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# PROFESSOR ROBERT BARRY

Joseph Murphy

Professor Robert Barry, like most first year citizens of the law school community, has found that preparing for class takes most of his time. He finds that the work for any one class can be endless as various interesting trails are followed.

For Prof. Barry the environment at Villanova is certainly a change from that of his recent past. He originally comes from the Penna. coal regions where his father worked as a mining engineer. In 1947 he entered Harvard College and four years later graduated with a degree in physics. He immediately entered the Law School at Harvard and in 1954 was awarded a diploma.

His first job was that of a clerk to Federal Judge Roszel C. Thomsen in Maryland. This was unexpectedly cut short by a brief letter of greeting from the President. After 6 months in the Army, he was discharged.



Professor Robert Barry

Deciding it was time to see New York, he began working for a large Wall Street firm doing research primarily in the antitrust area. Eventually, his work included corporate problems and Securities Regulations questions. After 5 years he joined a smaller, (20 lawyer) firm where he became the partner responsible for a wide range of the firm's corporate practice. After about ten years he formed his own firm with three other lawyers. The work in this firm eventually turned his partners into businessmen while he elected to remain true to his jealous mistress by coming to Villanova.

As the Professor sees it, teaching will afford him the opportunity to pursue those legal problems which interest him with more freedom than practice permitted.

Prof. Barry is presently teaching Corporations I to Section B and International Business Transactions. In the Spring his responsibilities will include Federal Income Taxation and a seminar on problems in the area of corporate disclosure and Securities Regulations.

Professor Barry, a married man with three children, lives within walking distance of the school. He is an avid bike-rider who commuted to Wall Street on a bike. Yet, his favorite past-time is dinghy sailing, which, as he termed it, pursues more enthusiastically than successfully in the summer months.

When asked to comment on the value of a

physics background to the practice of law, Professor Barry stated the two fields are really quite similar. In both areas there is a mass of chaotic data with which one must work in a rational way in the hopes of predicting certain results. This concept is reflected in the challenge which Professor Barry has indicated he holds: he hopes to help his students leave the school with something more than a knowledge of a mass of rules which can become outdated after graduation, that is, he wants them to have a feel for handling problems presented by a mass of unclassified facts and being able to resolve the potential conflicts in a manner acceptable to our society.

# PROFESSOR ABRAHAM'S YEAR ABROAD

R. Wayne Parker

Professor Gerald Abraham recently returned from the United Kingdom, where he lectured last year as a visiting professor of law at the University of Nottingham. His travels were undertaken under the auspices of the Visiting Professor exchange program.

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## The DOCKET

VILLANOVA UNIVERSITY SCHOOL OF LAW

VILLANOVA, PENNSYLVANIA

VOL. II NO. I

OCTOBER 1973

## NEW PROFS TAKE PODIUM *Prof Leonard Packel*

Joseph Murphy

Villanova Law School was fortunate in being able to announce the addition of Professor Leonard Packel as a full time instructor this year. A native of Philadelphia, Prof. Packel studied at the University of Pennsylvania, Wharton School, from which he graduated in 1957 as a pre-law major. Immediately thereafter, he entered the Law School at Harvard University and in 1960 was awarded his diploma.

During his 12 years in the field, Professor Packel was able to view the law from many different angles. After a brief tour in the military, he went to work for a small firm in Philadelphia. After working with the firm for a year and a half, he began trying cases for the Public Defender's Office as a volunteer. Six months later, with much more experience and much less money, he started working for Judge Sporkin of the Philadelphia Common Pleas Court. As soon as a staff position in the Defender's Office opened up, he returned and spent over four years there. Following this, he became the Executive Secretary to the Supreme Court Criminal Rules Committee. While holding that position, however, he was not to be shut out of the courtroom. He found enough time to do the civil litigation for a small firm in Philadelphia.

Deciding it was time for a change, in 1970 Professor Packel joined the ranks of the Dept. of Justice in Penna. His responsibilities there included counsel to the State Police, Bureau of Correction, Board of Probation and Parole, and several other agen-



Professor Leonard Packel

cies. It is from this position that the Professor comes to Villanova.

Professor Packel bears more than the background of an advocate, however. He has planned, conducted, and taught many seminars. As counsel to the State Police, he instructed numerous Police Officers on different aspects of the criminal law crucial to their work. Through the years, he has found himself at the front of a classroom teaching correctional Law Officers, Probation Officers, Parole Officers, and even Public Defenders. As for full time teaching, the assignment at Villanova is his first major attempt.

In reference to his new duties, Professor Packel has found the students enthusiastic, self-motivated, and brighter than when he studied law. During his time here, he hopes to reflect on the past 12 years of his life in order to determine what, if anything, he has accomplished in reference to the role of a lawyer in today's society. However, he freely admits the most difficult part of this task will be deciding, as far as he is concerned, what is or should be the role of the lawyer in today's society.

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# THE TIMES THEY ARE CHANGING. WILL VILLANOVA?

Harris Rosen

At present, Villanova Law School should be undergoing a period of transition. With the presence of a new Dean and a rather new administrative staff, Villanova should be adopting a fresher, more pragmatic approach to the study of law. However, if this change is occurring it is extremely subtle and elusive. It seems that for all intents and purposes, the present administration is content to maintain the status quo in the school with very little attention focused on modification of the existing practices and policies. A good example of this, if one is needed, is the proposal to change the examination schedule that was overwhelmingly approved by the students last year and yet defeated by the faculty and administration. At a time when many law schools are changing curriculum and improving legal educational techniques to allow a more progressive education, Villanova is apparently adopting a contrary policy. This is possibly part of the explanation why it has not become a more national law school.

There are certain areas in which Villanova is particularly deficient in allowing reform. One of these is the failure of the school to expand and offer for pass-fail credit varied clinical programs. The school policy makers have also chosen not to allow for more practically oriented courses in its curriculum. In no other professional field is the change from student to practitioner such a radical one, and indeed one in which there is very little preparation in school. It cannot be said that we as students are receiving an inferior academic background, but legal academics and the practice of law are extremely dissimilar concepts, and the failure to include more pragmatic courses in a law school curriculum leaves the attorney with a tremendous void of knowledge and expertise to be filled in and overcome at a later time. This should not be as necessary if a law school is realistic in its approach to legal education and more amenable to changing techniques. In addition, while our instruction at Villanova is of the very highest quality, the professors could help to alleviate some of the problems and doubts of law students if some sort of program would be organized to counsel students (at all levels of legal education) as to job selection and preparation. With all the vast practical experience and knowledge our teaching staff possesses, it is a shame we, as students, rarely receive the full benefit of this source of potential legal guidance. The first year counselling program is a step in the right direction but perhaps it could be expanded to include a 2nd and 3rd year counselling program geared towards informing students of the fields of law open to novice attorneys and just how one goes about getting started in a particular area of law.

At the same time, Villanova has adopted a very closed type administration which is not overtly open to student opinion and

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## "The Great Ivory Pyramid of Garey"

by Jane Siegel

It started one afternoon in the newspaper office while I was desperately scouring Hamurabi's Code to find a way around a seemingly watertight 2-719 defense for some soldier's who had recently lost their horses in the Red Sea. The phone rang and the Big Mouth from the Ministry of Rumors started belching forth some incredible tales about dissent within the ranks of Pharoah's most blessed scholar-slaves—the people of ReView. There was news of mutiny, kickbacks, unauthorized pay-offs and bribes. Apparently, certain slaves had even refused to help build the annual ivory tower and had fled the esoteric building project despite offers of gold to hold them in harness. The great ivory pyramid project was well behind schedule for lack of slaves and Field Marshall Terrameses I stubbornly refused to re-outfit his ranks with the top scholars from the neighboring island of Moot. Astonished and intrigued I dashed out to find the mutineers.

I found one runaway hiding among 'the great unwashed.' In his spare time he was helping, as best he could, the poor people of the community who had been caught up in the laws of the "real" world. Like the Nile, I flooded him with excited questions. Why had he done it? How could he scorn such a great opportunity to build a magnificent ivory structure? How could he forsake this chance to learn to build ever bigger and better pyramids for more and more gold? Why had he abandoned a chance to bury himself alive when it could mean the first step on the way to a fantastic career in the capital where they build pyramids of bologney? Calmly, with sympathy for my unfortunate delusions, he told me that some of the slaves had left Garey to build ivory towers elsewhere but that some, like himself, were seeking the reality and practicality lost when they first entered Garey; seeking air that did not stink of books alone. He was tired of chasing the future and its materialistic gratifications. He kindly told me where I could go (to find the other mutineers) when I told him he had obviously been afflicted by some strange disease that made him think there was something more important than gold and ivory towers for the tower's sake.

So, I sought out the other dissenter who reputedly knew much about money that appeared and disappeared and about the magic gold cloaks that Pharoah gave out. The cloaks allowed certain needy, but meritorious slaves to glide safely over the churning waves of the sea of Banc Rupt. The runaway told me of the full and splendid cloak of gold that Pharoah made appear where before there had apparently been none available. He told me how, even with the golden cloak he could not become the type of lifeless conforming mummy necessary to build the ivory pyramid. When he reported to Pharoah that he would not worship the esoteric gods of the underworld, nor become a high priest of impractical research, Pharoah instantly made the golden cloak disappear and swore it would never return. Pharoah's magic words of "The Policy" made cloaks disappear from all those who

scorned the ranks of ReView. But why did this disappearing act only work on slaves numbered one-to-twenty-five and not on others with cloaks? I took up my jewel-encrusted, hand-tooled sword of self-righteousness, put on my best gray pin-stripped outfit and went for an audience with Pharoah and his financial advisors.

I muttered the holy words, "Veritas, Unitas, Caritas" and was admitted. There was no need for me to say anything. The statistically precise answers were prepared before I arrived. First, there was a definition of Economics containing something about the best allocation of very scarce resources. Then there is a general condition of award pertaining to "dedication and promise to the profession." Then Pharoah began to explain the unique and awesome commitment that the slaves of ReView make to Garey and the future. There is no project comparable in worth and magnitude or more deserving of consideration than the ivory pyramid. Those slaves are so consumed with their task that they cannot seek protection from the sea of Banc Rupt except with the help of the golden cloaks. Others have infinitely more time to sit, devise, and pursue ingenious methods to avoid the Sea. (Of course Pharoah in his wisdom always keeps a few golden life preservers around in case someone started to drown who had not planned ahead for the occasion.) However, thundered Pharoah, the "Policy" is that if the slaves choose to reject the gods, the scholar-slaves no longer have the extra need and must save themselves like all the others who make due without the cloaks.

Unable to break through Pharoah's logic I went to joust with Terrameses I, himself, to find out why there had to be an ivory tower and why he disparaged the scholars of Moot. Descending into the bowels of the underworld I pictured men and women who did not speak but communicated telepathically. Visions of humans who had become translucently white, with huge craniums and nearly blind from overexposure to books haunted me. I told second in-command Dik-Rep-Sut I was a meek, mild-mannered reporter, and

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### THE VILLANOVA DOCKET



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The submission of articles and information is welcomed and encouraged.

*Editor in Chief* . . . . Frank J. Williams  
*Associate Editor* . . . . Daniel Carter  
*Feature Editor* . . . . Harris Rosen

*STAFF:* J. W. Hajar, Jack Tucci, A. Wayne Parker, Eric Sterling, Joseph Murphy, Jane Siegal, Joe Paparelli.



# PAPPY'S CORNER

Joe Paparelli

Last year writing this column was a fairly easy task, there was only one sports activity taking place and there were few enough teams to mention something about everyone. This year is another story. Not only do we have intramural football, but we also had the start of what could be an annual tennis tournament, and the revival of a rugby team that died prior to the matriculation of the present third year class. The result of this influx is a new style of reporting i.e. I'll have to write about something other than the greatness of the Cardozo elves football team and their all everything QB Joe Willie. I

One of the highlights of this fall's athletic program, was the introduction of the sports event best suited to the professional image the law school seeks to promote, i.e. the first annual Pig Tournament. The tournament actually involves a tennis match between Regg's Pig and the top women libbers in the law school.

The match itself had a lot of sex appeal especially to those chauvinists on both sides of the fence, or should I say net, who wanted to prove their superiority over something. Seriously speaking the match was not as hotly contested on sexual issues as one might have expected, considering the then present nation wide interest in heterosexual tennis matches. Rather the match was viewed as it rightly should have been, as a confrontation of two excellent tennis players. Although the scores (6-1, 6-1) may indicate a run away, those who viewed the proceedings will vouch that it was an exceptionally well-played match between the winner, Barney Noble, and the loser, Sally Fields, which proved nothing except that Barney could beat Sally on that particular Friday. In the second big match of the day Professor Zone Hysen and "I'd rather die intestate" Levin took on the masters of the law school the Godfather, Prof. Valente (He knows all about contracts) and Professor McNamara, the Joe Willie of our faculty. The special match ended in a 6-3 win for the "masters" and a promise by the firm of Hysen and Levin that things will be different on appeal.

On the football scene, the first comment that must be made is one of other astonishment at the growth of the league over the last three years. When this year's CIA team won the championship in their first year, there were only 7 teams comprising the league. Last year when that same Cardozo-Ives team beat Warren Steam in the finals the league had expanded to nine team. This year it has skyrocketed to fourteen. Due this increase I can not give the in-depth reporting familiar to my style so I will restrict myself to a description of the league members, a list of players who have made the league what it is today, and the standings as reported to this office the night of 4 October, 1973.

The following teams constitute the ICCFL:

From Hughes White, an A and B team. With the combined record of these two teams, the HW footballers would be the strongest club in the league. They would have to be since they would be holding everyone else up from their position in the cellar. However don't be surprised if either

of these teams pull an upset, especially the B team which is young, quick, and aggressive.

From Taney-Moore; an A, B, and C team. The Moores look more like a super team than they did last year; when a combined record of the A & B team gave the club 2 wins all season, one a win by the A team over the B squad. As I mentioned earlier this year is not the same as last year. The A team has a better than average chance to grab a playoff slot in Division B and the C & B teams are outside chances to sneak into post season play in Division A.

From the Black Law Students Association there is one team. The BLSA is new to the league and will take time to get on the winning track, however scouting reports indicate they have the potential to have an outside chance at a playoff slot in Division B.

From the Warren Steam, and A, B, C, and D team. The W&S boys of WSA again are the power house that met Cardozo-Ives in the championship game. This year may be another rematch. The B team although it started strong lost to Cardozo-Ives B and may by doing so forfeited their right to a post season game. The C&D teams are young and yet to be reckoned with, however the C team had a rude introduction to ICCFL football when Cardozo-Ives A beat them 55-6 in the season opener.

Finally Cardozo-Ives, an A, B, C, and D team. The A team which keeps trucking along on the feet of Tony "The Toe" Geyelin and the "well developed" hands of Sal Ehlinger is again the team to beat. The B team with Chris "Mel" Melvin and "I'm all Hands" Nolan is rolling along with the A team, and has a better than even chance to either win or wind up second in the A Division, hence putting them in the playoffs. The C team headed by Dandy Jeff Wienstein are trying to keep pace with the rest of the club but are not doing so well. Finally the CID team needs Joe Willie to teach them a little about, "How to Score Points," and Dennis Joyce to lecture on "How to Stop Them."

The Players to Watch in the ICCFL. Taney Moore—Mad Frank Penckoth, Anthon Rosenthal (The famed Captain of Anthems Raiders), Jeff "Love Story" Petitit and Smiling Kenny Harris.

Hughes White—Smokin Spence Browne the Heavyweight contender and coach of HW. He not only has a plan to beat CIA but also the money to implement it, and Larry Eisman, the best left-handed quarterback in the league (also the only one).

Warren Steam—Mercury Ryan, Sure Handed Jack Sailes, OB Ron Myers (The Best QB in the league besides myself) and "The Crusher" Harry Garman.

Cardozo-Ives—Kent "I'd rather be in Nyak" Herman, TV Bob Culin, The Greek Kalogredis; Fat Jim Kennessy, Bad Henry Drapper, Quiet Frank Flemming and the ever elusive and slippery (What do you expect from an Italian) Roy "Throw it to me" DeCaro.

## The League Standings

Division A	Division B
WSA 3-0-0	CIA 3-0-0
CIB 3-0-0	WSC 2-1-0
WSB 2-1-0	TMA 2-1-0
TMC 2-1-0	WSD 1-2-0
TMB 1-2-0	BLSA 1-2-0
CID 0-3-0	CIC 1-2-0
HWB 0-3-0	HWA 0-3-0

Yet no matter how you look at it, the sport to play in the law school is rugby. The team, which was terminated three years ago, was rejuvenated this year by "mild mannered" Jerry Rotella (Some call him Superman) and "Hustlin'" Hank Mahoney late last spring and has since become very successful.

Basically the team has been made up of novices whose only knowledge of the game, prior to this season, was that Jerry broke his nose last year while playing it. However with the help of a few experienced players like Charley "the Hooker" Dunlop, stream-rolling Dan Boyle, Turk Allen and Gramps McCarthy, the Garey Hall Ronghens were able to develop a team which has performed better than anticipated.

In its first game the A team beat Blackthorn B 11-4 while the B squad lost 13-4 to Blackthorn's C squad. The A team was sparked by the play of Scott "The Rookie" Reed, Bill "Hoops" Walter and Al "Don't call me Hal" Romano. The exciting play of the game occurred when Old Man Tom Tom joined with Speedy Dennis Joyce in a combination of open field running and fancy passing to score an early "try" for the rug-gers. (A try is equivalent to a touchdown in football, only you get 4 points instead of 6).

The B team although it lost, displayed exceptional hustle, especially from Dick Hardt (The team's Skinkest Forward), Jack "The Heart Break Kid" Tucci, and Lanky Tom Sabol.

The 3rd game of the day went to Blackthorn, as those experienced gentlemen outshank and out sang the entire Garey Hall Gang. However, the law schoolers did have their bright sports during this portion of the activities with Irish Jerry Rotella booming out traditional Irish Rugby songs and Dan Carter keeping everyone laughing with his utilization of First Amendment Rights. It was during this latter loss, that the rug-gers lost their first player of the year. Mike O'Conner, as agile as he is, couldn't keep his balance on a delicate cross over move during his Irish jig. Mike will be out for the rest of the season as a result of a chipped bone in his leg.

The second match up of the season was both good news and bad news for the law school's gentlemen rough guys.

In the first game, the St. Joe Hawks slipped by the law schoolers 11-10 on a penalty kick late in the ball game. The game was an exceptional one for the forwards Barry "Big Tailor" Gross, Jack "I hit them Hard" Riely, Darryl "Crazylegs" Sheetz and Fighting Tim Sullivan, as they kept hustling to stop St. Joe's offensive threats. The fullback Q (That's a funny name) Sturim helped those forwards with a couple of exceptional kicks and last man tackles, unfortunately a mistake late in the game nullified this all out effort.

The B team was much more successful with the St. Joe's B team as they trounced them 24-0. Up front the defensive play of Hank "I'll hit him as hard as Riely" Pedvione and Jack "I'm a lover" Tucci stopped many a St. Joe drive, while the Scum Half Bob "Takes a Beating" Ufberg and Wing Steve Smith started many an offensive threat. Yet all in all the forwards were the stars of the game. Dan Boyle scored 2 tries, Dave "He looks like Marinaro" Steller rambled in for one and fullback Joe Willie com-

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## TWENTY NINE STUDENTS ELECTED TO LAW REVIEW

The following students have accepted appointments to the 1973 Law Review Staff. Third year: Mike Burg, Rich Conn, Tony Geyelin, Bob Goldstein, Dick Hardt, Bill Kalogredis, Dennis Smith and Murray Talasnick. Second Year: Bill Anderson, Gil Ashley, Nina Bartley, Kathie Bomba, Joe Carney, Tony De Sabato, Bob Edinger, Peter Feldman, Tom Harley, Jim Huber, Joe

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Looking to the future, the Professor hopes someday to teach one of the more theoretical subjects. As one might expect, he is presently entrusted with Trial Practice and the Clinical Program in Juvenile Justice.

Professor Packel is a married man with two children and he resides in Wynnewood. He enjoys sports, yet he wanted to make it perfectly clear that he never plays a popular sport when it is popular. Therefore, all those hoping to make big names on the tennis court at his expense are going to be disappointed.

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between the Department of Law at the University of Nottingham and the Villanova University School of Law faculty. Mr. Abraham's visit was the third such exchange, which brought Mr. Ian Hooker to Villanova last year from Nottingham in return.

Professor Abraham outlined some of the purposes which the program is designed to serve. It should enable the participating professors to scrutinize more objectively their own legal education systems and legal establishments while providing a forum for comparing the different approaches to legal education and the law which have evolved in the two countries. Of course, he pointed out, no harm is done if the exchanges also serve as an amusing and novel diversion from the routine of teaching and living in one locale. Mr. Abraham, who demonstrated his interest in change within the legal profession and legal education to first year students who attended the Faculty Forum in early September, was well suited to profit from such a program.

Numerous distinctions between British and American approaches to the teaching of law were immediately apparent. For example, in England the primary training for legal practice takes the form of a required clerkship, with the result that academic legal study is an undergraduate University subject which is not required for the practice of law. Thus Mr. Abraham found himself teaching not only courses within his department on English law, but also an American Studies course on American law.

Another such distinction which Mr. Abraham mentioned lies in the method of instruction. As opposed to the casebook approach in combination with the Socratic method which prevails in this country, the English discuss the law on a more general level and rely almost wholly on the lecture

method of instruction.

Notwithstanding these differences in both the function of legal education in preparing the lawyer for practice and the methods employed to teach the law, Mr. Abraham was interested to note that Britain has experienced a phenomenal upsurge in interest in legal education in the past few years which closely parallels our own. This trend seems to be reflected both in applications for admission and a growing internal pressure for reforms in the educational system and the profession itself.

He attributed these parallel trends in part to the rapidly increasing demands for more extensive legal services for the individual citizen in both countries, although he applauded the British government for their commitment to providing legal aid on demand in civil as well as criminal actions.



*Professor Gerald Abraham*

There is no such commitment within the American legal system, he noted, with the paradoxical result that while the American legal education system is unable to turn out sufficient numbers of lawyers to meet the real demand for legal services which the society requires to run equitably, it is nevertheless beginning to produce more attorneys than there are positions for. These are both problems which the government and the pro-

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often helps create an atmosphere that makes various segments of the law school community feel alienated and discontented. While it is true that our Dean is new and has not had a very long time to introduce any policy changes in the school, there are no present indications that such are at all forthcoming. Perhaps one way of effectuating some change is to allow more representation on the part of the students in the policy making bodies of the school and to allow certain important matters relating to grading exam schedules, expansion of clinically oriented courses for full credit, etc. to be decided by student referendum. Of course the alternative plans to be voted upon would be prepared by committees composed of faculty, students, and members of the administration.

There is absolutely no reason why Villanova Law School need remain exactly the way it is. Although it is a good law school, certainly the aim of all associated with it is to make it not merely good but excellent. By instituting some new programs and ideas hopefully it can attain a more national status and thus become a better school.

## FIRST IMPRESSIONS

Are law school students changing?, is a question often asked from the nervous remembrance of campus unrest of three or more years ago. But at Villanova, as the competition to get into law school has increased, the prior academic performance of first year students has also increased.

In order to supply the data to answer the question of change, *The Docket* has asked members of the first year class their impressions of Villanova Law School after their first one and a half months.

At least one member of the class of '76 expressed the desire to be a legislator or judge and clearly wanted to attend law school in line with that purpose. Many other career intentions were less clear. A veteran succinctly said, "I want to raise hell," intending perhaps to go into prosecution. One student had no specified career goal, but stated that he felt his legal education would benefit any work he took up. A student who had spent a year working had no ultimate goal whatsoever, he simply wanted the challenge, the mental discipline.

All the first year students we spoke to found their class material interesting, particularly, the intricacy of the fact situations. They also agreed that the time demands of the work load are what they anticipated, although not what they are used to.

The level of satisfaction was quite high. The facilities are quite adequate they felt, although one fellow pointed out that he had no basis for comparison. The library was praised as extensive, and for its liberal hours and friendly and helpful staff. Other students were satisfied at the ease with which they could meet their fellow students after class.

Most students united in praise of their first year colleagues. They perceived that most of their classmates were motivated for public service rather than primarily monetary reward. They recognized the high motivation of other students and found its expression in class stimulating.

The diversity in age, educational and non-institutional background, economic and social experience is wide. One student put it, "We have a cross cut of a certain level of American society."

Do these impressions indicate that the first year class is changed from previous classes or is it in line with them? Quite likely it depends upon the perspective of the observer.

## LAW SCHOOL TO CELEBRATE RED MASS

On Friday at 7:00 P.M., October 26, 1973, Villanova Law School will again hold its annual Votive Mass of the Holy Spirit at St. Mary's Hall (across from the law school). The Mass, traditionally known as the Red Mass, is now in its 17th year and is celebrated each autumn to invoke the Divine Blessing upon the School of Law and upon all who study and teach therein.

The title "Red" Mass and its custom orig-

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## "LACROSSE ANYONE"

The Main Line Lacrosse Club is a non-profit organization that has been in existence for five years. During that time the club has tried to provide all interested area residents with the opportunity to play lacrosse in a competitive league. Our organization has always been committed to the idea that the full participation of all players in actual game play is the most important objective of any sport.

Under new coach, Randy Voight, who coaches lacrosse at Drexel, the Main Line Lacrosse Club will sponsor both an "A" and a "B" team. Players of all levels of experience are welcome.

Already 38 players are gearing up for the fall season. Four games, including tilts with Villanova and Delaware, are planned, with a 12-game schedule slated for next spring.

This program is ambitious and suffers one serious drawback, the club lacks the necessary number of players to embark on such a program. We cannot schedule games without some confidence that we will have a sufficient number of players to complete such a schedule.

If any of the Villanova alumni or present law students are interested, write the Main Line Lacrosse Club, P.O. Box 96, Haverford, Pa. 19041, or phone Larry Cozzens at MA2-6596 after 6 p.m.

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inally developed very early in the history of England and France. The Mass was then celebrated at the opening session of the courts each year, which in England, usually corresponded with the Feast of Saint Michael. The robes of both judges and the priests were deep red in color at that time, and this led to the traditional term "Red" Mass. This tradition of judges and lawyers seeking the blessings of the Holy Spirit is perpetuated each year at the Law School.

This event, the major spiritual event of the Law School, has become deeply embedded in the tradition of the school. It has proven itself to be spiritually rewarding for all those who attend, giving greater insight into the spirit of the law from the aspects of morality and human dignity.

The principal concelebrant will be the Most Reverend Thomas J. Welsh, Auxiliary Bishop of Philadelphia. The Reverend Edward J. McCarthy, O.S.A., President of Villanova University, will deliver the homily.

Adding to the beauty of the Mass will be hymns sung by the Villanova Singers. All are invited to attend regardless of religious affiliation. A reception and dinner will be held for alumni and guests of the University at Garey Hall immediately following the Mass.

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wanted to see Terramses. Long rows of laboring slaves barely noticed me; however they all appeared to be quite human. But I was shocked to find not a single one of the younger slaves wore the Pharoah's cloak of gold—not one! Battling past the vicious pair of griffins that guarded his door I finally found myself in the revered (reviewed?) presence of Terramses.

In a voice that didn't even make the ivory blocks tremble he replied that he did not belittle the scholars of Moot. He simply could not, in all equity, destroy the bulwarks of their projects to shore up his own. Further, he too had to listen to the incantations of Pharoah and the Advisors. ('His was not to reason why . . . .') No, he did not believe his slaves would die of over-work nor that the pyramid or the army would crumble because of the dissenters' flight. He had seen the same pattern before. I lunged quickly with an incisive remark as to the total impracticality of another ivory tower while so many poor people of the community needed more direct help.

Totally unphased, he said there is more to helping the people than blindly following one's heart. Work on his project sharpened the mind to its keenest edge so that the people will eventually get not only sympathy but a trained, disciplined analyst. The head and the heart must go together. He admitted that the project is a bright and shiny merit badge for the land of Garey, but it is more than a simple ivory pyramid. His scholar slaves perform a concrete, practical service for the men of the law throughout the area. To interpret, criticize and translate the mystic words and teachings of the supreme judicial gods is a desperately needed function of the slaves of ReView.

As I returned to the office, I looked back at the developing pyramid. It no longer seemed to be made of ivory, but more of flesh and blood and a good deal of individual sacrifice. The Ministry of Rumor seems to have made an asp-in-the-grass of itself again.

## MESSAGE FROM THE PRESIDENT OF THE STUDENT BAR ASSOCIATION:

There are those of you who believe that the Student Bar Association does not function; there are those of you that do not know what the function of the Student Bar Association is; there are those of you who, in short, do not care.

I would take this opportunity to enlighten. This year the operating budget of the Student Bar Association is approximately \$3,600. It is the function of the S.B.A. to administer those funds with a view toward providing a vital adjunct to life in the law school. Not only does the S.B.A. authorize and grant appropriations to student organizations (e.g. Community Legal Services, Womens' Student Association, Black Law Students' Association), it sponsors and conducts a variety of academic and social programs.

This year, the S.B.A. has embarked upon an extensive speaker's program. Among those programs already scheduled are the following:

1. William Klaus, Esquire; Chancellor-Elect of the Philadelphia Bar Association, speaking on the role of Good Judges for Philadelphia, Tuesday, October 23, 1973 at 3:00 p.m.

2. "Panel on Judicial Clerkships," with at least three clerks (or former clerks) participating as a part of the recruiting program;

conducted in conjunction with Assistant Dean Wiesner on Tuesday, October 30, 1973 at 3:00 p.m.

3. "The Rights of Women Prisoners," with two outside experts, date uncertain.

4. "The Implications of the Watergate Affair," an intra-faculty panel discussion, date uncertain.

Additionally, the annual S.B.A. symposium, is now scheduled for late March. This year's topic is "Labor Violence in America—What Role the Law?" Speakers of national prominence are expected to appear for this two-day symposium which will involve speaker presentations, panel discussion, and student workshops in an effort to acquaint both the student and the practitioner with the practice of labor law and major problems which presently confront it.

Under the chairmanship of Jack Saile, the Social Committee has already carried off its tennis "Battle of the Sexes" as well as a successful mixer. The first Faculty-Student get-together is now scheduled for Friday, October 12, at 3:00 p.m., in the cafeteria.

Most significantly is the role of the S.B.A. as a formulator of governmental and academic policy. This year, proposals have already passed in which the S.B.A. now seeks to:

1. Determine the extent to which clinical legal education programs can be expanded at Villanova.

2. Provide at an early registration date, schedules of course offerings (including time and day) along with the name of the professor offering the course.

3. Increase student participation and, where advisable, representation on standing sub-committees of the Faculty.

A constitutional revision committee will by the second semester propose to the student body, a revised constitution. Our present constitution is, quite simply, archaic. For example, the requirement that each student may only sign only one petition precludes more than two candidates from running for First Year Representative in each section. Not only that, but students in the first year are *under-represented* on the Board. There is no statement of student rights and responsibilities. There never has been. It is our intent, with your affirmative vote, to rectify that situation.

The S.B.A. meets each Wednesday at 5:00 p.m. in the seminar room adjacent to the S.B.A. office. All of its meetings are public and students are encouraged to attend, and be heard. Too often viewpoints which are of importance to a particular segment of the law school go unnoticed, because representatives of those interests are absent when the decision-making process takes place.

By design, the S.B.A. must be both accessible and responsive. Failure on your part to present suggestions, grievances, or requests to the Board or to your representative, is your failure. Failure to seek out those problems is ours.

It has been my experience that lack of information and lack of interest breeds not only indifference, but discontent. At Villanova, we have a unique opportunity. We work in conjunction with a Faculty who believe in teaching and in the student and an Administration whose keynote has been cooperation and accessibility. We would be foolish indeed to let that opportunity pass for lack of

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# MIGRANT WORKERS and the PESTICIDES

J.W. "Chico" Hajar

Let me begin by defining to you the average migrant worker. He is a chicano that bends his back in the hot sun 10 to 12 hours a day to put food on someone else's table, going home hungry, and with barely enough money to rent a shack to house his family. These hard working poor people are subsidizing America's agribusiness conglomerates and being subjected to the cruelest experimentation known to science without their understanding, knowledge or consent. The migrant workers and their children are subjected to varying doses of poisons daily and denied medical attention because they cannot afford to feed and clothe their families much less purchase medical care.

During July and August of this year, the Department of Labor's Occupational Safety and Health Administration (OSHA) held its only public hearings on permanent pesticide exposure standards to protect farm workers. These hearings were the only opportunity OSHA has provided for public input.

At the present time, at least four federal agencies have some form of jurisdiction on pesticide-related questions. Each has a different duty (created under a different law), different powers and different concerns. This is important for consumer and worker groups because decisions about where to complain ought to be based on what the agency can do in response.

In comparing the four agencies it is important to consider: a) who is the agency meant to protect, b) what can the agency require and of whom, and c) what happens if there is a violation of the agency requirements?

OSHA's duty is to protect workers from occupational safety and health hazards. With respect to pesticides, this means that OSHA must set standards for use that are designed specifically to deal with how farm workers will be affected. Under OSHA workers' complaints are supposed to trigger an automatic investigation.

The Department of Agriculture has had two main activities in the area of pesticide control. First, it has participated in developing the standards OSHA proposed; and second, it prepared the report analyzing the economic impact on growers of imposing pesticide standards. The Department of Agriculture is supposed to regulate agriculture; it is *not* in the business of protecting anyone, although farm worker groups and others have claimed that it actually protects growers.

The Food and Drug Administration's (FDA) responsibility lies in the realm of protecting consumers from eating contaminated food. With respect to pesticides, this means that FDA wants to control what is left on the food that reaches consumers. FDA is *not* interested in what remains on the leaves and plants in the fields where the migrant workers are working. It is generally agreed that if there are still pesticide residues left on the food that reaches the consumer, there must have been much more residue when the farm workers had to handle the food.

The Environmental Protection Agency

(EPA) was created to protect the environment and whatever might be harmed by a polluted environment. EPA's role in pesticide regulation comes from the Federal Insecticide, Fungicide and Rodenticide Act (FIFRA) and the 1972 amendments to FIFRA which are called the Federal Pesticide Control Act (FEPCA). Under these laws, pesticide manufacturers must register their products with the EPA, and in order to be allowed to market the products, the manufacturers must show that the pesticides can be used without "unreasonable adverse effects on the environment."

EPA has the power to require the manufacturer to supply data to support whatever claims are made. EPA does not only have the power but the obligation to require that the labelling of pesticide containers state the directions for its usage. Until the passage of the FEPCA, EPA's labelling requirements carried only the force of "guidelines." FEPCA gave EPA labelling requirements the status of law and created both civil and criminal penalties for failure to label and to use as directed.

It appears, unfortunately for both farm workers and consumers, that only EPA can enforce this law. This means that consumers and workers can complain to EPA but probably cannot go into court themselves. (Most of this process is similar to the way the Food and Drug Administration regulates the production and marketing of prescription drugs.)

As part of its responsibilities under FEPCA, the EPA is holding a series of hearings in September and October, 1973 similar to, but not quite the same as, those held by OSHA during July and August. If you would like to submit a written statement, you may send it to the EPA Hearing Clerk, (EPA, Waterside Mall, 4th and M Streets, Washington, DC 20460) on or before October 30, 1973.

## ANNUAL AWARDS GIVEN

### ANNUAL AWARDS GIVEN

The annual class day was held on Friday, May 18, 1973 at Villanova University's School of Law. At that time prizes and awards were announced by the 1973 graduating class.

The Saint Ives Medal . . . . . Paul R. Beckert, Jr.  
The American Trial Lawyers Association  
Award - Outstanding Environmental  
Essay . . . . . Francis P. Devine, III  
Timothy F. Sullivan  
The Administrative Law Prize Paul R. Beckert, Jr.  
The Thomas J. Clary Award . . . . John F. Bradley  
The Hyman-Goodman Award . . . . John F. Bradley  
Thomas R. Cunningham  
The International Academy of  
Trial Lawyers Award . . . . Philip M. Cullen, III  
Annette Hearing  
The Law Alumni Award . . . . James M. Papada, III  
The Herman J. Obert Award . . . . John F. Bradley  
James M. Papada, III  
The Dr. Arthur Clement Pulling  
Award . . . . . Francis P. Devine, III  
The Reimel Moot Court Competition  
First Place, 1973 . . . . . Paul R. Beckert, Jr.  
John C. Gabroy  
Second Place, 1973 . . . . . J. Gerard Lewis  
The Marcella Reuschlein Award . . John J. Hagarty

The James Rinaldi Award . . . . . John F. Bradley  
Denis J. Lawler  
The Rose Rinaldi Award . . . . Robert B. Haldeman  
The Roman Catholic High School  
Alumni Association Award . Paul R. Beckert, Jr.  
The Herman Mitchell Schwartz  
Award . . . . . Suzanne Noble  
The Saint Thomas More Society  
Award . . . . . James M. Papada, III  
The Title Insurance Corporation  
Award . . . . . Paul R. Beckert, Jr.  
The Reverend Joseph Ullman  
Award . . . . . Robert A. Kargen  
David L. Williams  
The United States Law Week  
Award . . . . . Harris T. Bock

### RECOGNITION OF MERITORIOUS SERVICE

#### The Officers of the Student Bar Association

Joseph J. McGill, President; John F. Bradley, Vice-President; Richard C. Mariani, Secretary; Alan J. Hoffman, Treasurer; Michael H. Cook, Representative; Brett K. Kunin, Representative; Richard A. Umbenhauer, Representative; David L. White, Representative; Martin S. Wilson, Jr., Representative.

#### The Inter-Club Council

Michael R. Beebe, President; John P. Ryder, Vice-President; Michael J. McGonigle, Treasurer.

#### The Members of the Honor Board

Anthony J. Graziano, Chairman; Joseph A. Wilson, Jr.

#### Community Legal Services Program

Annette Hearing, Co-Chairman; Timothy F. Sullivan, Co-Chairman; William B. Borrebach, Jr.; Walter I. Breslin; Daniel J. D'Alesio, Jr.; John M. DeLuca; Joseph R. Rydzewski; Richard A. Umbenhauer; Howell S. Zulick, III

#### The Villanova Docket

Brian S. Quinn, Editor-in-Chief; Robert M. Paolini, Alumni Editor; Marc S. Weisberg, Features Editor; Martin S. Wilson, Jr., Managing Editor.

#### The Moot Court Board

Thomas R. Cunningham, Co-Chairman; Michael C. Shields, Co-Chairman; Thomas P. Brennan; John J. Dalton; Jerome J. Davis; Gerard P. Harney; Michael F. Henry; Edward J. Hoffman; Michael J. McGonigle; Eugene H. Miller; Ralph L. S. Montana; James F. Proud; Richard A. Rozanski; William J. Winning, Jr.

#### The Law Review

David F. Girard-diCarlo, Editor-in-Chief; Stephen D. Ford, Managing Editor; Denis James Lawler, Article & Book Review Editor; William F. Holsten II, Projects Editor; John F. Bradley, Case & Comment Editor; Francis P. Devine, III, Case & Comment Editor; C. R. Gangemi, Jr., Case & Comment  
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Editor; Denis F. McLaughlin, Case & Comment Editor; Randall C. Rolfe, Case & Comment Editor; Jonathan C. Waller, Case & Comment Editor; David L. Williams, Case & Comment Editor. Associate Editors: Paul R. Beckert, Jr., Philip M. Cullen, III, Stephen M. Cushmore, George H. T. Dudley, Jr., William A. Duncanson, Ronald J. Examitas, Thomas J. Feeney III, Fred B. Fromhold, Robert B. Haldeman, Alan J. Hoffman, Donald F. Jacobs, Marc H. Jaffe, Robert A. Kargen, Bruce R. Lesser, Richard McCarthy, James M. Papada III, Nicholas Scafidi, Allen M. Silk, Frank Tedesco, Allen Warshaw.

## EULOGY FOR A CLINICAL PROGRAM

### *Villanova Bail Project: 1970-1973*

*by Suzanne Ercole*

The Villanova Bail Project died in May of this year, the victim of an acute case of "policy-making" by the Philadelphia Public Defender Association. Founded in 1970 by two enterprising Villanova law students and partially sponsored by the Public Defenders, the Bail Project had a short but full life span of service to the Criminal justice system in Philadelphia. The Bail Project handled the pre-trial bail petitions of 1000's of inmates in the three city prisons, Holmesburg, the House of Correction, and the Detention Center and was the first comprehensive bail program in Philadelphia before the ROR Court Bail Program. As well, the Bail Project provided a welcomed addition to the very few clinical programs the law school has to offer. It was the opportunity for law students to work practically to make one aspect of the criminal justice system fairer. The Project was also an attraction to a vast array of volunteers from area high schools and colleges, some of whom received course credits for their efforts. The Bail Project offered the experience of interviewing pretrial detainees and petitioning their cases before the District Attorney's Office in Philadelphia. Assuming an advocate's role in handling bail cases, the Project received widespread recognition from interested civic groups, the Philadelphia Correction's System, the DA's Office and the Court.

Then this past spring, the P.D. Association abruptly withdrew its endorsement of the Bail Project. The reason: all bail cases were to be formally petitioned in Court by a member of their attorney staff. Presently, a public defender handles full time what enthusiastic volunteers once devoted their free time to.

The concluding chapter is one of gratitude to these hundreds of students who, over a three year period, helped to make *Stack v. Boyle* a reality.

*Continued from Page 6*

#### PRESENTATION

The Class Gift — A Public Address System for Classroom 101.

#### THE ORDER OF THE COIF

Paul R. Beckert, Jr., John F. Bradley, Stephen M. Cushmore, William A. Duncanson, Thomas J. Feeney III, Robert H. Haldeman, Marc H. Jaffe, Robert A. Kargen, Denis J. Lawler, Bruce R. Lesser, Denis F. McLaughlin, James M. Papada III, Allen M. Silk, Jonathan C. Waller, Allen C. Warshaw, David L. Williams.

*Continued from Page 4*

fession will have to confront in the near future.

Professor Abraham has worked in the past on numerous projects in such areas as judicial administration and family law in addition to his teaching. Within the law school he is presently teaching several courses, administering a one credit clinical program in connection with the U.S. attorney's office, and is interested in the possibilities of increasing clinical and simulated practice programs within the curriculum. His experiences and insights from the exchange will undoubtedly be useful to him and to his students both in and out of the classroom, and those who have an opportunity to talk with him will find his ideas understatedly provocative and his disposition very agreeable.

## LAW WIVES INITIATE FALL PROGRAM

The Law Wives Club began this year's series of lectures and activities on October 2 with a discussion by an interior decorator on low budget ways to furnish an apartment. Under the leadership of President Sue Hammond, Vice-President Lynn Litito, Secretaries Trudy Weldon and Maryjane Ryan, Treasurer Karen Nickels and Hospitality

Chairman Debbie Zumbano, the barrister's brides have arranged a varied and unusual series of monthly meetings.

The November meeting will highlight hypnotist Frank Genco, who will enlist the aid of some of the women in the club in his demonstration of the powers and the uses of self hypnosis.

Well-known author and women's liberation advocate Lisa Richette will be the club's guest at its December meeting.

For those interested in gourmet cooking on a law school budget, the law wives have invited a member of the Pennsylvania Welfare Department who has compiled a collection of inexpensive recipes to the January meeting.

In February, author Louis Bird will address the wives on the subject of sex and marriage.

The club has tentatively scheduled T.V. commentator Orion Reed for March.

Small interest groups are an innovation this year. The wives have organized a ceramics class, book club and baby sitting service to meet the needs of its members. The club has attempted to accentuate more intellectual pursuits rather than cater to the solely domestic aspects of the organization.

The social event of the fall semester will be a pot luck dinner and dance to which all the married students are invited on November 2nd.

*Continued from Page 5*

either effort or interest.

If your representatives are not responsive, it is your obligation to make them so. I think that you will be pleasantly surprised.

I extend to you my best wishes for a healthy and successful year.

Sincerely,  
Michael A. Bloom  
President



*Joe Paparelli leads Cardozi-Ives to another touchdown drive.*

*Continued from Page 3*

joined with "Ziggy" Segmund and Mike "He looks so mean" Kravitz in a spectacular 80 yard break away which ended in a dazzling display of pin point passing and a "try" for Ziggy.

The 3rd game, the party, ended in a tie, which induced many of the team members into making an oath that they would dedi-

cate themselves to improving their play so the club could make a clean sweep of one of these three game series.

In closing, I as sportswriter and news representative of the rugby team wish teammate Dave Smith a speedy recovery from his recent accident.

See you all next issue, and I better see Bryan North at the next rugby game.



# MOOT COURT BOARD

The Moot Court Board has announced the appointment of their new members to its 1973 staff. Third year members include: Norman Brand, Len Amodei, Jim Swick, Lou Rubin, Rich Baseman, Albert Slap, Hubert Barnes, and Bob Shoemaker. The members of the board from the second year are: Janet Scovill, Eileen Marquette, Randy Sebastian, Pat Mattern, Bernie Cullen, Mark Cuker, Jim Hartmann, Jay Oppenheimer, Lon Greenberg, Phil Murren, Phil Hughes, Frank Cohen, Marguerite Cummings, Jack Goldberg, Freddy Rubin, John Keir, and Jane Seigel.

In an attempt to improve and update the program, the former practice of soliciting lawyers to be judges solely from practicing graduates and Philadelphia County practitioners has been expanded to include lawyers from firms in Chester, Delaware and Montgomery Counties. Over 350 lawyers have been contacted as possible judges for the first round of the Reimel Moot Court competition, of this number about 160 are expected to participate.

In the quarter finals, the judges will be from the benches of the Philadelphia Common Pleas Court. Judges from the Federal District Court will hear the arguments in the second round. Three judges from the Federal Circuit Court of Appeals will decide the final round which is slated for the middle of the second semester.

Another new development of this year's competition will be a faculty review of the submitted briefs. It is hoped that this will stimulate a higher quality in preparation and writing. It is felt that in the past, too many of the briefs had the appearance of being written the night before. Since the judges will be seeing the law school through the briefs which they read, the board feels that the added factor of faculty review will produce a much more professional product.

It is expected that about 16 teams will choose to go on to the second round. A requirement of the later stages of the competition is that each team switch sides at least once before they reach the finals.

This year's problem was written by Professor Gianella with the assistance of Janet

Scovill. The professors each take a turn in writing the problem and usually it is in that professor's major area of interest. The professors strive to attain a great deal of topicality and try to keep to factual situations which while current have not been tried before the court.

Changes have also been made in the first year program. Instead of the hit or miss method of trying to discover relevant cases, the first year students have been supplied with on the average of 12 cases, which the Moot Court board feels most accurately cover the point in question. It had been observed in the past that too many students were waiting to the last minute for the big case that would decide their issue. It is felt that the new method will accentuate writing skills rather than research. Last year's innovation of the first semester written memorandum has been retained because it was this part of the program which gives the first year student a real feeling for the practice of law and it has proved helpful to a number of students during their summer employment.

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## Continued from Page 4

Huston, Garry Jerome, Paula Munson, Frank Newell, Alan Novak, Cindy Pawulich, Jeff Pettit, Lee Ripley and Jack Walsh. Open writing contest: Rich Burns and Jack Walsh.

The new members of the Law Review Staff began their writing assignments on August 1st. Staff members are required to research and write a casenote for the recent developments section of the Law Review and after this assignment is completed they must write a comment or another casenote. Third year members of the staff must each submit a comment for publication.

A new addition to the Law Review will be the inclusion of the Third Circuit Review, a section devoted entirely to the reporting and analysis of decisions issued from the Third Circuit. It will focus on recent developments and significant cases in which the Third Circuit has taken a new stand, changed its views or interpreted recent legislation.

The purpose of the new section is to make the Law Review of greater value to the practitioner in the area. It will be geared to

provide the lawyer practicing in the Third Circuit with up to date evaluations of decisions and interpretations affecting his practice. The Law Review staff is attempting to keep its publication from becoming too academic and mould it into a practical tool for use by the lawyer in his day to day activity.

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# REIMEL COMPETITION

On April 7, 1973 in a decision by the Supreme Court of Villanova, it was decided that it is not necessary for the Federal Government to prove bad faith or evil purpose to meet the *mens rea* requirement of §7205 of the Internal Revenue Code in order to prosecute. Also that more than administrative discretion must be shown in order to have selective prosecution of Tax War Resister.

This decision was given in the final round of the annual Reimel competition. The competition is an activity for students in their second or third years and is designed to foster, in a simulated appellate argument, student development in written and oral advocacy.

The finalist were Mr. Paul R. Beckert and Mr. John C. Gabroy attorney's for the respondent and Ms. Marianne E. Cox and Ms. Carol Haltrecht attorney's for the petitioner. Both arguments were excellent and well delivered with Messers. Beckert and Gabroy emerging the victors.

The distinguished bench was made up of the Honorable Max Rosen, United States Circuit Judge, United States Court of Appeals for the Third Circuit; The Honorable Francis L. Van Dusen, United States Circuit Judge, United States Court of Appeals for the Third Circuit; and The Honorable Joseph S. Lord, III, Chief Judge, United States District Court for the Eastern District of Pennsylvania.

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VILLANOVA, PENNSYLVANIA  
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