calls a “fundamental” change to the way first years are taught. “Lawyers usually look things up: they look up rules, laws, and regulations, and then they create a written document, whether it’s a memo, motion, or a brief,” Pinder says. “They have to find a way to integrate all of this information in a logically structured way.” Emily Bramer, a director in the Center for Professional Development, offers career advisement to 3Ls and recent graduates. The new bar exam is a focus of interest among students. In 2024, there were 288 graduates, 95% of whom took the bar exam. Many students secure jobs after taking the bar exam, Bramer say. The NextGen bar exam is taking on more components of the Multistate Performance Test, one of three components of the UBE (and 20% of the overall UBE score) that tests “real world” legal tasks. NextGen is “trying to replicate more of the MPTs, in that it’s less reliant on memorization,” she says. “It’s more focused on the skills. And you take information and produce a work product similar to what you would as a new attorney.” Bramer, who graduated from Emory Law in 2002, is not limited to sharing bar exam information with students. Student success happens in other ways. She also works with writing instructors to ensure that students adopt the right tone in correspondence with potential employers. “Some of the writing instructors teach them how to write a formal email, because they’re used to texting,” she says. “They’re sending emails that sound like texts.”

With changes afoot, Bramer says she is encouraging more students to use the center. She sent an email this semester to 2Ls and 3Ls about the importance of being strategic, and bar exam preparation techniques. “We saw the number of appointments skyrocket,” she says. “Our advisers the past couple of months have had back-to-back appointments. The message is getting out. We’re being more proactive about educating them about what the bar exam is.”





# Experts in Law and Practice *Guide Next Generation*

BY A. KENYATTA GREER

**EMORY LAW FACULTY** was bolstered this year by three legal writing experts. Their expertise will enrich the law school’s foundational skills of legal writing and analysis. These hires and promotions are consistent with Dean Freer’s “True North” of professional excellence and faculty eminence.



**Chelsea Harris**  
Assistant Professor of Practice

**Chelsea Harris** teaches Introduction to Legal Analysis, Research, and Communication and Introduction to Legal Advocacy.

Harris graduated cum laude from the University of Alabama at Birmingham in 2017 with a Bachelor of Science in Psychology. She then attended Mercer University School of Law. At Mercer Law, Harris competed on the ABA National Appellate Advocacy Competition Moot Court Team and was a member of the Mercer Law Review. She also served as co-president of the Association of Women Law Students. She graduated Mercer Law magna cum laude in 2020.

After law school, Harris served as a term staff attorney for the Eleventh Circuit Court of Appeals, focusing on direct criminal appeals, state and federal post-conviction matters, and death penalty appeals, among other subject matters. She then worked at Troutman Pepper Hamilton Sanders, LLP as an associate in the Labor + Employment Practice Group. After a year of practice, Harris went back to the Eleventh Circuit and served as the in-chambers staff attorney and law clerk to the Honorable Nancy G. Abudu.



**Kerry Quinn**  
Assitant Professor of Practice

**Kerry Quinn** teaches first-year legal research and writing. Quinn has extensive litigation experience, primarily in the areas of insurance coverage and insurance defense. She began her career in the Atlanta office of Lord, Bissell & Brook (now Locke Lord) where she focused on coverage litigation involving professional liability, environmental, and mass workplace injury claims. Both at Lord, Bissell and later at Dennis, Corry & Porter, Quinn oversaw insurance programs underwritten by Certain Underwriters at Lloyd’s, London, and directly defended trucking companies in accident cases. Quinn joined Lawrence & Bundy in 2016 where she focused on class actions, labor and employment, and higher education matters.

Throughout her career, Quinn has continued to coach and judge moot court.



**Matt Roessing**  
Assistant Professor of Practice

**Matt Roessing** writes and speaks about legal pedagogy, business regulation, and the jurisprudence of the US Supreme Court. He began his career in Washington, DC, in the Litigation department of Arnold & Porter LLP. He represented multinational corporations in major disputes, including multi-district litigation and shareholder class actions. Roessing specialized in international trade, advising foreign companies and governments on US import/export laws and representing clients before US trade agencies and international arbitration tribunals.

Prior to joining the Emory Law faculty, Roessing taught business, real estate, and international trade law at business schools, first at Georgia College & State University, then University of Georgia. He is a member of the international Academy of Legal Studies in Business, a founding member and inaugural chair of its Teaching & Pedagogy group, and a recipient of its Master Teacher award.

Roessing continues to represent and advise select clients in business and real estate matters. He is a graduate of Williams College and William & Mary Law School.

These new hires represent an investment in the foundational skills of legal writing and analysis. With their diverse backgrounds and expertise, Professors Harris, Quinn, and Roessing will enrich the educational experience for future generations of Emory Law graduates.



# Class notes

FROM THE ALUMNI BOARD PRESIDENT



*The beginning of a new year is the perfect time to reflect on the past and plan with intention and purpose for the coming year.* In reflecting on the past year at Emory Law, there is much to celebrate and be proud of. If you have not already heard about the extraordinary philanthropic support for Dean Freer during his first 100 days as dean, I hope you will read about the investment led by generous alumni donors. These gifts—to build the law school’s endowment, fund scholarships, recruit top-notch faculty, and strengthen academic centers and related programming—will benefit generations of law students to come.

There is undeniable momentum at Emory Law. To name some of the many great things happening at the law school—beyond alumni giving—you need look no further than the features in this issue on the newest class of Woodruff Fellows and recent distinguished additions to the faculty. I am also so pleased we were able to highlight the work of the Turner Environmental Clinic on its 25th anniversary. For a quarter of a century, the Turner Clinic has allowed law students to gain invaluable hands-on experience by providing pro bono legal services to individuals, non-profit organizations, and community groups alike in an effort to protect and preserve our natural resources. There is perhaps no better example at the law school of an eye towards a brighter future than the work and advocacy of students and fellow alumni at the Turner Clinic over the last 25 years.

As we embark on the new year, I hope that you are inspired by the excitement around Gambrell Hall. There is more work to do, and as alumni we can and should share in a commitment to Emory Law’s continued excellence. Thank you for all you have done—and for all you plan to do.

I remain grateful to be part of this incredible alumni community. As always, I look forward to hearing your ideas and feedback. I can be reached any time at [ecbaker@jonesday.com](mailto:ecbaker@jonesday.com). Best wishes to each of you and your loved ones in 2025.

Emily Baker



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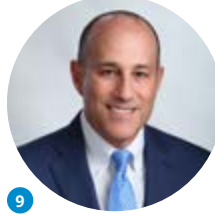
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At the 2024 Southeastern Legal Awards, two of three attorneys honored for lifetime achievement were Emory Law alumni—including **Thurbert Baker 79L**.

**Jim Cohen 79L**’s article, “Telling the Story,” was published in the spring issue of *American Craft*, the Journal of the American Craft Council.

1 Only a single lawyer in each practice area and metropolitan area is honored as Best Lawyers “Lawyer of the Year.” In 2024, it was **John Latham 79L**, senior counsel at Alston & Bird.

81

Freed Grant LLC Partner **Gary S. Freed 81L** was named to the 2025 edition of Best Lawyers in America. This is Freed’s third year in a row on the list, recognized for Litigation–Labor and Employment and Financial Services Regulation Law.

82

2 Funding Florida Legal Aid (formerly the Florida Bar Foundation) has appointed **Douglas H. Reynolds 82L 86L** to its board of directors for a three-year term that began July 1, 2024.

83

3 **Keith Shapiro 83L** was named chair of the 2024 Jewish United Fund Annual Campaign in Chicago.

**Harry Winograd 83L**, of Bodker, Ramsey, Andrews, Winograd & Wildstein, received the Atlanta Bar Association’s Charles E. Watkins Jr. Award.

84

4 **Georgia Lord 84L** was on the team that secured a federal class action settlement that requires Atlanta to make its sidewalks and other pedestrian rights of way ADA compliant.

5 In April, **Patrise Perkins-Hooker 84B 84L** was appointed Atlanta’s interim city attorney by Mayor Andre Dickens.

85

6 **Ellen Cohen 85L** earned a master’s degree in Organization Development and Leadership which she says will augment her executive and leadership coaching practice.

86

7 **Julie I. Fershtman 83C 86L**, a shareholder at Foster Swift Collins & Smith, P.C., received many recent honors. She’s on the 2024 Michigan Super Lawyers roster for Civil Litigation: Defense, and among the publication’s “Top 100 Michigan Super Lawyers” and the “Top 50 Women Michigan Super Lawyers.” She was included in Best Lawyers in America for Commercial Litigation and Insurance Law. Also, she was elected to the 2024 Michigan Lawyers Weekly Hall of Fame, for her leadership as the fifth woman president of the 36,000-member State Bar of Michigan. Fershtman has practiced for 38 years and is widely considered among the leading practitioners of equine law. She is a fellow of the American College of Equine Attorneys, one of about 20 such lawyers in the country.

8 At the 2024 Southeastern Legal Awards, two of three attorneys honored for lifetime achievement were Emory Law alumni—including **Mark Wasserman 86L**.

87

Fulton County State Court Judge **Diane E. Bessen 79C 87L** received the Atlanta Bar Association’s Charles E. Watkins Jr. Award.

9 **Richard C. Litwin 87L**, whose work is concentrated in state and local tax planning and tax disputes, was recognized as a 2024 Georgia “Top 100” Super Lawyer. Litwin Law was also included among U.S. News and World Report’s 2024 national list of “Best Law Firms” for Tax Law and Tax Litigation and Controversy.

88

Former Georgia Court of Appeals Presiding Judge **Yvette M. Miller 88L** received the Atlanta Bar Association’s Professionalism Award.

89

**Ian Clarke 89L 89T** was recognized in *Billboard Magazine*’s Top Music Lawyers lists for both 2023 and 2024.

90

10 **Jeffrey Garfinkle 90L** is the 2024-2025 president of the Financial Lawyers Conference, a group of leading southern California commercial finance and insolvency attorneys.

91

11 **Sarah Lamar 91L**, a partner with HunterMaclean in Savannah, was named a Georgia Super Lawyer, for her expertise in Employment and Labor.

**Jonathan R. Sigel 91L**, a partner at Massachusetts’s Mirick O’Connell, is among The Best Lawyers in America (2025) for Litigation–Labor and Employment and Employment Law–Management. He’s been on the list since 2013.

12 **Nancy J. Whaley 91L**, Standing Chapter 12 and 13 Trustee for the Northern District of Georgia, was appointed by US Supreme Court Chief Justice John Roberts to the Advisory Committee on Bankruptcy Rules, effective October 1, 2023.

93

13 **Kathleen O. Currey 93L** was inducted as a fellow of The American College of Commercial Finance Lawyers on April 5, 2024.

14 **Liz Bard Lindley 93L** published “Tips for Complying with ABA and State Rules on Attorney Advertising” on law.com.

94

**Carrie Baker 94G 94L 01G**, Baumann Professor of American Studies at Smith College, has published *Abortion Pills: US History and Politics* (Amherst College Press, open access).

15 Kirkus Reviews calls **Lori B. Duff 94L**’s new novel, *Devil’s Defense*, “a captivating courtroom procedural.” It was published by She Writes Press/Simon & Schuster in November.



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95

**16 Tim McGuire 95L**, former Rockdale County assistant district attorney, began a four-year term as juvenile court judge for the Rockdale Judicial Circuit in October.



96

**17** In March, **Philip Bauer 96L** was named general counsel/corporate secretary at Scientific Games, where he started as a staff attorney in 1999.

**Henry B. Ward III 96L** has joined Bradley Arant Boult Cummings' Intellectual Property Practice Group in Charlotte.



97

**18 Shawn Kachmar 97L**, a partner with HunterMaclean in Savannah, was named a Georgia Super Lawyer for his expertise in Employment Litigation.

**Carlos Kelly 97L** has been named a 2024 Florida Super Lawyer for Business Litigation. He is a stockholder at Henderson, Franklin, Starnes & Holt, PA, in Fort Myers.



**19 Kimberli C. Withrow 97L** has joined Connell Cummings in Atlanta as a partner, bringing over 25 years of experience in complex divorce, child custody, and child support matters.



98

**20** In October, **Susannah Frost 98L** became Chick-fil-A's president, which makes her only the sixth person to hold the leadership role since the company's founding in 1967.

Freed Grant LLC Partner **Thomas C. Grant 98L** has been named to the 2025 edition of Best Lawyers in America. This is Grant's second consecutive year for Commercial Litigation Practice.



99

**21** DeKalb County DA **Sherry Boston 99L** is one of three Georgia district attorneys who renewed a legal challenge over a recently created state commission that they say is unconstitutional and undermines prosecutorial discretion. Also, in May Boston received the GAWL Leading Lady Award at the Georgia Association for Women Lawyers Sneaker Ball.

01

**22 Jeanene Jobst 01L** recently opened PeakEdge Coaching, an executive and career coaching business.

02

**23 Joshua G. Oberman 02L** has joined Windels Marx Lane & Mittendorf, LLP, as a partner in the firm's New York City offices.

03

**24** In May, **Jeff Sipos 03L** returned to Clarion Capital Partners, LLC, in New York City as general counsel and chief administrative officer.

05

**25 Thomas S. Cargill 05L** has joined Shutts & Bowen in Orlando as a partner in the firm's Business Litigation Practice Group.

06

**26 Jessica Macari 06L** has been named the first general counsel to the North Carolina Office of the State Controller.

09

**27 Otobong "Oto" Ekpo 09L** has joined Finch McCranie in Atlanta as of counsel after 15 years as a prosecutor in both DeKalb and Fulton Counties.

**28 Hillary Gardner 09L** received the Community Champion Award from the Georgia Association of Corporate Counsel and the Atlanta Business Chronicle in recognition of her work for the ALS community.

**29** In March, **Roshal Erskine Marshall 09L** joined Alphabet's Verily as chief counsel, privacy, security, and data strategy.

Commercial real estate partner **Christine R. Norstadt 09L** has joined Bradley Arant Boult Cummings LLP's Atlanta office.

10

**30 Amos Davis 10L 10T** has joined the management consulting firm Emergent Method (Baton Rouge, Louisiana) as chief operating officer. Davis previously was global senior counsel at Uber.

**31 Taylor Davis 10L** was promoted to senior equity partner at Clyde & Co in Atlanta, where she practices commercial litigation.

**32 Rick Duarte 10L** has joined Burr & Forman in Tampa as a partner in the firm's Commercial Litigation Practice Group.

**33 Paula Nagarajan 10L** is a new partner with Arnall Golden Gregory LLP's Technology and Corporate & Finance practices in Atlanta.



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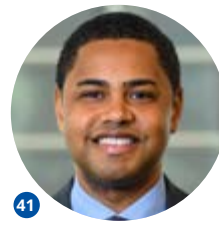
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**34 Tanisha Palvia 11L**, a litigation member at Moore & Van Allen, PLLC, in Charlotte, was named a 2024 South Asian Bar Association North America Rising Star.

**35** In January 2024, **Mindy Pava 11L** was named a partner in Feltesman Leifer LLP's Washington, DC, office. She's a member of the firm's Litigation & Government Investigations, Federal Grants, Health Care and Education practice groups.

12

**36 Jo DeLaGarza-Chitlik 12L** received her second Fulbright Specialist Award to create a new opportunity for aspiring women lawyers in Pakistan. It is an Alternate Dispute Resolution pilot program at Fatima Jinnah Women University Rawalpindi.

13

**37 Sarah Powell 13L** has been promoted to co-chair of Florio Perrucci Steinhardt Cappelli & Tipton's Corporate & Business, Commercial Real Estate, and Cannabis Practice Groups.

14

**38** In April, **Michael A. Wiseman 14L** was promoted to partner within Skadden's Executive Compensation and Benefits Group.

15

**39 Christian Bromley 15L** is a partner with Bryan Cave Leighton Paisner LLP who practices in Atlanta and Los Angeles. He's among the national young leaders that Bloomberg calls "They've Got Next: The 40 under 40." He was recognized for his work in litigation.

**40 Shannon N. Proctor 15L** has been promoted to partner at DC-based litigation firm Hollingsworth LLP.

16

**41 Armie Lewis 16L** has joined Reynolds Frizzell in Houston, Texas, as a trial attorney.

19

**42 William J. Lee 19L** is among the National Minority Quality Forum's '40 under 40' most influential young health leaders. He leads Kershaw Talley Barlow's scientific practice group in Sacramento.

**43 Quinn Yeagain 19L** joined the Michigan State University College of Law faculty on July 1, 2024, as the 1855 Professor of the Law of Democracy.

20

**Faizat Badmus-Busari 20L** received the Sheth Distinguished International Alumni Award from Emory University's Office of Global Strategy and Initiatives.

**44 Diantha V. Ellis 20L** received the 2024 W. Bruce and Rosalyn Ray Donaldson Award for Teaching Excellence from Abraham Baldwin Agricultural College.

21

**45 Balean Reid 21L** was elected treasurer of the Young Lawyers Division of the Cobb County Bar Association. She is an associate at the Barnhart Family Law Firm.

22

**Katharine Litka 22L** has joined Gravel & Shea in Burlington, Vermont, as a litigation associate.

**46 Anika Prednis 22L** is a new associate at Tucker Ellis LLP, in the California firm's Orange County offices.

**47 Marlyne Zakher 22L** has joined Goldberg Segalla's Retail and Hospitality Group in Miami.

23

**48 Alyssa G. Gill 23L** has joined Atlanta's Berman Fink Van Horn as a litigation associate.

In February, **Mary Kathryn Velazquez 23L** joined the children's advocacy group Georgia Appleseed, on the heels of news that the organization received a \$1 million grant from philanthropist MacKenzie Scott's Yield Giving.

24

**49 Bene Owanga 24L** and **Chinelo Adi 24L** were semifinalists in an international competition for \$1 million in investment funding. They traveled to the UK in August to compete for the 15th Annual Hult Prize.

**50** Journalist, filmmaker and aspiring civil rights lawyer **Camille Pendley Hau 24L** is the second recipient of the Lynn Walker Huntley Social Justice Fellowship, a joint undertaking of the Southern Education Foundation and the Southern Poverty Law Center.



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IN MEMORIAM

**John McLarty Williams Sr. 49C 50L** on February 11, 2024  
**Judge Irwin W. Stolz Jr. 58C 58L** on March 31, 2024  
**Stanley E. Harris 61L** on May 4, 2024  
**Walter H. Alford 62L** on February 10, 2024  
**Jefferson Davis 62L** on January 8, 2024  
**Rufus A. Chambers 63L** on May 8, 2024  
**Judge Hilton M. Fuller 64C 65L** on February 14, 2024  
**Judge Hugh Lawson Jr. 63C 65L** on March 29, 2024  
**Kenneth Rogers McCullough 72L** on March 3, 2024

**Edward W. Hine 73C 76L** on February 10, 2024  
**Thomas A. Farr 79L** on April 1, 2024  
**Thompson T. Rawls 79L** on June 9, 2024  
**Judge Dorothy Toth Beasley 80L** on May 19, 2024  
**Bennie Harris Black 80L** on April 26, 2024  
**Morton P. Sherzer 78A 81L** on February 28, 2024  
**Thomas Redman Brockway 91B 91L** on June 3, 2024  
**Heath Brandon Turner 03L** on November 16, 2023  
**Tan Minh Tran 16L** on March 3, 2024

Share your milestones with class-mates and the Emory Law community. They’re posted in the Alumni Class Notes feed and are archived by month and year. Many milestones also appear in Emory Lawyer magazine.

Submit a Class Note to **emory-law.wufoo.com/forms/alumni-class-notes-submission/**.

JD PROGRAM AT A GLANCE

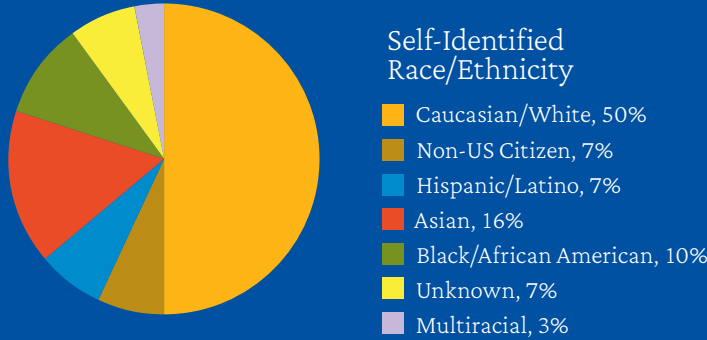
By the *numbers*

CLASS OF 2027 PROFILE

**268** Enrolled students    **56%** Female students    **165** Median LSAT    **3.81** Median GPA

STUDENT BODY PROFILE

**759** Enrolled students    **58%** Female students



FACULTY

**62** Full-time Faculty    **7:1** Student to faculty ratio

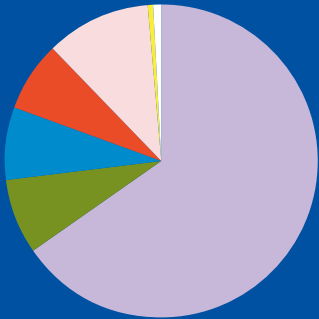
EMPLOYMENT STATISTICS

*Class of 2023*

**257**  
Total graduates

**249**  
Total number of employed grads

**97%**  
Class of 2023 graduates employed



Class of 2023 Employment by Type, as reported to the ABA

Law Firm	163
Government	19
Business or Industry	19
Public Interest	18
Judicial Clerkships	27
Education	1
Employer type unknown	1
<b>Total Employed</b>	<b>249</b>

*Data as of August 26, 2024; totals may be greater or less than 100% due to rounding*



# Worth *noting*



## ENVIRONMENTAL LAW

# Emory Law's Turner Environmental Law clinic celebrates 25 years of public service

by Lisa Ashmore

**IN 1997, TED TURNER WAS THE WORLD'S MOST VISIBLE AND OUTSPOKEN ENVIRONMENTALIST.** After conquering baseball, sailing, and 24-hour news, Turner made international headlines with a \$1 billion pledge that not only created the United Nations Foundation, but also challenged other multi-billionaires to give on the same scale.

A year later, the Turner Foundation established Emory Law's Turner Environmental Law clinic, which recently celebrated 25 years of public service. The clinic's areas of emphasis are well-defined: clean and sustainable energy; regenerative agriculture and local food systems; natural resource protection; and environmental justice.

"We chose Emory because I knew they would produce environmental lawyers who were up for a fight," Turner said. "And the clinic's model set us up to do good now and into the future."

The clinic has trained a generation of law students who've learned by doing pro bono work ranging from the preservation of Cumberland Island National Seashore to long battles over where to dispose the nation's inventory of nuclear waste. It advances and protects the National Environmental Policy Act and assists in the smart siting of solar power. It also recently launched The Environmental Justice Greenbook, an online tool that puts information and power in the hands of Georgia residents, to protect their communities against environmental harm. The Greenbook is already a model for communities across the United States.

Clinic student attorneys are presented with real cases and issues and arrive with no preconceptions about what is possible.

"The clinic's reputation is based on innovative problem solving," clinic Director Mindy Goldstein said. "The reason — our students think outside of the box. And they think outside of the box because they often don't know where the box is!"

William Buzbee, Edward and Carole Walter Professor of Law, helped found the clinic in 1998. A longtime Emory Law professor, he now leads Georgetown Law Center's Environmental Law and Policy Program and serves on the clinic's Advisory Board.

"The clinic has, year after year, exceeded our hopes for its place at Emory, in Atlanta, and for the larger environment," Buzbee said. Since Georgia didn't



have many legal environmental advocates in 1998, one of the first goals was to create a legal resource for those battling well-funded opponents.

"Working on real matters, for real clients, with serious environmental stakes quickly engaged Emory's students," Buzbee said. "The clinic also helped put Emory's environmental law offerings and program on the national map."

While the clinic worked to protect the health and environment of communities in Georgia and across the country, it was also building a tradition of educating law students who would later make an impact in these same communities. The clinic's former director Julie Mayfield is now a state senator in North Carolina's Asheville district; another former director, Mary Maclean Asbill, leads the North Carolina offices of the Southern Environmental Law Center. **Amneh Minkara 20L** is deputy director of the Sierra Club's Building Electrification campaign. **Jay Khuti 21L** is an attorney advisor at EPA's Region 4 in Atlanta. And Jill Kysor, a clinic fellow from 2013-2014, is now southeast policy director for the Energy Foundation.

"There's no substitute for on-the-job training," Kysor said. "As a fellow, I was able to take the lead in developing legal strategies and working with clients. Having that opportunity early in my legal career helped me quickly develop the skills, expertise, and confidence needed to practice law."

The clinic has tripled student enrollment since its inception and now annually enrolls about 24 students and provides more than 4,000 hours of pro bono legal representation, Goldstein said. That includes litigation, legislative and policy work, and negotiating contracts on behalf of clients who



would otherwise go unrepresented.

Beyond good deeds, real cases are a real thrill when students prevail.

“We had a student argue before a federal agency, and I watched him knock it out of the park,” Goldstein said. “It was clear, not only that the agency was convinced by our claim, but that he was going to have an incredible career as a litigator.”

Whether they pursue environmental law or not, being a student attorney benefits them professionally and makes them aware of environmental impact. Hands-on experience ranges from conducting community trainings to finalizing a contract.

“Let’s say they’ve worked with a farmer who was going to put a conservation easement on their land—that’s a very complicated legal document and they were able to figure out the law, to draft the provisions, to sit in these negotiations and get it done,” Goldstein said. “That builds confidence important for all areas of legal practice.”

“Complex regulatory issues can take a long time, and a lot of our representations can take six, eight, ten years—and that’s also a challenge and an opportunity for our students,” she said. “They’re learning from the students that came before them, and they are passing on that knowledge to the students who come after them. We’re often thrown in the middle, right? That’s a legal skill in and of itself.”

One example is a case involving the storage of nuclear waste in New Mexico that the clinic has been involved in since 2016. Next spring, it goes before the Supreme Court, and students will draft an amicus brief. They will work with co-counsel Diane Curran, a veteran of legal proceedings on nuclear energy.

The clinic is also a beacon for the environmental community. They’ve hosted workshops on the National Environmental Policy Act and a Q & A with then administrator of the Environmental Protection Agency, Gina McCarthy. Rick Kuykendall, a litigator in the Deepwater Horizon oil spill in the Gulf of Mexico has visited. In 2019, Lois Gibbs, who battled to clean up Love Canal (which led to creating Superfund) was a keynote speaker at a clinic conference.

The clinic is also one of the reasons Emory University has been placed in the Princeton Review’s top 10 Green Colleges list for the past four years.



“The clinic has been a tremendous resource for Emory and Emory Healthcare’s sustainability initiatives and in support of the greater Metro-Atlanta community,” said Ciannat Howett, Emory’s associate vice president for Resilience, Sustainability, and Economic Inclusion. Her office partnered with the clinic on work with The Conservation Fund’s Farms Fund and Emory’s 2023 Climate Action Plan. In Atlanta, the clinic has supported efforts for sustainable food access, solar installations, and efficiency retrofits. “The clinic’s work over the past 25 years is a wonderful example

of Emory + Atlanta in our One Emory strategic vision,” Howett said.

Emory’s resources and graduate schools are a living laboratory, Goldstein says.

The clinic helps train medical students to understand the health implications of environmental justice, to better treat patients. They recently worked with faculty and students in environmental sciences to remediate lead contamination in west-side Atlanta. They’re also an ally in the pursuit of Emory’s ambitious plan to eliminate landfill waste. Goldstein has influenced



the university’s emphasis on sustainable local food sources and supporting the next generation of the South’s small farmers. Also, given food waste’s very large carbon footprint, the clinic is helping research the possibility of siting an anaerobic digester on campus to create renewable natural gas.

In 2015, McCarthy visited Emory’s Water Hub (the first water recycling system of its kind that processes wastewater for non-potable uses like flushing toilets). She spoke with clinic students and later wrote to Goldstein: “You must be proud to know that you are educating the next generation of environmental lawyers and leaders who, judging from their questions, already have solid knowledge about America’s public health and environmental challenges.”

Dean Richard Freer has watched the clinic grow into an important resource for both students and the public during his 40-plus years of teaching. He’s seen the impact of the experience students get in state and federal courts and agency hearings.

“I’ve spoken with students when they come home from Washington, and they’re thrilled to have met with a member of Congress or see their ideas come to life as they’re argued before a federal appellate judge,” Freer said. “It’s a fantastic way to prepare for practice, but it’s also a pretty heady

day for a 2L or 3L to see how their work can make an impact.”

Given recent court decisions that affect the EPA and other agencies, Buzbee said environmental law is going to need another generation of strong advocates.

**“While we may be small in size, we have found a way to help shape environmental law and policy in the United States while protecting communities.”**

**— Mindy Goldstein, Director**

“The Supreme Court’s recent line of cases have quite uniformly empowered courts, undercut agencies charged with environmental protection, and frustrated protective goals still in the nation’s laws,” Buzbee said. “Students and lawyers will be sorting out this new legal landscape for years to come.”

So, the clinic’s work is even more important, and Goldstein says they’re up to the fight.

“It’s the long arc, right?” she says. “It started

in 1998 with this vision and this idea for environmental protection. Over 25 years, it stayed true to its vision while expanding its reach and impact. Now, we have this national reputation. Now we have a seat at the table, now we have a voice in these policy discussions.

“We’ve been described as punching above our weight,” she said. “While we may be small in size, we have found a way to help shape environmental law and policy in the United States while protecting communities. That’s important work, and that won’t change.”

Turner is one of the largest private landowners in America. His Flying D Ranch in Montana is spread over more than 100,000 acres – providing habitat for wildlife including bears, wolves, antelope and mountain lions, as well as a bison herd. It is also home to spectacular trout streams.

“It’s a myth that in order to make money, you have to trash the environment or that if you protect the environment it’s going to cost our nation in lost economic productivity,” Turner told Mountain Outlaw. “That mentality should have faded long ago, and truthfully, when it comes to the current state of our environment, we can’t afford to think that way anymore.”

“Clearly, I don’t believe everything is about profit,” Turner says. “But I’m pretty pleased with our return on investment in the clinic.”



SCHOLARSHIP

# Kessler-Eidson Program for Trial Techniques recognizes scholarship award winners

Twelve Emory Law students have been designated as Kessler-Eidson Scholars for their excellence demonstrating trial advocacy skills this past May. Based on the evaluations of the Trial Techniques faculty and their performance during the final jury trials, they were recognized to be the top performing students out of the entire Class of 2025. These students are:

- Josh Blackman**  
**Lane Cannon**  
**Claudia Cornelison**  
**Grace Driskell**  
**Shyanne Kelly**  
**Bailey Lowe**
- Aryssa S. Mansfield**  
**Malinda Sees McLeod**  
**Wesley Reed**  
**Lilly Renaud**  
**Myriyah Wells**  
**Maximilian Zekowski**

The Kessler-Eidson Program for Trial Techniques, founded in 1982, is an important part of the Emory Law curriculum. As a mandatory course for our students during their 2L year, it includes a series of spring workshops and a one-week intensive program in May, which culminates in a simulated jury trial. The largest trial advocacy program in the country, it has been awarded the Emil Gumpert Award for excellence in the teaching of trial advocacy by the American College of Trial Lawyers. The program integrates second-year students’ knowledge of substantive evidence law with practical skills in a “learning-by-doing” format, all under the watchful eye of renowned trial lawyers, judges, and trial skills teachers who travel in from all over the country to teach Emory’s students.



Josh Blackman



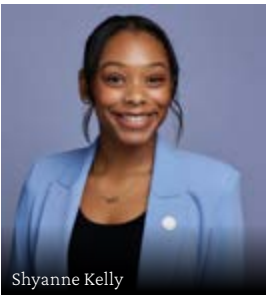
Lane Cannon



Claudia Cornelison



Grace Driskell



Shyanne Kelly



Bailey Lowe



Aryssa S. Mansfield



Malinda Sees McLeod



Wesley Reed



Lilly Renaud



Myriyah Wells



Maximilian Zekowski

HONORS

# 2027 Woodruff Fellows

Emory Law annually awards the Woodruff Fellowship, its most prestigious scholarship, to a select group of incoming students.

The Woodruff Fellowship offers full tuition, mandatory fees, and a \$5,000 stipend to high-achieving incoming students at Emory Law.

Specifically, the fellowships are awarded to students who have demonstrated:

- qualities of forceful and unselfish character,
- intellectual and personal vigor,
- outstanding academic achievement,
- impressive skills in communication,
- significant leadership and creativity in school or community,
- clear potential for enriching the lives of their contemporaries at Emory University, and
- strong propensity to make a positive impact on the community as an Emory Law alumnus/alumna.

The Woodruff Fellowship is more than a scholarship. Becoming a Woodruff Fellow means joining a rich community of scholars who are leaders among the Emory Law community, the alumni association, and the greater society. It also means inclusion in special Woodruff-only events with law school and university leaders and prominent alumni. Our fellows are leaders both while they are students and after they graduate and join the profession in courtrooms, businesses, government, public service, and academia. The Woodruff Fellow designation provides lasting recognition of achievement.

All incoming three-year JD students are eligible to apply for the Woodruff Fellowship program.

The 2027 cohort, comprising first-year law students, is:

**Ori Ben-Ari 27L** was born in Kfar Saba, Israel, and immigrated to Maplewood, New Jersey, at the age of 11. During his college years, he interned at the National Academy of Social Insurance, where he formulated a strong interest in federal taxation policy and Social Security, presenting innovative



Ori Ben-Ari



Nick Katsis



Maya Levkovitz

tax policies to the chief actuaries of both the United States and Canada. Always interested in public and private decision-making processes, Ben-Ari published two empirical philosophy papers as one of William & Mary’s James Monroe Scholars. Ben-Ari graduated summa cum laude from the College of William & Mary in 2024 with a degree in public policy. He had been working as a legal clerk at Bartlett & Spirn, PLC, and as a data analyst for Solvency || Wire Data, a London-based insurance database. He looks forward to marrying his interests in the public sector with his experience in the private sector while developing his legal skills at Emory Law.

**Nick Katsis 27L** graduated in 3.5 years from Indiana University’s Kelley School of Business with high distinction and a degree focusing on entrepreneurship and ethical decision-making. During his time in Bloomington, Katsis consulted numerous student startups as part of the Collegiate Entrepreneurs Organization and started businesses of his own to gain leadership experience and help develop the entrepreneurial community on campus. As external vice president of his fraternity, he also led numerous philanthropic efforts benefiting organizations such as the One Love Foundation and Riley Children’s Hospital in Indianapolis, alongside local food kitchens in the Bloomington area. At Emory, Katsis aims to apply to a business the critical thinking skills emphasized within a legal education context

to continue to develop his ability to build and lead businesses effectively. In line with this goal, Katsis hopes to pursue a JD/MBA dual degree and plans on applying to Emory University’s Goizueta Business School during his 1L year.

**Maya Levkovitz 27L** graduated summa cum laude from the University of Florida (UF) with a BA in linguistics and political science, as well as a certificate in teaching English as a second language. She was inducted into Phi Beta Kappa and completed a linguistics thesis about the disparities in the treatment of women and men in sports journalism. At UF, Levkovitz was vice president of the Undergraduate Linguistics Society, where she worked alongside the Linguistics Department administration to expand research and learning opportunities for students. While a student, she worked as both the head coach of Congressional Debate for the Bronx High School of Science Speech and Debate team and as a supervisor of operations for the UF Academic Technology Department. Maya’s experience with the law began during college when she interned for Scott Law Team, a South Florida-based labor and employment law firm, where she conducted case research, gathered evidence, and learned to communicate with clients. Before starting law school, Levkovitz continued on as a legal assistant at Scott Law Team for two years, where she developed her passion for labor and employment law.



SOLICITOR GENERAL

# US Solicitor General visits Emory Law

by Anna Chapman



**Elizabeth Prelogar** o2C has a client that often gets sued: *the United States*. Prelogar was [nominated by President Joe Biden](#) to serve as solicitor general and assumed office on Oct. 28, 2021. As solicitor general, it is Prelogar’s responsibility to represent the interests of the federal government in legal cases that come before the Supreme Court of the United States.

Prelogar, an Emory College graduate, returned to her alma mater with events organized by [Advancement and Alumni Engagement](#) to discuss her career journey and responsibilities as the fourth-highest ranking official in the Department of Justice, plus offer words of wisdom with students at the School of Law and Emory College. Her return to campus began with a fireside chat with law students, moderated by Paul Koster, professor of practice in the School of Law, and Alexandra Zimmer 25L, executive director of the [Emory Law School Supreme Court Advocacy Program](#) (ELSSCAP).

“The visit by Solicitor General Prelogar was a singular event: an opportunity for students and

faculty to hear from the official whose office represents the United States in litigation at the Supreme Court,” said [Richard D. Freer](#), dean of the School of Law. “General Prelogar provided a window into the operation of the Solicitor General’s office, the importance of public service, and her own remarkable career.”

Prelogar discussed her time at Emory, including her involvement with The Emory Wheel. Her initial plan was to study law so she could write and report about it as a journalist. But she quickly learned that she loved to practice.

In addition to working for the Wheel, Prelogar was a Woodruff Scholar and graduated summa cum laude with degrees in English and Russian. She then completed her master’s in creative writing as a Bobby Jones Scholar at the University of St Andrews in Scotland and was a Fulbright scholar in St. Petersburg, Russia.

She graduated from Harvard Law School magna cum laude in 2008.

Before becoming solicitor general, she clerked for then-judge Merrick B. Garland on the US Court of Appeals for the DC Circuit and later clerked in the Supreme Court for Justices Ruth Bader Ginsburg and Elena Kagan.

### Offering perspectives and advice to hopeful future attorneys

She shared a truth with the law students that she reflects on throughout her career that has enhanced her skills and pushed her into new territory — with impacts she still feels today.

“The one thing that I think has been important in opening doors for me and exposing me to new experiences was to make myself uncomfortable,” said Prelogar. “Every time I’ve had to put myself out there and try something new that made me uncomfortable, it has been a chance for tremendous growth. It’s improved my ability to practice law and shape new skills.”

Prelogar recognizes the incredible magnitude of the cases she argues and how their outcomes

could impact people across the country.

“The work that the Court is doing and the cases they decide very much affect the society we live in, the legal rules that order our lives and the way that our government operates,” Prelogar said. “I do think that there’s room to bring some emotion and a recognition of the practical stakes of the cases to the litigation efforts.”

Offering parting thoughts to the law students,

“Every time I’ve had to put myself out there and try something new that made me uncomfortable, it has been a chance for tremendous growth. It’s improved my ability to practice law and shape new skills.”

### — Elizabeth Prelogar, US Solicitor General and 2002 Emory Law Grad

Prelogar insisted they can be fierce advocates and still be respectful to those arguing other positions, citing a tradition she is part of every time she argues in front of the Supreme Court.

“There’s a tradition in the Supreme Court for when you’re arguing at the lectern and you want to refer to the other side, you refer to the other attorney as ‘my friend,’ which usually happens right before you logically deconstruct their argument. But, it is an illustration of the idea that you can be respectful while powerfully presenting your side of the case,” said Prelogar.

First-year law student Lauren Marie Kramer noted how thankful she was to hear such a high-profile government official speak on campus.



“Because of events like this, I feel like I’m at a school where they really want us to be exposed to all aspects of the legal field,” said Kramer. “I don’t feel like there’s any stone left unturned. General Prelogar is an Emory alum, and seeing her reach this point makes it feel like there’s no limit to what a person can do.”

Later that afternoon, Prelogar visited with a group of students from Emory College who are studying various disciplines, including philosophy, Spanish, political science and more.

In a conversation hosted by the [Pathways Center](#) and moderated by [Alexander Bolton](#), associate professor of political science, Prelogar and Bolton discussed topics including her career trajectory, advice for navigating opportunities, and why she deeply believes in the power of public service. A Q&A time with students concluded the session.

“It’s so important to engage with alumni. They are such a big part of our school and community,” said Jaden Bradish, a fourth-year student studying sociology and philosophy, politics and law.

“Having the solicitor general here today is a great opportunity to ask engaging questions about the legal implications of a variety of topics our nation is facing right now.”

Sharing a different piece of advice with this group of students, Prelogar emphasized the importance of embracing failure when trying new things.

“I remember moments at Emory and beyond where I felt like I failed at something or hadn’t been as good as I hoped to be,” said Prelogar. “In

the moment, those disappointments can be very profound and really affect you. But with the perspective I now have, those were moments where I grew as a person and where I further learned and defined how my life was going to unfold. Those failures can provide a springboard for the next door that might open.”

Reflecting on her career as solicitor general, Prelogar noted that though she has argued in front of the Supreme Court more than 30 times, it never gets old.

“It’s so important to engage with alumni. They are such a big part of our school and community...”

### — Jaden Bradish, a fourth-year Emory student

“I feel like I am the luckiest person in the world, and I have the very best job as a Supreme Court litigator. It is an incredible privilege and honor to represent the United States in the Supreme Court and to be charged with the responsibility of determining our positions on cases,” said Prelogar.

“I stand at the podium of the Supreme Court and think, ‘I am here representing my country,

making legal arguments that I think best serve the American people.’ I wake up every morning and pinch myself to confirm that it’s really true.”

*This article was first published in the [Emory News Center](#).*

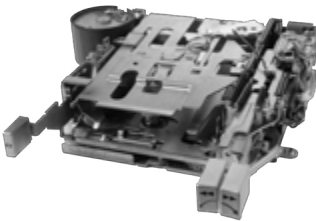




PATENT CLINIC

# Emory Law opened patent clinic this fall

by A. Kenyatta Greer



Emory University School of Law will open a new [IP and Innovation Clinic](#) in August that is certified through the United States Patent and Trademark Office (USPTO). The pro bono clinic is the first of its kind in Georgia and one of only three certified this year by the USPTO.

The IP and Innovation Clinic will allow students to practice before the USPTO prior to taking the patent bar exam. The second- and

third-year Emory Law students will be able to meet with and counsel clients going through the patent process. The students will then draft and prosecute patent applications and related documents while interacting with the USPTO.

“This for-credit clinic will provide Emory Law students an opportunity to experience first-hand the process of assisting clients in taking an idea from the beginning stages of conception to an issued patent.”

— **Lisa Beyer Sims, adjunct professor and 2004 Emory Law Grad**

Clients will also benefit as the USPTO will allow a certain number of cases to be designated to be reviewed at a quicker pace so students will see the outcome of their work.

The cohort designated to start in the fall comprises third-year students only and is at capacity. [Margo Bagley](#), Asa Griggs Candler Professor of Law and the clinic’s faculty director, says, “I am thrilled to have the support of the USPTO in making this opportunity available to our students. This clinic will add to the robust education in intellectual property topics that we make available at Emory Law. Also, by partnering with the wonderful Georgia Lawyers for the Arts/Georgia PATENTS pro bono program and only accepting clients from ones they have previously vetted, we can launch the clinic in a fiscally prudent way.”

The clinic will mainly work with inventors from underrepresented groups to gain legal protection for their inventions. Clients will be referred to the clinic by Georgia Lawyers for the Arts, and students will work in partnership with local patent attorneys, including dedicated instructors and mentors



Margo A. Bagley

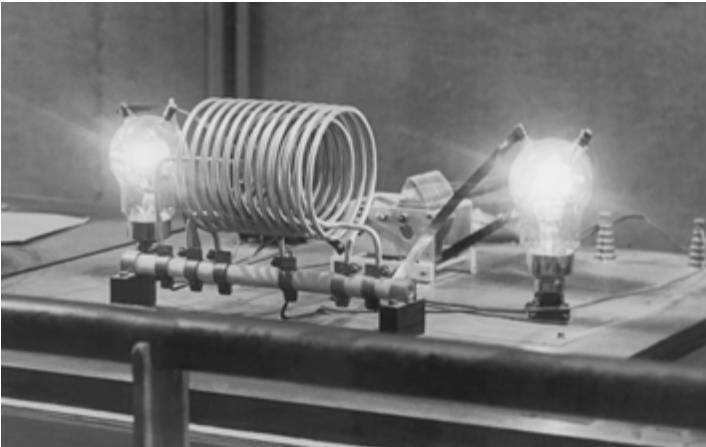


Lisa Beyer Sims

from Ballard Spahr LLP and faculty supervisor for the clinic, Lisa Beyer Sims, an adjunct professor – and 2004 Emory Law grad – who is a director of intellectual property transactions at Cisco Systems, Inc.

“This for-credit clinic will provide Emory Law students an opportunity to experience first-hand the process of assisting clients in taking an idea from the beginning stages of conception to an issued patent,” says Sims. “This opportunity for our students to work within the patent process ahead of taking the patent bar will give them invaluable experience prior to launching their patent careers.”

The IP and Innovation Clinic will also be a bridge to future collaborations with the new Southeastern USPTO Regional Office scheduled to open in Georgia in 2025.



Human rights legend Johan van der Vyver (1934-2023)

PROFESSORSHIP

# CSLR announces van der Vyver professorship

by John Bernau

Emory University School of Law and the Center for the Study of Law and Religion have announced the establishment of the Johan van der Vyver Professorship in Law and Religion.

This new professorship, to be filled by future appointment, is made possible by a generous trust created by the late Johan D. van der Vyver, a legendary human rights scholar, anti-apartheid activist, and I.T. Cohen Professor of International Human Rights at Emory Law. Van der Vyver remained on the Emory faculty and as part of the Center for the Study of Law and Religion until his death in May 2023.

John Witte Jr., Robert W. Woodruff Professor and faculty director of the Center for the Study of Law and Religion, described his friend and colleague in a *Journal of Law and Religion* tribute as “a giant in the legal academy with high standing around the globe for his brilliant contributions to many fields of legal study,” including law, religion, human rights, public international law, and international humanitarian law.

Van der Vyver was active in the Center’s scholarly community for decades, beginning in the 1990s when he co-directed with Witte a series of international projects on democracy, human rights, and religious freedom. Together they went on to co-lead several international conferences at Emory and abroad and co-edit a two-volume *Religious Human Rights in Global Perspective* (1996)

followed by a series of journal symposia and anthologies on religious freedom, church–state relations, proselytism, children’s rights, and more.

In August 2022, members of the Center and Emory Law communities gathered with Johan and members of the van der Vyver family to celebrate the dedication of the Johan D. van der Vyver Library within the Center. The library contains a trove of publications authored by van der Vyver over his prolific career.

“We are thrilled to announce this new professorship to honor Johan van der Vyver, a pillar of the Emory Law faculty for many years,” said Emory Law Dean Richard Freer. “This remarkable gift will enable Emory Law to enhance the student experience in the classroom and contribute to the eminence of our faculty.”

“This gift is a testament to Johan’s commitment to future generations of legal scholars and advocates. His legacy lives on through his own scholarship and in his generosity to Emory Law and the Center,” said Whitney Barth, executive director of the Center for the Study of Law and Religion.

More details about the search for the inaugural Johan van der Vyver professor will be announced at a later date.



SCOTUS

# Analysis: Nash on *Trump v. United States*

by Jonathan R. Nash

In response to the prosecution by Special Counsel Jack Smith on federal charges arising out of the 2020 election and the events of January 6, 2021, President Donald Trump claimed that as president he was entitled to immunity from criminal prosecution. After losing in the district court and court of appeals, he appealed to the Supreme Court.

The US Court of Appeals for the District of Columbia had issued a unanimous opinion broadly denying the existence of any presidential immunity from criminal prosecution. The US Supreme Court’s opinion, in contrast, was nuanced.

The court concluded that immunity can be available to a president facing prosecution for official acts undertaken as president. In reaching this conclusion, the court acknowledged that no provision of the Constitution explicitly grants immunity from criminal prosecution to the president. Instead, the conclusion follows from the structure of the Constitution, existing precedent on presidential immunity, and practical considerations. The separation of powers inherent in the constitutional design provides the president with authority and freedom to act within the presidential sphere. The separation of powers undergirds Supreme Court cases recognizing presidential immunity from civil lawsuits arising out of a president’s official acts, and recognizing presidential authority to resist subpoenas for documents and information.

The court explained that “[c]riminally prosecuting a President for official conduct undoubtedly poses a far greater threat of intrusion on the authority and functions of the Executive Branch than simply seeking evidence in his possession,” and that “[p]otential criminal liability, and the peculiar public opprobrium that attaches to criminal proceedings, are plainly more likely to distort Presidential decision-making than the potential payment of civil damages.” And, from a practical perspective, the threat of criminal prosecution after a president leaves office might generate “hesitation to execute the duties of his office fearlessly and fairly.” Indeed, “[a] President inclined to take one course of action based on the public interest may instead opt for another, apprehensive that criminal penalties may befall him upon his departure from office.”

With the justification for immunity thus elucidated, the court then took a nuanced approach to when that immunity would be available. The court set out a taxonomy of acts that will determine whether, and to what extent, a president can assert immunity from criminal prosecution. First, a president enjoys no immunity from prosecutions undertaken with respect to unofficial acts. The court thus rejected the broad claim of absolute immunity for all acts that former President Trump had sought. Second, the president enjoys absolute immunity from criminal prosecution undertaken with respect to acts falling with the core of presidential authority—that is, those acts authorized and recognized by the Constitution itself. Finally, with respect to acts that are official yet lie outside the core of presidential power, a president enjoys a presumption

of immunity from criminal prosecution.

The court also explained that, in deciding whether an act is official—and therefore subject to at least presumptive immunity from prosecution—or unofficial—and therefore not subject to an assertion of immunity—a “court[] may not inquire into the President’s motives” for undertaking that act. In other words, an act undertaken by the president should be categorized as official if it qualifies in an objective sense for that categorization, even if the president at the time had unofficial (e.g., personal) motives for taking that act in the first place. Moreover, the court explained, immunity precludes a prosecutor from using “official conduct for which the President is immune . . . to help secure his conviction, even on charges that purport to be based only on his unofficial conduct.”

Strongly worded dissents by Justice Sotomayor (joined by Justices Kagan and Jackson) and Justice Jackson excoriated the majority opinion for putting the president above the law. However, as the majority saw it, the dissents “strike a tone of chilling doom that is wholly disproportionate to what the Court actually does today.”

Of potentially greater practical import is the decision concurring in part filed by Justice Barrett. She expressly declined to join the part of the majority opinion that precluded the introduction of evidence of official acts to help secure a conviction, stating instead that “on this score, I agree with the dissent.” She acknowledged the majority’s concern that allowing evidence of official acts into evidence could prejudice the jury, but concluded that “the rules of evidence are equipped to handle that concern on a case-by-case basis.”

The opinion of Justice Barrett still leaves a majority holding on the evidentiary point, but that majority is only five-to-four on that point, not six-to-three. It is quite possible that, once various cases wend their way through the courts, that the court will be called upon to apply its *Trump v. United States* holding. And, if that happens, it is conceivable the presentation of the question of immunity in more particular contexts will generate a different majority.

[Nash is Robert Howell Hall Professor of Law](#). His areas of expertise are administrative law, civil procedure, courts and judges, environmental law, federal courts, law and economics, legislation and regulation, and property law.



Jonathan R. Nash

SCOTUS

# Analysis: Nevitt on *Loper Bright Enterprises*

by Mark Nevitt

What does the Supreme Court’s ruling in *Loper Bright Enterprises v. Raimondo* mean for environmental law?

The court’s recent decision in *Loper Bright Enterprises* has enormous implications for environmental law and prospective climate action. While agencies and courts are digesting the ruling, there are four initial takeaways for environmental law.

**Less Deference to the EPA and Federal Agencies**

Following *Loper Bright*, federal agencies will be afforded far less deference on matters of statutory interpretation. *Loper Bright* overruled *Chevron U.S.A., Inc. v. Natural Resources Defense Council, Inc.*, a landmark case that previously guided questions of statutory interpretation. *Chevron* held that courts would defer to a federal agency’s interpretation of ambiguous statutory language, as long as that interpretation is reasonable. *Chevron* deference is now dead. So any environmental rulemaking that goes beyond a clear statutory mandate will be closely scrutinized by federal courts. Many environmentalists are upset about this loss of agency deference, particularly as several existing environmental statutes have been used as a vehicle to address environmental and climate matters.

But the news may not be all bad for environmentalists. After all, an administration hostile to environmental rulemaking may desire to interpret existing statutory language. Recall that the *Chevron* case involved a Reagan-era interpretation of the Clean Air Act that was deregulatory in nature and would have led to weaker environmental protections. As Professor Cass Sunstein noted, “*Chevron* told left-of-center judges: Hands off!” So agency interpretation can cut both ways, depending on who is making the rules and interpreting existing statutes.

**Greater Power to the Judiciary**

As agencies are now afforded far less deference, where will statutory interpretive power lie? The judiciary, with federal courts now poised to have even greater authority over agency interpretation and decision-making. For some, *Loper Bright* is a necessary reset, merely reaffirming both *Marbury v. Madison* (“It is the province of the judiciary to say what the law is”) and the Administrative Procedure Act (APA) of 1946. Justice Roberts, writing for the majority, noted that *Chevron* deference was inconsistent with the APA:

“The APA codifies for agency cases the unremarkable, yet elemental proposition reflected by judicial practice dating back to *Marbury*: that courts decide legal questions by applying their own judgment.”

The court has already addressed numerous environmental cases in recent years (*Sackett v. EPA*, *West Virginia v. EPA*) and the court has already granted cert on environmental law cases for the coming term. *Loper Bright* ensures

that the court will play an even more important role in shaping environmental law for the foreseeable future.

**Less Agency Authority for Climate Action**

Following *Loper Bright*, agencies will struggle to use existing federal environmental statutes to reduce greenhouse gas emissions and address climate change more generally. Since *Massachusetts v. EPA*, the Clean Air Act has been the legislative vehicle to address federal efforts to reduce greenhouse gas emissions. While *Massachusetts v. EPA* is still good law, future climate action predicated on the Clean Air Act will face far greater scrutiny.

**Greater Variability in Decision-Making**

I also envision greater uncertainty in how environmental law and regulations are interpreted as different courts may well interpret statutory language in different ways. This could lead to a patchwork of regulatory standards, causing greater uncertainty. For example, the relatively pro-environment Ninth Circuit may well have a different read of existing environmental law than the more conservative Fifth Circuit. But time will tell how this will unfold, particularly if this divide creates greater regulatory uncertainty for business and environmental groups. Business interests have a special interest in some modicum of stability and certainty. And interpretative uncertainty can complicate long-term planning and efforts to comply with environmental law.

In sum, the end of *Chevron* deference will lead to a shift in the balance of power from federal agencies to federal courts. Because the court in *Loper Bright* grounded its reasoning on statutory and not constitutional grounds, Congress could theoretically reinstate *Chevron* at some future date — but that appears unlikely in the short and medium term.

[Nevitt is an associate professor of law](#) whose areas of expertise are environmental law, climate changelaw, national security law, constitutional law, and natural resources law.



Mark Nevitt



SCOTUS

# Analysis: Zhang on *Moore v. United States*

by Alex Zhang

In June 2024, the United States Supreme Court decided *Moore v. United States*. The petitioners in *Moore* challenged of the Mandatory Repatriation Tax (MRT), a provision of the international-tax regime of the 2017 Tax Cuts and Jobs Act (TCJA). Before 2017, Congress taxed domestic shareholders on foreign corporations’ offshore business income when they repatriated such income: for example, through a dividend. In 2017, Congress enacted a general rule exempting US shareholders from domestic taxation when foreign corporations distribute those earnings. But to prevent a windfall to corporations which had accumulated unrepatriated earnings, Congress enacted the MRT. Under the MRT, foreign earnings accumulated after 1986 are deemed repatriated and subject to preferential rates of taxation. The *Moore* petitioners attacked the MRT as unconstitutional and contended that Congress had no power to enact the MRT under the Sixteenth Amendment.

If you didn’t understand the previous paragraph, don’t fear, and read on. The target of *Moore* is not some obscure provision of the 2017 tax legislation. Instead, it was a preemptive challenge of potential federal taxes on wealth and unrealized gains. Decades of extraordinary capital accumulation have made our age one of record economic inequality. As a result, lawmakers like Elizabeth Warren have proposed taxes on the net worth of ultra-billionaires. Congress does not, in general, tax income until realized. For example, your holdings in Apple stocks are not taxed until you sell them.

This practice—aptly named the realization doctrine—has enabled the richest Americans to reduce their income-tax bills, often to zero. The strategy is elegant and easy. Buy assets that appreciate, borrow against them as collateral to receive funds to live on (borrowed funds are not income under the Tax Code), and die holding such appreciated assets (bequests upon death of appreciated assets are granted full income-tax forgiveness). Both academics and politicians (e.g., President Biden) have thus proposed taxing gains as they accrue rather than upon realization. Especially as to liquid assets like publicly traded stocks, accrual-tax regimes are quite sensible and would raise much-needed funds in a time of astonishing budget shortfalls.

But under the logic of the *Moore* petitioners, such taxes would be unconstitutional. The 1787 Constitution required Congress to apportion “direct taxes” in accordance with each state’s census population. Ratified in 1913, the Sixteenth Amendment made clear that “taxes on income” need not be apportioned. According to the *Moore* petitioners, the Sixteenth Amendment only granted Congress the power to tax realized income. In their view, if Congress could not tax accrued but unrealized income under the Sixteenth Amendment, it must apportion accrual taxes in accordance with state population. Apportionment is generally unfair and politically unfeasible. Congress has not attempted an apportioned tax since the 1860s. A constitutional realization requirement would thus doom most proposals of structural tax

reform. It would also render unconstitutional swaths of the current Tax Code. Before oral argument, some commentators predicted that *Moore* could be the most important tax case in a century.

The Court did not take the bait. Instead, it resolved the case on narrow grounds. Writing for the majority, Justice Kavanaugh held that the MRT does not tax unrealized income. That is, while the petitioners-shareholders did not realize any income, the corporation that earned the income (and in which petitioners held shares) did. The proper inquiry is thus whether Congress has the power to attribute the income—realized by the corporation but undistributed to the shareholders—to the petitioners. The majority said yes.

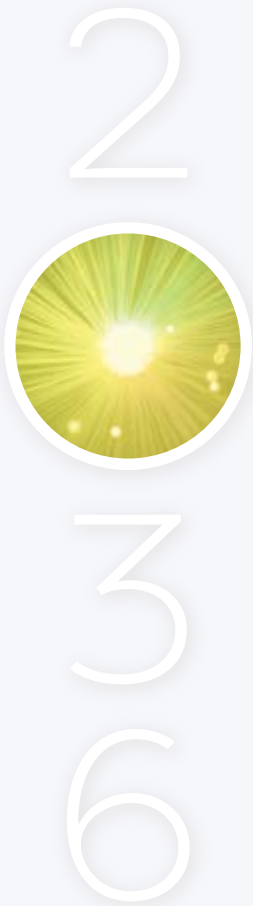
Along with the Chief, Justices Sotomayor, Kagan, and Jackson joined the majority opinion. Justice Jackson also penned a concurrence. Citing academic perspectives, mine included, Justice Jackson emphasized that there was no constitutional realization requirement. After all, the text of the Constitution states no such limit. Joined by Justice Alito, Justice Barrett concurred in the judgment, and grounded her decision in a concession made by the Petitioners. Joined by Justice Gorsuch, Justice Thomas dissented.

*Moore* was not the bombshell most feared it would be. It also gave no stamp of approval on proposed federal taxes on unrealized gains or wealth. Instead, the court’s narrow decision leaves the important constitutional questions for another day. But the opinions are revealing. There are clearly four votes at the Supreme Court in favor of a constitutional realization requirement. With persuasion and changes in judicial personnel, a fifth vote may not be hard to find. Will the Supreme Court become a key player in crafting federal tax policy? Time will tell.

[Zhang is an assistant professor of law](#) whose areas of expertise are tax law and policy, tax-exempt organizations, and administrative law.



Alex Zhang



## THE FUTURE STARTS WITH YOU

**“I know there are current students—and students to be—who are going to change the world. If there’s something that I can leave behind to help them do that, then I have a responsibility to do all that I can.**

Growing up, I looked at Emory as a place that was attainable for those who worked hard and valued learning. I was honored to receive the Woodruff Scholarship, and I vividly remember that I chose to attend in large part because of Mr. Woodruff’s generosity. Giving for me is deeply personal. I grew up in a family that not only valued education, but believed in giving back. Service was the air we breathed.”

**– Michael Ridgway Jones** 85Ox 88C 04L

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