



ASKING YOU TO ASK YOURSELVES

Vol. 13 No. 1  
Sept. 1985

# Conscience

Hofstra University,  
School of Law  
Hempstead, NY  
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# Welcome Back





ASKING YOU TO ASK YOURSELVES

# Conscience

Vol. 13 No. 1  
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Hofstra University  
School of Law  
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## LAW SCHOOL GETS NEW VICE DEAN

### Gregory Named

Dean Eric Schmertz has announced that effective January 15, 1986, Professor John DeWitt Gregory shall be the new Vice Dean of Hofstra Law School.

Professor Gregory has been a faculty member since September, 1971. He has taught in many areas, but has concentrated in the areas of Domestic Relations and Criminal Law. As with his predecessor, Dean Rabinowitz, Vice Dean-Designate Gregory will teach only one course in the Spring, and probably continue to teach a half schedule throughout his tenure.

When asked about his plans for the Vice Deanship, Gregory stated that he felt it was premature to discuss how he would, if in fact he would, make changes in the office. He stated that there would be no immediate changes in the duties of the Vice Dean, while the Dean retains the power to assign duties as he sees fit.

When asked to comment on his choice as Vice Dean, Schmertz stated that he was "pleased that Professor Gregory is willing to make himself available for this assignment. He has shown competence in chairing committees and his legal experience lends itself to the important functions and undertaking of the Vice Deanship."

The Dean stated that the process he used to find a new Vice Dean was by announcing to the faculty that he would like to hear from all faculty members interested in the position. He then decided to sound out certain



faculty members he believed would be interested. After initiating discussions, the Dean concluded Professor Gregory possessed the qualifications necessary, and that he could be persuaded to consider it. The Dean decided on Gregory based on his length of service, and experience in various administrative functions, including the chairmanships of committees.

At this time, the Dean saw no significant changes in the duties or role of the Vice Dean in administration of the Law School.

### Rabinowitz Steps Down

Vice Dean Stuart Rabinowitz has announced that he will resign as Vice Dean of the Law School, effective December 31, 1985. The Vice Dean will take a sabbatical in the spring, and will return to a full teaching schedule in the fall of 1986.

Rabinowitz, who joined the faculty in September 1972, served as Associate Dean from 1976 to 1979, under the deanships of Deans Freedman, Twerski and Regan. He then returned to full time teaching from 1979 to 1982. Upon Dean Schmertz's accession on January 15, 1982, Rabinowitz was again requested to take on the task of administration, and was appointed Vice Dean.

When asked why he was stepping down,

Rabinowitz stated that serving more than six years as an administrator, he had as much experience in the area as he feels he needs, and felt it was time to move on. He stated, "the great thing about teaching law is that it allows you to have many experiences in your career, and it is now time in my career to emphasize other things I wasn't able to as an administrator."

Rabinowitz said he will concentrate more on scholarship, and possibly some consulting work. During the fall, he will not be teaching, but will concentrate all his time on making the transition to his successor as smooth as possible. In the spring, he will be working on the creation of a new Banking Center (see the article *Rabinowitz Named Distinguished Professor*).

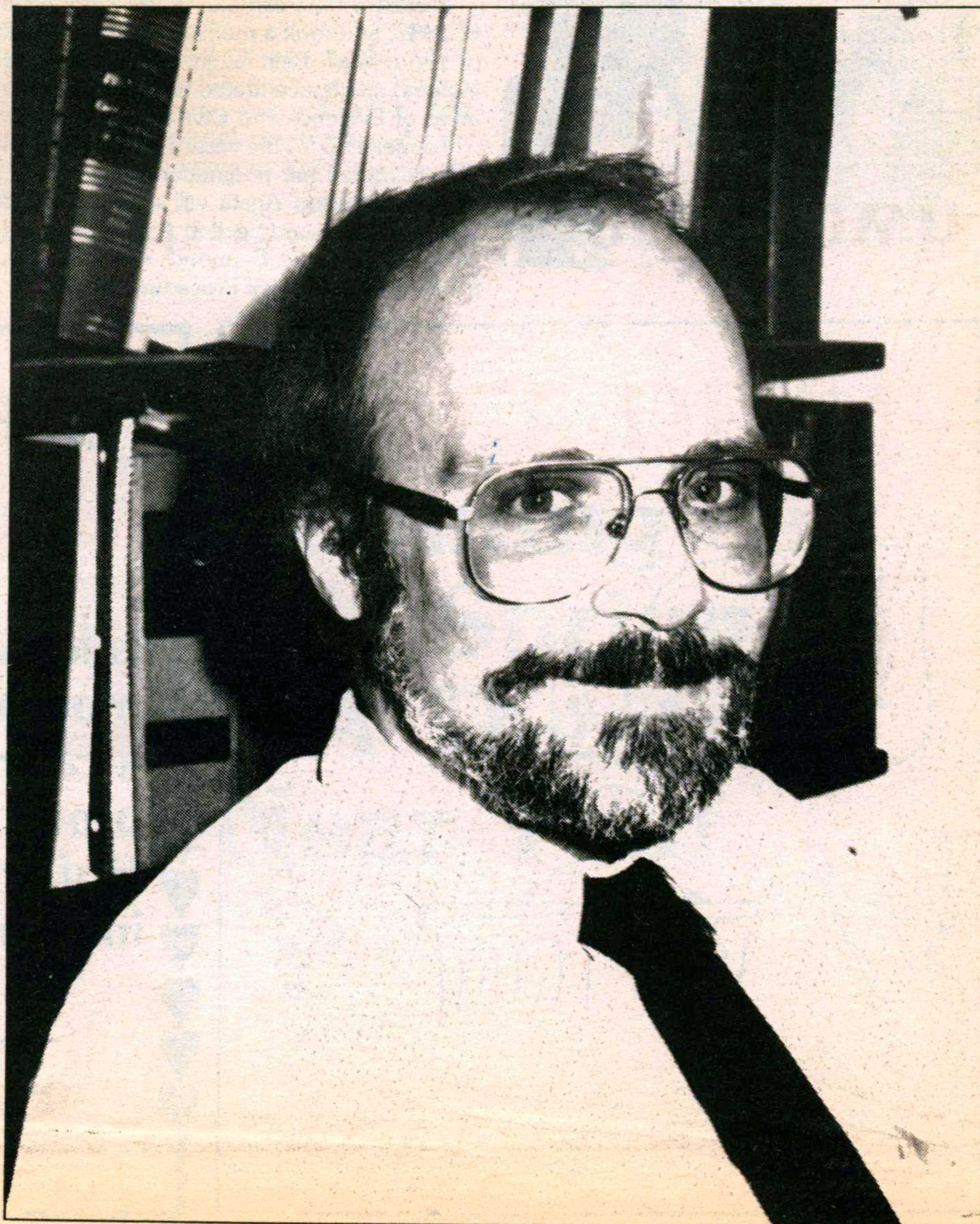
### Rabinowitz Named Distinguished Professor New Jersey Banker Endows Banking Professorship

Dean Schmertz announced that out-going Vice Dean Stuart Rabinowitz has been designated to receive the S.B. Wilzig Distinguished Professorship in Banking Law. Simultaneous with the creation of the Distinguished Professorship, the Dean announced the creation of the Wilzig Center in Banking Law, of which Professor Rabinowitz will be the Director, in conjunction with his tenure in holding the Wilzig Professorship.

Mr. Wilzig, a survivor of the Nazi concentration camps, came to the United States in 1947. He worked his way up through the rank of business in New Jersey, eventually becoming President of Wilshire Oil, the

Wilshire Electronics Group, and the Trust Company of New Jersey. Mr. Wilzig is also a member of the President's National Holocaust Committee.

This is the seventh Distinguished Professorship to be endowed at Hofstra Law School, and the official convocation will be held in early October. The Dean also announced that he anticipated that at least three more Distinguished Professorships will be announced by the end of 1985, or early 1986. The disciplines and sources of the endowments, as well as the candidates for the Professorships have not been disclosed at this time.





# NEW ASSISTANT DEAN NAMED

by Dennis Warren

Dean Eric J. Schmertz recently announced the appointment of Deanna Hunter as Assistant Dean at Hofstra University Law School.

The duties of the new Assistant Dean, who started at the Law School in August, will include administration of financial aid, minority enrollment and recruitment, alumni affairs and support programs for academic achievement.

Dean Hunter was appointed following the publication of the report of the Ad Hoc Committee for Recruitment and Retention of Minority Students published in *Conscience* last spring.

The Ad Hoc Committee was established by Dean Schmertz in 1983 in response to the concern of Balsa members, who in a meeting with faculty had complained about minority student's perception of the environment at Hofstra Law as uninviting and, in some cases, hostile towards their plight.

The committee met on a number of occasions, and outlined a plan to increase minority enrollment and representation in the Law School on all levels.

Assistant Dean Hunter holds a Bachelor

of Arts degree in English, and a Master of Science degree in Counseling, both from Hofstra. She has taught and worked professionally as a counselor in such areas as academics, careers, financial aid, high school guidance and human relations.

During her tenure at Hofstra, Dean Hunter has been a financial aid counselor, and more recently, Assistant Dean of Students/Judicial Coordinator. She is a founding member of Hofstra's Counselor Education Alumni Association, and has served as its founding president, and chairperson of the annual Counseling Practitioners Forum.

Dean Hunter has also been an active member of Hofstra's Alumni Senate and is serving her fifth year as vice-president. She was the recipient of the Alumni Senate's "Senator of the Year Award," and was an active member of the United States Army Reserves for eight years.

Dean Schmertz, in welcoming Deanna Hunter to the staff at Hofstra Law School cited her distinguished record of achievement, both at Hofstra and in the field of counseling, as a valuable asset to the Law School.



## Bein Resigns

Professor Freida Bein, who had been scheduled to teach one section of First Year Civil Procedure, and one section of Evidence, has resigned from the faculty of Hofstra Law School to return to private practice.



Professor Bein will join a firm in Newark, New Jersey, which specializes in appellate litigation. According to the Law School Administration, Professor Bein, who lives in New Jersey, found the commutation extremely burdensome, and wished to return to the full time practice of law. Bein's husband works for a newspaper in New Jersey, and Bein also wished to spend more time with her family.

Professor Bein came to Hofstra in the fall of 1982, and took a medical leave in the fall of 1983. In all, Bein taught five semesters at Hofstra, and concentrated her courses in the areas of Evidence and Civil procedure.

To make up for the vacancy created when Bein tendered her resignation in early July, Professor Burton Agata will take on Bein's Evidence class, and Section A will be divided between Professor Diamond and Champlin for their Federal Civil Procedure course.

## "The Deli" Opens

by Jim Markotsis

Finally, a return on the perpetual tuition increases at Hofstra! Effective immediately (just like tuition increases), members of the law school community need not walk across the Hofstra campus for sandwiches that do not come wrapped in plastic and out of a coin swallowing machine.

"The Deli" is now open for business! Due to space limitations, the setup of "The Deli" is more akin to a sandwich shop than a deli. This fact will probably mean plenty of congestion around lunch time. A full line of sandwiches will be offered at very reasonable prices (traditional sandwich combinations from \$1.50 to \$2.50), including breakfast sandwiches until 11:30 a.m. Cold sodas and juices will also be available for purchase. (As of this writing it can not be determined if the quality of the products and the service will compare favorably with that of similar

establishments in the area. Keep an eye out for a review of "The Deli" in the next issue of *Conscience*).

For those early morning classes "The Deli" will be open at 7:30 a.m. weekdays, and will remain open until 10 p.m. Monday thru Thursday, and 6 p.m. on Fridays for those late night studiers who need just a little more energy to get through those last few cases. On Saturdays the hours will be 9a.m. to 4p.m. and on Sundays bring your own food because you'll find "The Door" locked. As for people like myself, "The Deli" will be added to an already extensive list of study detours.

So, next time you need some food in a hurry, and are willing to settle for a sandwich (no salad bar), just step outside the front door of the law school and look left for "The Deli"!

## The Hofstra University Alumni Singles Club

is looking for new members. The club meets once a month at the Student Center. Membership includes a calendar of exciting events. If you are single and a proud student, alumnus, or honorary alumnus of Hofstra University, this club is for you. For further information regarding meetings and activities, call:

Toby Goldstein, Hofstra Class of '74, at  
938-8619





# ORGANIZATIONS

## SGA REPORT

by David Kosakoff

As we begin the Fall Semester of 1985, the Student Government would like to welcome back all the returning students and also welcome the first year students and transfers to the Hofstra Law School community.

The Student Government is committed to the needs of the students and we welcome any assistance, ideas or suggestions that you may have to further facilitate our serving the student body. There will be additional positions to be filled on the government as well as many opportunities for any and all students to help plan and organize upcoming activities and events. We encourage your involvement.

You can contact the Student Government by speaking with me; the Vice-President Rochelle Benjamin; the Treasurer Karen Michael, the third year Rep. Helen Meltzer, the second year Rep. Melayne Heller; or the Secretary Doug Rosenthal.

The Student Government made a concerted effort to alleviate the parking problem that presently exists at the University.

Representatives of the government spoke with Assistant Dean Douglas, Dean Schmertz, and representatives of the parking and transportation department. The hierarchy of Hofstra University looks upon the Law School as an important branch. However, with the limited parking facilities that presently exist at the University as a whole, it would be difficult to section off individual parking areas for each division. Dean Schmertz expressed his concern over the limited availability of parking for law students, but points out that with the few options available, arriving a few minutes earlier and walking seems to be the most viable solution. Some have suggested that the field behind the law school be turned into a parking lot. Other than its usefulness to the students and faculty, the Dean hopes to one day build a second building for the law school. After meeting with the Dean, I am satisfied that we have exhausted all efforts to remedy the parking problem.

I wish all of you the best of luck, and I encourage you to use the Student Government to your benefit in the year ahead.

The Board of Editors of IPIJ is very happy to welcome back the old staff and welcome in the new. The following students are the new staff members:

Scott L. Bach  
Ronald S. Beacher  
Rochelle K. Benjamin  
John H. Bernstein  
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Michael T. Truscott  
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Millicent J. Vulcan  
Irene Atney-Yuridin

Volume 2, number 3 will be out on September 11, 1985. Articles from outside authors include: A Select Bibliography on Foreign Investment in United States Real Estate, Diversification and Risk in International Real Property Investment: An Empirical Study, A Foreign Businessman's Guide to American Office Rentals, and Land Use Planning in Italy. Student pieces include: United States Investment in South Africa, An Overview of the Macklowe Project, Judicial Abstention and the Act of State Doctrine and What's Good for Michigan is Good for GM?

## NLG

The Hofstra Chapter of the National Lawyers Guild (NLG) addresses political, legal and social issues being raised in today's society. Through lectures, films and meetings students will become educated and informed about the injustices occurring within the U.S. government as well as abroad, alternative practices used to improve our legal system and ways to meet the social needs of the people. We strive to place our political and legal skills in the service of those who are struggling against racism, sexism, and attacks on civil rights and liberties.

Last year NLG hosted lectures on the death penalty, jury selection, poverty in America, immigration rights and U.S. intervention in Central America.

Any students interested in sharing their ideas and participating in future activities are welcomed.

by Dennis Warren

It's no coincidence that the reinstitution of this column is concurrent with the resurgence of the number of minority students at Hofstra Law School.

With the increased enrollment comes the need to focus more sharply on the potential problems and factors which may adversely affect this section of our student body.

BALSA — Black Law Student Association — is but one of several student organizations present at Hofstra Law School. Although the organization is comprised mostly of blacks, it has come, over the years, to champion the cause of other ethnic minority students within the school.

Largely a service organization, BALSA's main purpose is to articulate and promote the needs and goals of minority law students — both locally and regionally. The organiza-

tion also strives to foster and encourage an attitude of professional competence by focusing on the relationship of the minority law student to the American legal structure.

During the course of the school year, BALSA will render assistance to its members, in an effort to help them adjust to the rigors associated with law school. BALSA will also monitor and seek to improve those conditions which may militate against the minority student being able to perform to capacity in this new environment.

The organization will sponsor other programs, sometimes of a social, political, or community oriented nature. In addition to inviting speakers, the organization is contemplating joint programs with other clubs within the law school, to improve the interaction among minority and non-minority students.

BALSA's bake sale, a favorite with past and present students, will be continued; as will Law Day, a program held in the Spring geared towards attracting prospective minority students to the study of law, in general, and Hofstra Law School, in particular. Another event of some significance is the Annual Awards Dinner, which is held each year in May to culminate BALSA's year of activities.

This column will highlight these events in more detail as the year progresses, and the organization actively seeks the assistance of the wider student body in support of its various endeavors.

BALSA also welcomes the support of students and faculty in its strive to become a more effective organization, and in its major goal of full retention of the minority law student here at Hofstra.

## BALSA REPORT



**Coming  
This Spring  
To A Theater  
Near You!**



# COMMUNITY FORUM

## EDITORIALS:

### The Class of '88 History In The Making

The advent of a new academic year usually inspires mixed sentiments and emotions among law school students:

For third-year students, it's the feeling of growing relief, as they now begin to discern the fleeting light at the end of the dark and sometimes dismal academic tunnel.

For second-year students it's a breath of fresh air—at successfully negotiating the hazards of the first year—tempered by caution; for still, two more years lie ahead, harboring, perhaps, subtle pitfalls and tortuous academic paths.

For first-year students, it's anxiety, fear of the unknown, and tension sometimes bordering on depression; but also, there is the ironic satisfaction of having, after years of hard work and sweat, made it, at last, through the portals of the law school—en route to fulfilling lifelong dreams of becoming lawyers.

Members of the incoming class of '88 are indeed fortunate in that they will have the opportunity of realizing their dreams in one of the nation's finest—Hofstra Law School.

This class is a historic one, for they have arrived at Hofstra at a time when the institution is rapidly earning the respect of both the general legal community, and perhaps more important for future graduates, prospective employers across the country.

The class of '88 is the largest ever in the school's 16-year history. Comprised of 315 students, these numbers represent an increase of roughly 10 per cent over last year's class.

Of the 315, 147, or 46 per cent are women, reflecting the institution's commitment to reversal of the lopsided male dominated national trends of years gone by; while 7 per cent, or 24 are minority students—this a 100 per cent improvement over last year's minority class of 12.

Although 42 per cent of the students are Nassau residents, and 20 per cent, Suffolk residents, 11 other states are represented in the class of '88, including California, Louisiana, Florida and Michigan. One student has come from Nigeria and one from Puerto Rico.

These statistics reflect an institution adhering to its goal as a national law school; and perhaps, in time to come, an international one, as it increasingly attracts prospective students from disparate parts of the country and abroad.

The class of '88 has selected from among 2,240 applicants, which exceeds the number of last year's applicants. Interestingly enough, this is happening at a time when most law schools across the nation are experiencing an 11 per cent decline in applications.

Assistant Dean Robert Douglas readily attributes the level of applications, and the school's high yield, to prospective student's perception of Hofstra as a quality institution, rated next to New York University Law School and Columbia Law School in the metropolitan area; and comparable with other institutions such as Georgetown and Emory on a national level.

The complement of highly qualified and nationally respected faculty, the Gourman ranking of the institution as 28th out of 172 across the country, the recognition of an effective placement office which has increasingly found students more jobs, and the voluminous library which Professor Eugene Wypiski has worked so diligently to develop over the years—all these are undoubtedly factors which have contributed to the above positive perception, and has made Hofstra, still in its infancy, a giant among law schools.

But though we are making monumental strides towards broader recognition, there are areas in the school's programs and staffing which need bolstering to achieve that ultimate status of the complete law school.

There is still under-representation among women and minority faculty members. The present contingent is but a token. There is the glaring absence of minority secretaries or general clerical workers, outside the mailroom and ancillary staff.

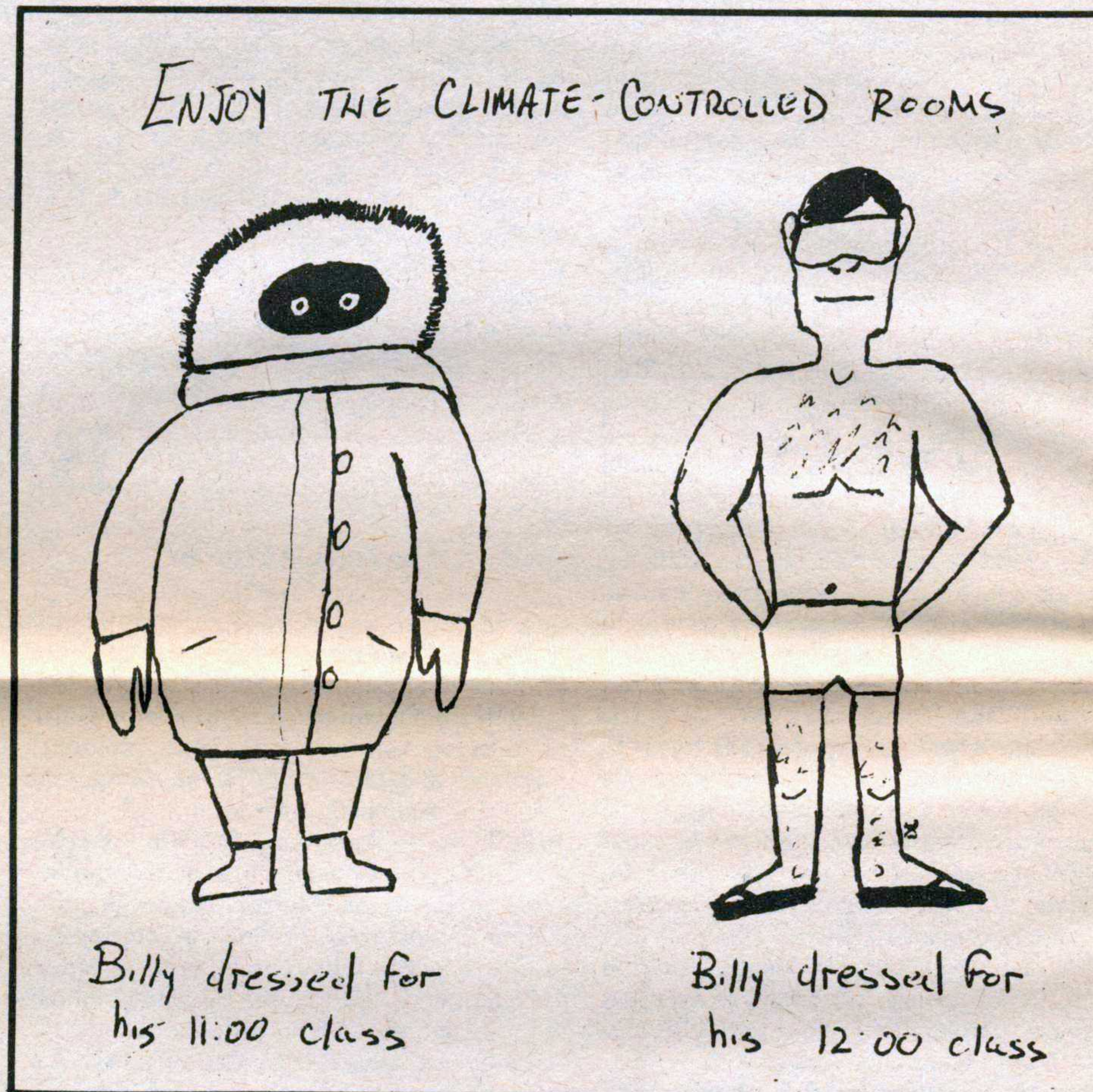
The clinical programs need to be treated as more than an alienated step-child of the institution. This year the number of students enrolling in the NLO programs fell to an all time low; and some feel this may have stemmed from perception of these programs as a less than integral part of the school's total educational experience.

The school also needs to concretely address, if not expedite, plans to construct the much promised new law library.

These improvements will further improve the image of Hofstra Law School, expand its reputation, and boost the potential marketability of both present students and alumni in the future.

Both current and past administrations must be congratulated on their work which has transported the school to its current success.

But we have no time for complacency, it seems the greater challenge still lies ahead: to rectify the deficiencies that makes us a less than total law school.



## Next Conscience Deadline SEPTEMBER 20

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The editorial board is committed to bringing Hofstra Law a competent, informative, lively newspaper of professional quality. We encourage everyone to write letters and articles. All submissions should be typed, triple spaced, with name, phone number and year of graduation. Submissions may be dropped off in our box in the library.

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#### CONSCIENCE STAFF AND CONTRIBUTORS

Steve Brockett, Jim Markotsis



# COMMUNITY FORUM

## THIRD WORLD PERSPECTIVE

### South Africa In Turmoil

by Dennis Warren

South Africa President Pieter Botha's lack of concessions to the country's black majority may have scuttled any hopes for a peaceful resolution of the racial conflict in the minority white-ruled state.

Faced with the worst spate of bloodshed the country has experienced in recent years, observers were hopeful that Botha — increasingly pressured by the international community — would have in his recent speech, made some compromise that would ease the heavy burden of the apartheid system from the shoulders of oppressed blacks.

Instead, Botha seemed more defiant, of both the black masses and the international community, and intent on pacifying the small group of Afrikaners for obvious political advantages — to the certain detriment of the country and its racially divided people.

Botha, in his recent highly publicized speech, only reiterated vacant rhetoric, while categorically rejecting the concept of one-man one-vote. He refused to free Nelson Mandela — a black political leader imprisoned for the past 23 years — a move that

would have indicated to the black majority, a willingness to compromise his hard-nosed stance.

Botha was willing to offer only hope of talks with black leaders, leaving most disappointed and bitter, rendering the pacifists like Bishop Tutu obsolete, and setting the stage for obvious renewal of violence and racial strife in the country's immediate future.

Disappointed though one might have been over Botha's recent speech, it should hardly be surprising, because the most powerful Western nations and the bastion of democracy, the United States, seem tacitly to support the Pretoria Regime, and reluctant to apply meaningful pressure that could perhaps force some compromise on Botha's tough stance.

The Reagan administration, in pursuit of its policy of constructive engagement, has been vocal in its reluctance to apply economic sanctions to South Africa. Botha is aware of this, and therefore has been strengthened in his resolve to stand firm on the abhorrent policies underlying the system of apartheid.

In fact, Reagan, in a recent speech, sym-

pathized with Pretoria's use of force in the state of emergency, saying he recognized the actions were taken in an effort to curb violence. President Reagan's remarks drew an immediate response from the racist regime when its state-run radio declared "The country has no more dependable ally than Reagan."

The administration's advocates of the constructive engagement, have also argued that disinvestment would hurt black workers most, and for that reason has refused to apply sanctions other than to hurl hollow phrases of condemnation at racist policies that have oppressed 22 million indigenous blacks for more than half a century.

This position by the administration seems to fly in the face of logic. It also ignores the large Free South Africa Movement which has sprouted in this country over the past year, and the growing sentiment of many Americans opposed to South African apartheid.

By justifying the use of force under the state of emergency, the Reagan administration seems to be ignoring the root of violence in South Africa per se, the apartheid system. Only when this system is dismantled can the violence cease. No state of emergency, as the past weeks have demonstrated, can end the violence.

It is also ironic that the U.S. government's reluctance to apply economic pressure is supposedly based on the administration's concern for the interest of black workers. If the administration is so concerned about the welfare of blacks, then it seems, the reverse should be the case, and sanctions should be

imposed to bring changes, or at least, some reforms to South Africa.

Thus, as things stand, the current U.S. position is tantamount to cutting off one's head for one's own good. Surely, the preservation of black jobs must be secondary to the preservation of the lives of black workers, women and children.

The objective reality is that the U.S. seems bent on preserving the economic interests of its numerous corporations which continue to reap profits from South Africa's cheap labor force. But as the violence escalates, and the townships become more unmanageable; and as local and international opposition to the despicable apartheid system rise, it just may be that those sweet profits will turn bitter in the coffers of the investors.

The situation in South Africa is indeed volatile, there is a tinder in the townships, and the chance of peacefully diffusing the tinderbox each day grows more remote.

In their intransigence, Botha and Reagan both seem to be ignoring the precedent of Rhodesia, now Zimbabwe, where the so-called iron-man Ian Smith eventually had to bend under the heat and pressure of the black masses.

True, force may be able to contain the situation for some time, but it will not prop up the system indefinitely. Eventually something has to give, and ten chances to one, the walls of apartheid will come crumbling down.

Blacks there have nothing to lose but their lives, and from events in past weeks, they are willing to pay that ultimate price for the taste of freedom.

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# GRADUATION '85

## The Dean Speaks

Eric J. Schmertz  
June 2, 1985

President Shuart, Chairman Cianciulli, Mayor Goode, Provost Hammer, Reverend Clergy, Trustees, faculty, families and guests of our graduates and most significantly for this occasion the new graduates of the Hofstra Law School.

My warmest congratulations on your achievement and my heartiest best wishes for your future careers in the law.

Permit a note of personal pleasure. You are the first graduating class to have entered the Law School while I have been Dean. So we have gotten this far together and we share a mutual legacy with the School and with each other. I feel honored by that.

It has been customary on these occasions for me to talk of the School and its achievements. Perhaps I have done that too often — reminding me of the story of the Frenchman, the Japanese and the American facing a firing squad. The Frenchman was asked if he had any final words before his execution. He shouted, "Vive La France" and was shot. The Japanese was asked if he had anything to say before his execution. He said, "Yes, I would like to make a speech on the superior manufacturing processes, productivity, quality and marketing practices of Japanese industry." At that point the American said, "Shoot me first." With that risk I wish to make a few observations. In my discipline, labor law, there continues the debate over whether an employee with many years seniority but not protected by a

collective bargaining agreement has acquired a "property" right or proprietary interest in his job so that he would enjoy immunity from dismissal except for just cause. The theory is that the years of his investment in the job, his long-standing contribution to the employer and the product, his reliance on the job for his livelihood and his loyalty to that employment setting all vest him with a job security and immunity from dismissal at the employer's will.

Whatever one's view may be on that theory, I do think that your investment in the Hofstra Law School, your presence here for these last three years, your contributions to our academic and professional life and the very fact that you are now and forever graduates of this Law School should accord you a property or proprietary interest in what we have done together and what we do in the years ahead.

I think you have a proprietary interest in our new rank — 28th among 172 accredited law schools.

I think you have a proprietary interest in our library of 235,000 volumes and in the new law library building which we need and will assuredly get in the foreseeable future.

I think you have a proprietary interest in our clinical legal education program, in our vigilance in maintaining and improving our both traditional and innovative curriculum, in our three scholarly publications, the *Law Review*, the *Labor Law Journal*, and the *International Property Investment Journal*, in our Trial Advocacy Program, in the scholarly

lecture series of the distinguished professorships and the student organizations, in the annual Edward F. Carlough Labor Law Conference, the fourth of which was held last week jointly with the Tel Aviv Law School in Israel, in our six endowed Distinguished Professorships and Chairs and in the at least three more to be established by the end of 1985.

I think you have a proprietary interest in our faculty. Each faculty member and his or her professional credentials add stature and academic excellence to our teaching and our reputation and is of interest to you as graduates and legatees of this School.

Each time a faculty member writes or publishes — and more books and articles are being published by virtually all members of the faculty than ever before, your proprietary interests in the School with which you will be forever identified, are enhanced.

Your proprietary interest is increased in value each time a member of the faculty engages in important professional or public service, and there has been an increase in the amount of that activity during your tenure here.

The same is true for our students and graduates. At an accelerated pace and with the impressively successful assistance of our Placement Office, our graduates are now found in virtually all firms in this area; are becoming partners and judges; are achieving officerships in corporations; are assuming policy making positions in politics, with community and public service organizations and generally are making their marks not just as lawyers, but as *Hofstra* Lawyers. Just last Thursday one of our present students David Grossman, who is due to graduate in August

was named as the "Police Officer of the Year." He received the Brummer Award from Governor Cuomo for extraordinary heroism in saving a person from a burning automobile. That adds to our pride and our reputation.

When our Moot Court Team gains the national finals and when it wins the Nassau County Bar Association Competition it becomes a piece of our history and increases the value of your degree and your proprietary interest in the School.

We think we share a proprietary interest in the philosophy of the Law School. We believe in academic excellence. We think we are training lawyers of competence who are mindful of ethics, due process, public service and the public interest and who are prepared to represent any and all legitimate sectors of American society. You have met that test and all the other demands we have imposed on you. Use your degrees well and faithfully. We shall continue to try to improve all we do and enhance our position in legal education. We are proud of you and we want you proud of us.

Finally, let me continue a tradition by sending you off as I have with each graduating class since I became Dean, with the words from a song sung by members of the International Ladies Garment Workers Union:

A measure of cloth  
A needle and thread  
Into this stuff scattered and spread  
You will breathe a soul..  
You are creators,  
the makers and doers of things  
So up from the earth  
And on with your wings

## COMMENCEMENT SPEAKER: MAYOR WILSON GOODE

Good Afternoon, President, Members of the administration, and graduates of the Hofstra University School of Law.

Today is truly your day, and it is an honor for me to share it with you.

For you and your family and friends, today is a day of pride in your achievements. I know you have worked long and hard to reach this point and much more hard work and dedication lie before you.

I am reminded of a visit Winston Churchill received from a group of temperance league ladies near the end of the second world war. One lady said disapprovingly: "I have heard that if all the whiskey you have drunk since the war began were poured into this room, it would come all the way up to your waist." The Prime Minister looked down at his waist, then up to the ceiling. "Ah, yes, Madame," he said. "So much accomplished: So very much left to do."

Indeed, today is a day to celebrate your accomplishments, and reflect on the accomplishments to come.

You are poised to play a dynamic role in shaping America's future. As lawyers, you will mold and interpret the laws of our nation.

In a free society like ours, a society founded on the rule of law and justice, there can be no greater responsibility.

The celebrated 19th century observer of American life, Alexis De Tocqueville, wrote about the law in his book "*Democracy In America*."

He counseled that those who work with the laws of America must perform a constant balancing act. They must uphold the eternal truths of justice and fairness upon which our country is based, while understanding the

changes.

Those ideas were written some 150 years ago to a visitor to our nation, but they still ring true in the America of the 80's. An America where change comes swiftly and without warning, where complex problems appear virtually overnight, and all of us, in government, in law, in business, in academia seek solutions to questions we never would have foreseen a few years before.

When you leave here today, you will cross an important threshold. You will move from the world of the student to the world of the decisionmakers.

Quite naturally, your initial decisions will focus on your immediate future. You will start to build a career you hope will fulfill your aspirations. And you will be concerned with building a strong financial cushion for the future.

As you consider your options, I want to present a special challenge for you. A challenge I believe will test your leadership and decisionmaking abilities to the utmost. And a challenge I believe presents the greatest opportunities for young men and women of your talent and potential.

I speak of making a commitment to serve our nation's urban areas. It is the greatest challenge I can think of in the decade of the 80's.

Contrary to popular belief of a few years ago, our cities are not on the brink of extinction. The naysayers and prophets of doom have conclusively been proven wrong.

Our cities, especially in the northeast, are in the midst of a vibrant and exciting period. A period of vigorous renewal and transformation despite federal policies that neglect us. Despite the responsibility of providing services for populations that include the very poorest among us, our cities are growing

stronger.

New York City, a short ride from here, is a prime example. Just ten years ago, it tottered on the precipice of insolvency. Today, it is again the proud big apple, attracting new businesses, jobs and investment at a rapid clip. And my city, Philadelphia, is also a city back on the road to health.

Last month's headlines told of a terrible tragedy in Philadelphia. An event that raises questions suitable for careful legal analysis.

Questions like: What is the appropriate role of a public official in dealing with urban terrorism and psychological warfare being waged in the midst of a city neighborhood?

Our city's ordinances and rules, like building and sanitation codes, are designed for voluntary compliance. Are they strong enough to permit enforcement against a group intent on violating those laws?

Should there be state and city laws developed to address issues of urban terrorism?

These questions need to be answered. But, what also needs to be told is the other side of the Philadelphia story. The side that last month's headlines obscured.

They did not mention the 25,000 new jobs created for our citizens in 1984.

They did not talk about the \$2.5 billion in new commercial construction projects announced for our city.

They did not describe our thriving cultural and educational institutions.

The reporters and television cameras, however, were able to detail two important components of Philadelphia life. Unity and compassion.

In this time of tragedy, the residents of Philadelphia joined together to bring us through.

Cities are often portrayed as cold, unfeel-

ing places, filled with people who have little concern for their neighbors. They are said to have little sense of community.

Philadelphia demonstrated last month just how wrong those images really are. Every neighborhood, every interest group, every profession united to provide assistance for those in need. Philadelphians reacted to the tragedy as one community, unified and dedicated to the city which is their home. And they reacted with a great outpouring of compassion for those most immediately affected, the people of Osage Street who were left homeless.

The community took them in and provided shelter and food. Donations poured in to finance the purchase of emergency supplies and clothing.

Our government's efforts to help these people rebuild their homes and their lives were supported by every section of the community.

During the weekend after the tragedy, Philadelphia prayed as one for all those scarred by the events of the previous days. In churches and synagogues throughout the city, Philadelphians came together and prayed. They prayed for the people of Osage Street who lost so much. They prayed for our city, that it may heal the scars created by this unprecedented tragedy. And they prayed for the members of MOVE, for those who died and for those who are still lost in a vision only they can understand.

The philosopher Bertrand Russell once wrote: If we are to have a stable world, we need one simple and old-fashioned thing: Compassion.

If you feel that, he said, you have a motive for existence and a reason for courage.

Continued on page 7



# GRADUATION '85

## GRADUATES: "YOU LOOK MARVELOUS"

by Steve Candito

Members of the faculty, Trustees, Mayor Goode, parents, friends and classmates ---You Look Marvelous ---and that's important because today in addition to celebrating the commencement of our legal careers, we are commemorating the completion of three long and difficult years of law school. Thus, a look back on the events that have made law school the experience it was is one method of commemorating these times. Hopefully, a little reminiscing will help us understand how to apply what we have learned here at Hofstra law school to our future endeavors so we may become the outstanding leaders, scholars and citizens that we have the potential to be.

Most of us began this phase of our lives three years ago, naive to the workings of a law school and the legal profession. And, therefore, it was necessary that we be indoctrinated into our new lifestyle. Speaking from experience, our indoctrination into the legal community can easily be equated to the indoctrination of new recruits into the armed forces during basic training. Both experiences involve learning new terminology, working harder and longer than we were previously accustomed to and perhaps most importantly both require learning a new thought process. The law student must learn to "think like a lawyer" which involves much more than remembering rules as was traditionally required during our prior years of education. The law student and lawyer must also interpret, modify and apply these rules according to the policies they represent so that fair and just decisions are made. What makes this process so difficult is that many of the problems we as attorneys are asked to

resolve are never exactly the same as the situation for which the rules were originally developed. It's this process of making the present situation fit within these precedents that makes law school and the legal profession so demanding.

Unfortunately, here at Hofstra Law School the similarities between law school and basic training do not end with the mental adjustment that each of us had to make, but continued on a physical level as well. Whether it is a bugle playing reveille or getting up early to make sure you can get a parking spot, they both translate into periods where sleep was at a premium. And of course if we did not get a parking spot at the law school, that meant we were relegated to making one of those long hikes with a weighted pack that every new recruit dreads. We did not have to wear army boots but those knapsacks filled with notebooks, casebooks, hornbooks, outlines, legal lines, Gilberts, and our treasured Emanuels (all of these books for just one of our four courses) sure could get heavy. And let's not forget that these long hikes were made while wearing both winter and summer clothes since there was no way to predict what the temperature would be in the law school classrooms.

Although it might have been nice to go through such a difficult experience without these distractions, it may have been to our benefit to suffer through them. Those items that made law school physically demanding should have also helped lead to a more sound body, which is a goal of many good institutions of higher education. Furthermore, practicing law is probably just as difficult as law school, perhaps even more so

and there is no guarantee that we will not be subjected to similar distractions once we begin our careers.

Now that we all realize what a demanding experience law school can be, it is important to acknowledge how vital it is for anyone going through such a demanding experience, especially a law student, to have the support of family, friends, teachers and classmates. This support comes in a variety of forms, but mainly in the form of understanding from those we love and those who love us. These people really had to show each of us a lot of understanding to survive things like telephone calls cancelling plans or being late for a meal because we had to write a brief, work on a citecheck or simply had more studying to do. It takes some really special people to put up with a law student's unpredictable schedule and constant changes in mood and for that we owe each of these people a special thanks.

We owe a thanks to our teachers as well. They also supported us. Their support came in different ways such as teaching us to be cautious and forcing us to question every rule and policy until we were absolutely certain it was the best answer to a problem ----or until Professor Freedman said it three times in which case we knew it was true. Teacher support also came in the form of discipline and direction: How else could we understand so many and such complex questions unless each question was individually numbered by Professor Silverman during class.

But the form of teacher support that we received most often and probably from each and every one of our teachers was to learn

how to be patient. What other reason could there be for having to wait up to three months for our grades?

The most important form of support, however, was the support we received from each other as classmates going through the same difficult periods together. Not only did this special support help each of us make it through, but it has left us with an edge, an advantage which will benefit everyone in the future.

This support came in the form of friendships. Friendships that grew more quickly and more strongly than expected because of the intensity of the law school experience that we weathered together. It's not often that you see people willing to let someone they barely know stay at their home because that someone was in a car accident and could not stay alone for awhile or because that someone was foresaken by the Hofstra Residential Life Office (which seemed to happen often) and needed a place to stay temporarily. Yet, we have seen these things and other actions like this happen here at Hofstra many times.

The support we received from each other as friends also came in the form of being good listeners. Those quick trips to Falstaffs or our more recent Thursday night escapes to Gadgets provided forums where we as a class could relax and talk. But more importantly there were classmates there who would listen and be able to understand what we were feeling. Whether it was pressure from school, home, job or a lack of a job we could count on each other to be there when we needed it.

*Continued on page 9*

## Goode cont'd

*Continued from page 6*

Russell understood that courage and compassion are not mutually exclusive. The truly courageous individual has no fear of appearing to care for others. Compassion is not a sign of weakness, it is a sign of strength.

On this very important day, a milestone in your life, I ask you to think about the need for courage and compassion in American society. And I ask for your help in continuing the renaissance of our nation's cities, no matter what course you take in your professional life.

Our urban areas need the skill and talent embodied by young people like yourselves. It will take courage for you to dedicate yourselves to that challenge.

Despite the great progress of recent years, the nation's cities still face massive problems.

In many ways we are the conscience of America, trying to provide services for the people other parts of our nation would rather not have. The aged, the disadvantaged, the people without family or shelter, look to us for help and we cannot turn away.

In Philadelphia, one family in five lives below the poverty line.

We spend millions of dollars each year on centers for people who have only the streets for a home.

The decade of the 80's has not been a time of glorification for concepts like sacrifice or compassion. The so-called corporate raiders dominate the media. And the poll-takers and analysts tell us that a desire for luxury and opulence has taken hold among us.

I sincerely believe, however, that the soul of America has not changed. This is a courageous nation and a compassionate nation. It is a nation of vision and innovation.

And America's cities are at the forefront of that innovation.

We are forging solutions to complex and important problems. They are not easy solutions and sometimes they do not come without a strong sense of commitment and sacrifice.

But I am convinced there has never been a better time to be part of urban America.

We are remaking our cities, setting a foundation for their long-term health and development.

Today, I ask for your assistance in that effort. Whether you choose a career in public service, or volunteer to become part of the many projects undertaken by our cities.

Making a commitment to America's cities may not be considered fashionable these days. But our renewal is underway and our time will soon be at hand.

Joining us in this important work will require courage and it will require compassion. It will challenge you as you've never been challenged before. But the opportunities for you, for our cities and for our nation are virtually unlimited.

Thank you very much.



## Graduation Awards

- |   |                     |
|---|---------------------|
| 1. Commercial Paper —   | Andrew Luskin       |
| 2. Conflict of Laws —   | Laurel Kretzing     |
| 3. Constitutional Law Courses —                                       | Robin Molho         |
| 4. Corporation Law Courses —  | Bonnie Garone       |
| 5. Secured Transactions —   | Frederick Paine     |
| 6. Criminal Law Courses —   | Stephan Norman      |
| 7. Leon Stern Award (Criminal) —                                      | Andrew Luskin       |
| 8. Debtor-Creditor —  | William Weir        |
| 9. Family Law Courses —   | Scott Berger        |
| 10. Wills, Trusts and Estates —                                       | Laura Kolberg       |
| 11. Real Property Courses —   | Mitchell Sandler    |
|   | Daniel Rubin        |
|   | Toby Greenberg      |
| 12. Evidence —  | Thomas Cooper       |
|   | Daniel Rubin        |
| 13. Labor Law —   | Patrick Young       |
| 14. Procedural Courses —  | Susan Davidowitz    |
| 15. Tax Courses —   | Mitchell Sandler    |
| 16. Trial Practice —  | Jane Himmelfarb     |
| 17. Pre-trial Litigation —  | Jan Orange          |
|   | John Mongeluzzi     |
| 18. The Columbia Society of Real Estate Appraisers Award —            | Bonnie Garone       |
| 19. Community Law Service —   | Pauline Constantino |
|   | Sean Downes         |
|   | Karen Funk          |
| 20. Philip Blumenson Memorial Award in Real Property —                | David Abrams        |
|   | Emory Schweig       |
| 21. The Benjamin Weintraub and Alan N. Resnick Bankruptcy Law Prize — | Neil Herman         |
| 22. Outstanding Law Graduate —  | Michael Zarin       |
| 23. Service To The School —   | Joy Johnson         |



# **WHEN IT'S GONE THERE'S NOTHING LEFT**



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# WHAT THEY DIDN'T TELL YOU UPON ADMISSION

By Steve Wasserman

If you envisioned law school as a scene from the "Paper Chase" of ivy covered walls, a collegiate atmosphere and a teaching staff of John Housemans, the reenactment in Uniondale at Hofstra Law is a slight variation...but bottom line it still involves the famous first year in law school.

At this point I am sure many of you are ready to embark on a year of growing intellectually, and, hopefully, thinking like a lawyer. Right? Well maybe. When I look back on my first year of law school the above-mentioned experience would have been a lot easier if I would have had the right advice and some sedatives.

First of all, you are no longer in college where relaxation and studying went hand in hand. I am sure one of the first words you heard at orientation was that you should look to your right and then to your left as someone you see will not make it through law school. Of course you will make it through law school, it is the guy next to you that won't. But then he is thinking the same thing about you.

Another idea you may have heard at orientation was that you are in law school to learn to think like a lawyer. What that really means is that after your first two weeks in "Crim" and "Torts" you will be pricing potential accidents on the street, considering what it would be like to be a lawyer for Bhopal residents, repeating strange latin words over and over again and considering how to injure your law professor without going to jail after he asks you to tell him the "difference between a fetus and a human be-

ing."

In class the first things a 1L student will encounter is the Socratic Method. This method has emerged as the single most popular teaching tool among law professors. It can be best analogized to being the object of a firing squad without a blindfold. Thus the student who has read all his materials for class, studied through the night and has "briefed" all the cases, has a 50/50 chance of answering correctly. For those of you who are not adequately prepared, you have two options: option one is a creative escape act if done with finesse, your classmates will admire your recklessness and daring and thus you will be immortalized for the semester; option two is to pass e.g., "So sorry, no hablo ingles, senor." Both options I can assure you will not go over too well with your professors. In fact, you will be guaranteed of being called upon the next class. So you might as well stop reading this newspaper and get back to the books.

Next is how to survive. The simple answer is Emanuels: Let me reiterate: EMANUELS. No, this isn't the name of a new club in Manhattan, but rather the last name of a Harvard Law graduate who found the answer to making incredible amounts of money by publishing his own outlines. What the Emanuel series will do for you is help you conceptualize what your case books (written in smaller print and words you will only find in Black's law dictionary) are trying to tell you. Although you will find yourself repeating that name over and over again you should still read your books to ensure yourself a true education. (Or at least carry

them over to the Hofstra undergrad library to impress people).

Next on the hit parade are the case-note series and hornbooks. Be advised that a majority of your professors will regard these books as secondary materials. I believe that once your dream of acquiring a wonderful "learning experience" is quelled by the fact that grades are of the utmost importance, you will be looking where you can purchase such materials. There is a bookstore on Queens Blvd. as well as on campus.

The next challenge is to find yourself a good, solid study group. Study groups are a "sociological phenomenon endemic to arsonists, Green Berets, and law students." Basically they will allow you to share your notes and ideas with fellow classmates, or at least provide you a forum for expressing your emotions about law school. But don't worry if you go it alone, by the end of the year all students will be sufficiently skillful to study by themselves.

The first real traumatic experience you will encounter is the Moot Court program. You will find this adventure both rewarding and frustrating. Rewarding in the fact that you will write a brief and appear before a group of judges. Frustrating in the fact that you will feel like you have gone through the McCarthy era as a Communist.

While you are researching cases in Moot Court, you will find that the most important person in your life is the librarian. My advice is to buy the best bottle of wine for these people as you will be needing their services for the next three years.

Another interesting sidelight to your law school experience will be your personal relationship with the photocopying and vending machines. If you begin to believe they were put here to cause you anxiety and frustration you are probably right. After weeks of kicking and yelling at these electronic gems you will settle down and deal with it.

Last but certainly not least are your final exams, one before the Christmas break in Criminal Law and four at the end of the year. Each exam will test you on about one-quarter of the materials you have studied all year, but it is not knowing which quarter that will ultimately force you to write an outline covering all the materials. In fact, some of you may find initial solace in the fact that some of the exams will be deemed "open book," but the problem is you will not have time to look in your book.

After your final exams are over in the spring and you think your first year of law school is finally over, you'll wake up one morning only to find that there is a writing competition. This competition, should you choose to accept the mission (A La Mr. Phelps— and did you ever wonder how nobody ever caught on to those guys?), will help determine if you will make one of the three journals— the Law Review, IPIJ, or Labor Law.

In conclusion, the only advice I can leave you with is to keep your perspective and remember... the A students become judges, B students become professors, C students get rich... working for the D students! *JUST KIDDING!* Good luck, you'll need it.

## Greatest Show On Earth?

by Doug Lieberman

"Welcome back my friends, to the show that never ends. We're so glad you could attend. Step inside, step inside." We here at the Hofstra Circus want to make your visit the most enjoyable it could be. But before we get started, why don't I fill you in a little bit on what to expect.

For those of you here for the first time, your visit will be the most unique experience of your life. I must warn you however, that you must be prepared in order to save face. We have planned a show for our first-timers that includes a heavy diet of audience participation. Depending on the ringmaster, lack of preparation could be very embarrassing.

First-timers will also go on a scavenger hunt. It's important to make your plan of attack early since many of you will be looking for the same thing, and there's only one of them.

If you're a first-timer, you must leave all your money and other valuables at the door before entering. This is because the show is so intense, we want you to give your undivided attention to what is happening around you. Any distractions at all will take away from the "experience" the show is supposed to be (but, to tell you the truth, and don't tell my boss I told you this, it's possible to weasel in a few distractions here and there as a matter of fact, it's highly recommended to keep your sanity).

All first-timers will also get a questionnaire that has to be filled out at the end of the show. The questionnaire will have what seems like one run-on question. You will then be asked to write out everything you experienced, relating it to the question. This is the part of the show that is dreaded by all. That's because if we don't like what you wrote, we won't let you back in. Since there's no telling what we'll be looking for, just sit back and enjoy yourself.

For those of you who have been here

once before, this experience will be different than the first time. Though you get to see acts of your choice, except for one, many people will complain they are bored. Second-timers seem not to want to have the full experience, and try to cut corners. If that's the way you want it— so be it.

The audience participation part of the program for duoviewers is quite different from that of neophytes. The two-timers get to juggle. That's right, juggle. Each duoviewer will be given three objects. One is called "work", a second is called "activities," and a third's name is "social life." Every second-timer will have to juggle these three throughout their viewing of the show. It is possible to give one of the objects back to the usher, but those who do usually have problems after they leave the circus.

We here at the circus have also instituted a new policy for second- and third-timers. If you are one of the first thirty people to enter, you will get a coupon entitling you to special privileges. These privileges will help after the experience is over. If you're not one of the "elite" thirty people, you don't get any privileges.

You third-timers seem to be in store for an interesting show. Almost every triviewer has complained they were bored to tears. They all said the magic was gone. Even the juggling was easier.

What we have done is tried to bring out more acts to make the circus palatable for you third-timers. True, there aren't as many acts as other circuses have, but our acts are quality acts. And though we haven't been able to book the most popular act, "New York's Colonel Pete's Laughing Rhinos," we still feel third-timers shouldn't complain. After all, we are a well-known national circus.

However, the best part about being a third-timer is what is in store for you when you are finished. After experiencing the cir-

cus for the third time, you are now qualified to go to the bar. But before you can drink, you must study the bar manual. If you thought the circus was an experience, just wait.

But enough talking. The show has just started. Hurry in, take a seat, and get comfy. It's "guaranteed to blow your head apart."

## Marvelous

Continued from page 7

We could also count on each other when it came to getting through a course which by the way is something that is somewhat unique to Hofstra. Unlike many law schools where the competition for grades and class standing reaches the point of absurdity, here at Hofstra we have learned to climb the ladder of success without having to step on others along the way. So it was not unusual for us to lend another our class notes or an outline we prepared, when one of us found ourselves in a bind at finals time. This type of comradery was commonplace not because we don't have that drive for success that students at some of the more renowned law schools have but very simply because we care about people. Furthermore, the friendships that develop out of this comradery and learning how to give of yourself to sustain friendships like this are just as important to becoming prominent attorneys as learning the law itself. Those who do not realize this will be at a disadvantage when they are placed in an adversarial position with people who are aware of this and this is where the Hofstra Experience can bring us to the forefront.

Knowing how to work with others as friends and guide them and others when necessary is essential in a profession where

so much depends on oral and written skills and people's reactions to what we say and write. Thus, this dimension of the Hofstra Experience is the edge that we can take with us into our communities and use to benefit all the people we come in contact with, whether it is family, friends, co-workers or clients.

And if we truly are giving of ourselves in our new capacity as attorneys, in the same manner that we gave of ourselves as students to get ourselves and each other through, the rewards will be much greater and well deserved.

There is one final hurdle before we get our chance to put into action the knowledge and special edge the Hofstra Experience has given us and that's the Bar Exam. This will probably be the greatest challenge of our lives thus far and we will need the support of everyone mentioned before even more. As we enter this final phase of our indoctrination into the legal community, I would like to leave you with a motto that I have been living by for some time now ---- WORK HARD / PLAY HARD ----. We have worked hard for three years to be Hofstra Law School's class of 1985 and we have played hard when we had the chance especially during the last couple of weeks. But the time has come to work hard again ---- so let's concentrate on the Bar Exam with the same intensity and comradery that brought us here today ---- and then begin our careers with enthusiasm and confidence knowing that the Hofstra Experience has given us the edge to be the very best.

Thank You!!!!





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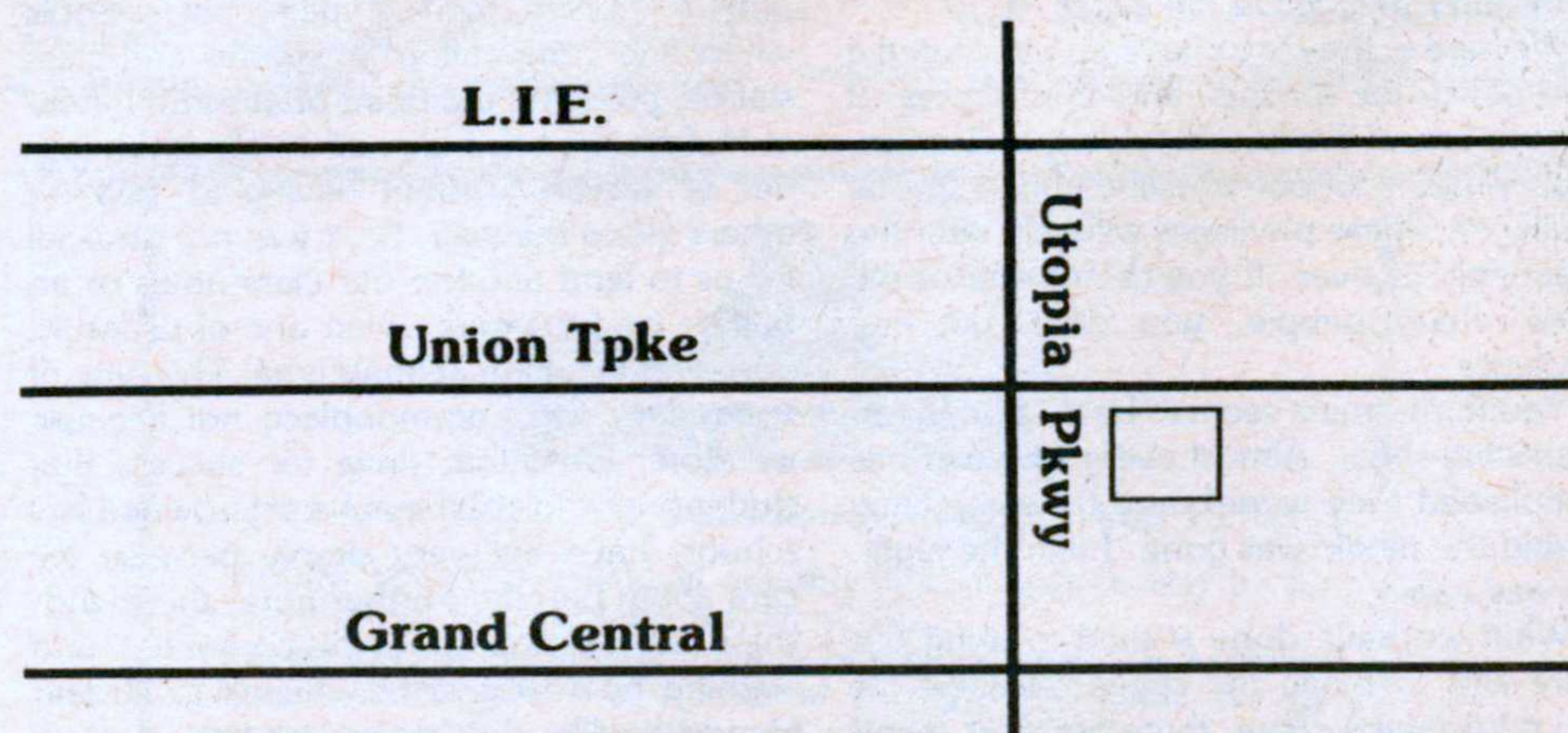
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# SPORTS

## WHAT TO DO DURING A SPORT'S STRIKE

By Doug Lieberman

"Daddy, what's that round building with the funny blue and orange squares on it?"

"That's Shea Stadium."

"What's it used for?"

"Now it's a flea market, but when I was growing up they used to play football and baseball there."

"You mean people used to play those games in real life, not just at video game parlors?"

This was the conversation that kept replaying in my head during the two days of the baseball strike. Never mind whether the players were actually entitled to millions in television revenue. Never mind whether the Yankees were in reality a team in the red. Never mind whether Doc will have to wait another year before asking for the sun, moon, stars, and a candy bar with his name on it. I wanted to watch baseball, and I couldn't.

The strike put something in perspective for me, something that I didn't want to believe, that being that sports is a business. And like any business, the owners want to make a healthy profit and the workers want to make a decent living. You run into problems when these two goals conflict.

This summer's strike won't be the last. As a matter of fact, the hockey players are threatening to strike unless the owners change the free agency system. This will definitely put a damper on my learning new parts of the anatomy by reading Ranger injury reports. To combat the boredom of a professional sports strike, I have compiled a listing of some cases and articles pertaining to strike related issues. This should give the law student-sports fanatic something to read when there are no boxscores:

### CASES

#### Baseball

Federal Baseball Club v. National League, 259 U.S. 200 (1922).

Toolson v. New York Yankees, 346 U.S. 356 (1953).

Flood v. Kuhn, 407 U.S. 258 (1972).

Charles O. Finley & Co., Inc. v. Kuhn, 569 F.2d 527 (7th Cir. 1978).

Kansas City Royals Baseball Corp. v. Major League Baseball Players Association, 532 F.2d 615 (8th Cir. 1976) (Messersmith & McNally).

Silverman v. Major League Baseball Player Relations Committee, Inc., 516 F. Supp. 588 (S.D.N.Y. 1981).

Atlanta National League Baseball Club, Inc. v. Kuhn, 432 F. Supp. 1213 (N.D. Ga. 1977).

#### Hockey

McCourt v. California Sports, Inc., 600 F.2d 1193 (6th Cir. 1979).

Philadelphia World Hockey Club, Inc. v. Philadelphia Hockey Club, Inc., 351 F. Supp. 462 (E.D. Pa. 1972).

#### Football

Radovich v. National Football League, 352 U.S. 445 (1957).

Kapp v. National Football League, 390 F. Supp. 73 (N.D. Cal. 1974). *aff'd in part and appeal dismissed in part as moot*, 586 F.2d 644 (9th Cir. 1978), *cert. denied*, 441 U.S. 907 (1979).

Reynolds v. National Football League, 584 F.2d 280 (8th Cir. 1978).

Smith v. Pro-Football, Inc., 593 F.2d 1173 (D.C. Cir. 1978).

Mackey v. National Football League, 543 F.2d 606 (8th Cir. 1976). *cert. dismissed*, 434 U.S. 801 (1977).

#### Basketball

Denver Rockets v. All-Pro-Management, Inc., 325 F. Supp. 1049 (C.D. Cal. 1971), *injunction reinstated sub nom. Haywood v. National Basketball Association*, 401 U.S. 1204 (1971).

Robertson v. National Basketball Association, 72 F.R.D. 64 (S.D.N.Y. 1976), *aff'd*, 556 F.2d 682 (2d Cir. 1977).

Robertson v. National Basketball Association, 389 F. Supp. 867 (S.D.N.Y. 1975).



# Once is enough!

Some things are better the second time around — taking the bar exam isn't one of them.

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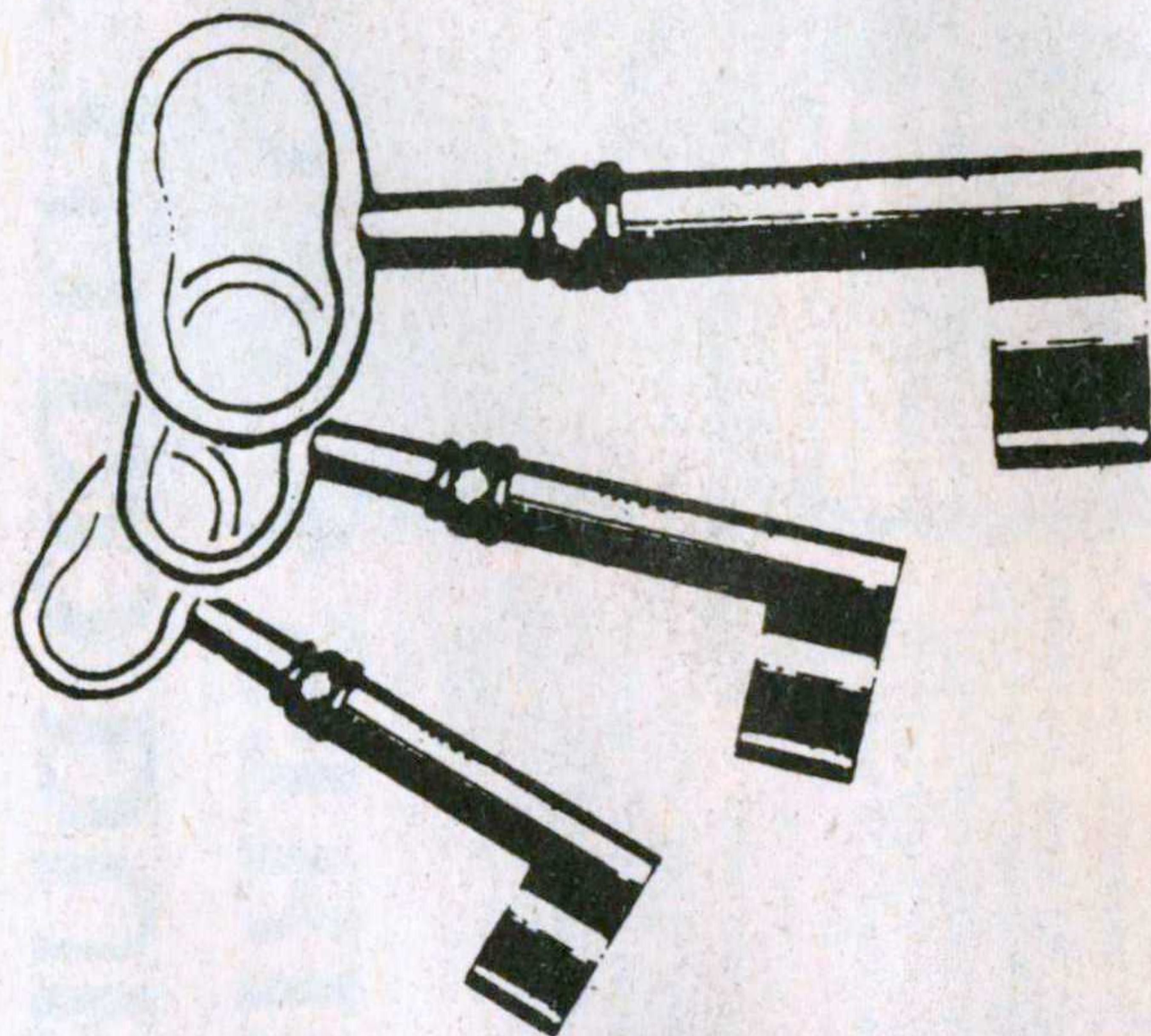
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