

## PUBLICATIONS

**Laura Appleman**, Reports of *Batson's* Death Have Been Greatly Exaggerated: How the *Batson* Doctrine Enforces A Normative Framework of Legal Ethics, 78 *TEMPLE LAW REVIEW* 607 (2005)

**Alafair S. Burke**, Improving Prosecutorial Decision Making: Some Lessons of Cognitive Science, 47 *WILLIAM & MARY LAW REVIEW* 1587 (2006)

**Bennett Capers**, Callie House and the Reparations Movement, *MINORITY TRIAL LAWYER* (Spring 2006) (book review)

**Miriam Cherry**, Decentering the Firm: The Limited Liability Company and Low-Wage Immigrant Women Workers, 39 *UNIVERSITY OF CALIFORNIA – DAVIS LAW REVIEW* 787 (2006)

**Miriam Cherry**, Markets for Markets: Origins and Subjects of Information Markets, 58 *RUTGERS LAW REVIEW* 339 (2006)

**Nora Demleitner**, DWI Courts a Step in Right Direction, *Newsday*, May 7 (editorial)

**Janet L. Dolgin**, Surrounding Embryos: Biology, Ideology, and Politics, 16 *HEALTH MATRIX: JOURNAL OF LAW-MEDICINE* 27 (Winter 2006)

**Monroe Freedman**, A Blind Eye on Judges, *The New York Times*, May 22 (letter to the editor)

**Monroe Freedman**, On Teaching and Testing in Law School, 26 *THE CONSCIENCE* 6 (May 2006)

**Joanna Grossman**, columns in *FINDLAW'S WRIT*: Anna Nicole Smith Wins at the Supreme Court, May 16; The California Supreme Court Lets TV Comedy Writers Off the Hook for Sexual Harassment, May 2; Will the State of

Massachusetts Ever Permit Same-Sex Out-of-Staters to Marry?, April 10; "Desperate Feminist Wives": Does the Quest for Marital Equality Doom Marital Happiness? (with Linda McClain), April 4; "Roe v. Wade For Men"?, March 22

**Susan Joffe**, Interference, Discrimination and Retaliation Claims, in *THE FAMILY AND MEDICAL LEAVE ACT* (Michael J. Ossip and Robert M. Hale eds., BNA Books 2006)

**Julian Ku**, International Delegations and the New World Court Order, 81 *WASHINGTON LAW REVIEW* 1 (2006)

**Julian Ku**, Is There an Exclusive Commander in Chief Power?, *THE POCKET PART* (March 2006)

**Julian Ku**, Treaties Shouldn't Trump U.S. Law, *Los Angeles Times*, March 8 (editorial)

**Linda McClain**, The Evolution - or End - of Marriage?: Reflections on the Impasse over Same-Sex Marriage, 44 *FAMILY COURT REVIEW* 200 (2006)

**Linda McClain**, column in *FINDLAW'S WRIT*: "Desperate Feminist Wives": Does the Quest for Marital Equality Doom Marital Happiness? (with Joanna Grossman), April 4

**Alan Resnick**, Enron Ruling Impacts Claims Trading Industry, *NEW YORK LAW JOURNAL*, March 6 (with Brad Eric Scheler)

**Andrew Schepard**, Law and Children: The Miller Commission and 21<sup>st</sup> Century Justice for New York's Children of Divorce, Part I, *NEW YORK LAW JOURNAL*, March 9

**Roy Simon**, *SIMON'S NEW YORK CODE OF PROFESSIONAL RESPONSIBILITY* (Thomson West, 2006 ed.)

**Roy Simon**, columns in *NEW YORK PROFESSIONAL RESPONSIBILITY REPORT: Interviewing an Adversary's Former Officer* (March 2006); *Legal Malpractice and Breach of Fiduciary Duty Part I* (April 2006); *Legal Malpractice and Breach of Fiduciary Duty Part II* (May 2006)

## PRESENTATIONS

**Matt Bodie** gave a presentation, "Open Access in Law Teaching: A New Approach to Legal Education," at a symposium on the future of legal scholarship at Lewis & Clark Law School on March 10.

**Nora Demleitner** co-organized and participated in a conference on Merging Crime and Immigration at SUNY Buffalo's Baldy Center in April.

**Eric Freedman** spoke on a panel at Hofstra University on March 23 about the 1927 executions of Nicola Sacco and Bartolomeo Vanzetti. On April 11, he spoke to The Law Society in London about the Guantanamo detainee litigations.

**Mitchell Gans** gave an estate-planning workshop at NYU Law School on May 15 in honor of retiring Professor James Eustice. He gave a presentation at the annual meeting of the American College of Trusts and Estates Counsel on tax-sophisticated estate planning for middle-class couples. Professor Gans also spoke about family limited partnerships at a program at Capital Law School on April 28.

**Julian Ku** presented a "Gubernatorial Foreign Policy" at a March 24-25 symposium at the Yale Law School entitled "The Most Dangerous Branch: Mayors, Governors, and Presidents and the Rule of Law."

**Linda McClain** presented a paper at the Georgetown/Maryland Discussion Group in Constitutional Law, held in Washington D.C. on March 3-4. She also presented "The Constitution

of the 21<sup>st</sup> Century Family" at a conference held at Fordham Law School on March 24-25. Professor McClain gave a faculty workshop at Rutgers University School of Law - Camden on March 27 and a talk about her recent book at Penn Books on March 28. Finally, she gave a faculty workshop on April 11 at the University of Pennsylvania Law School.

**Richard Neumann** gave a keynote speech, entitled "Attention Deficit Disorder, Dyslexia, and Legal Writing," in March at the Rocky Mountain Legal Writing Conference in Tucson.

**Alan Resnick** participated in a symposium entitled "Middle Class Crunch: The Diminishing Social Safety Net for the Middle Class," which was sponsored by the Harvard Journal on Legislation, on March 20. He also spoke on "The Interim Bankruptcy Rules Promulgated to Implement the Bankruptcy Abuse Prevention and Consumer Protection Act of 2005" at the Federal Judicial Center Workshop for Bankruptcy Judges in New York City on April 19. He spoke again about the implementation of the new bankruptcy law at the Third Circuit Judicial Conference on May 2.

**Andrew Schepard** gave presentations on the *Family Law Education Reform Project* to the Committee on Family Courts and Family Law and the Council on Children, both subgroups of the Association of the Bar of the City of New York, and to the Council of the Section on Family Law of the American Bar Association. He also spoke, with Professor **Baruch Bush**, about "Ethics in Mediation: Dilemmas and Standards of Practice" at an interdisciplinary conference on mediation and domestic violence held at Vassar College in Poughkeepsie, New York on May 11.

**Norman Silber** presented a paper, "Legal Studies in the Nonprofit Studies Curriculum," at the Benchmark III 2006 Conference on Philanthropic Studies, in Phoenix, Arizona on March 17. On March 18, he presented "Thriving on Adversity: Disclosing Corporate Mistreatment of Consumers

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Caught in Hurricanes Katrina and Rita” at the 2006 Annual Conference of the American Council on Consumer Interests. He also attended the 2006 Conference of the American Law Institute and participated in the discussion of the draft on Principles of Nonprofit Governance in May.

**Roy Simon** conducted CLE programs on legal ethics for the Brandeis Alumni Organization on March 9, the ABA National Legal Malpractice Conference on April 7, and the New York State Association of Disciplinary Attorneys on May 11.

**Barbara Stark** presented a paper, “Enrique’s Journey: Human Rights and Globalization,” at New England School of Law in Boston on April 11. On April 20, she participated in an Experts’ Meeting on the pending international maintenance convention convened by the State Department in Washington, D.C.

**Vern Walker** gave a presentation on “Administrative Law Aspects of OMB’s Proposed Risk Assessment Bulletin” at a public forum sponsored by the Society for Risk Analysis in Washington D.C. on May 23-24. He also gave a presentation on “Scientific Autonomy within Governmental Decision-making About Risk” at the Fifth Annual Colloquium of the European American Consortium on Legal Education, also held in Washington, D.C., on May 26.

## BROADCAST APPEARANCES

**Eric Freedman** appeared on NPR’s *All Things Considered* on April 24 to discuss death penalty law on the tenth anniversary of a law that radically changed the way that death penalty cases are handled.

**Norman Silber** appeared on NPR’s *Marketplace* on March 13 to discuss Consumerist.com’s online contest for the “Worst Company in America.”

## QUOTED IN

**Alafair Burke:** 4<sup>th</sup> Jury in Slay Case, *Daily News*, April 30

**Eric Freedman:** Challenge to Lethal Injections Could Mean Delayed Executions, *Financial Times*, May 30; Corps of Engineers Called Dysfunctional, *The Bismark Tribune*, May 23; Judge Chipped Away at Lisker Evience, *Los Angeles Times*, May 6; Moussaoui Verdict Highlights Where Juries Fear to Tread, *The New York Times*, May 5; Trouble Finding Inmate’s Vein Slows Lethal Injection in Ohio, *The New York Times*, May 3; Federal Victory in Terror Case May Prove Brief, Experts Say, *The New York Times*, April 27; U. S. Suffers Setback in Case of Alleged Enemy Combatant, *The Washington Post*, April 21; Moussaoui Trial – Deciding His Fate, *Newsday*, April 4; One Life Inside Gitmo, *Time Magazine*, March 13; Judge to Lawyer: Disclose Information on Wiretapping, *The New York Sun*, March 8

**Monroe Freedman:** What was Chesley’s Role?, *The Cincinnati Enquirer*, May 31; Kentucky’s Fen-Phen Case: A Breach of Duty, *The Courier-Journal*, May 29; Bench Warfare, *Salon.com*, May 23; Controversial Bush Judge Broke Ethics Law, *Salon.com*, May 1; Judicial Scrutiny Suspect, *The Connecticut Law Tribune*, March 27; Bush Withdraws Nominee, *Salon.com*, March 8

**Leon Friedman:** Her Right to Be Obnoxious, *The Villiage Voice*, April 18

**Linda Galler:** A Tax Foe Acquitted, *Newsday*, May 4

**Joanna Grossman:** Negotiating Time Off, *Conceive Magazine*, Summer 2006

**Stefan Krieger:** Village Accused of Bias, *Newsday*, May 26

**Julian Ku:** Compliance Officers Will Take Their Place in Legal Landscape, *Long Island Business*

News, March 3

**Eric Lane:** Give Power to Committees, *Buffalo News*, May 1; A State of Dysfunction, *Buffalo News*, April 30; Bill's Fate Spotlights a Delicate Balance, *Newsday*, April 26

**Alan Resnick:** New Bankruptcy Law Hits a Snag, *National Law Journal*, March 27

**Roy Simon:** Push to Encourage Attorneys to Report Fraud Will Redefine Lawyer-Client Privilege, *Long Island Business News*, May 12; Politics and Law Form a Profitable Circle, *The New York Times*, March 12

**Marshall Tracht:** Anti-Gay Policy Irks Schools, *Newsday*, March 7

**Aaron Twerski:** Curbing Auto Lawsuits, *Newsday*, May 22

## CITATIONS

**Miriam R. Albert:** 11 Harv. Negot. L. Rev. 253; 18 Loy. Consumer L. Rev. 223

**Laura I. Appleman:** 39 U.C. Davis L. Rev. 1119

**Alafair Burke:** 29 Harvard J.L. & Pub. Pol'y 417; 39 U.C. Davis L. Rev. 1061

**Matthew T. Bodie:** 81 N.Y.U. L. Rev. 294; 47 Wm. and Mary L. Rev. 1587; 50 N.Y.L. Sch. Rev. 385

**Baruch Bush:** 6 Pepp. Disp. Resol. L.J. 1; 21 Ohio St. J. on Disp. Resol. 447; 21 Ohio St. J. on Disp. Resol. 281; 21 Ohio St. J. on Disp. Resol. 241; 11 Harv. Negotiation L. Rev. 355; 11 Harv. Negotiation L. Rev. 295; 11 Harv. Negotiation L. Rev. 253; 11 Harv. Negotiation L. Rev. 43; 11 Harv. Negotiation L. Rev. 1; 54 Drake L. Rev. 259; 40 U.S.F. L. Rev. 279; 81 Notre Dame L.

Rev. 513; 26 Berkeley J. Emp. & Lab. L. 321; 6 Cardozo J. Conflict Resol. 213; 6 Cardozo J. Conflict Resol. 191; 74 U. Cin. L. Rev. 329; 28 J. Legal Prof. 17; 21 Ohio St. J. on Disp. Resol. 329

**Robin Charlow:** 2006 Colum. Bus. L. Rev. 81; 84 Tex. L. Rev. 1203; 47 Wm. and Mary L. Rev. 1587; 78 Temp. L. Rev. 607; 106 Colum. L. Rev. 909

**Miriam A. Cherry:** 39 U.C. Davis L. Rev. 733; 92 Va. L. Rev. 69; 93 Calif. L. Rev. 1647; 23 Hofstra Lab. & Emp. L.J. 235

**Nora Demleitner:** 15 Colum. J. Gender & L. 139; *The Daily Record of Rochester* (April 21); 99 A.J.I.L. 747; 13 Geo. Mason L. Rev. 455; 53 Clev. St. L. Rev. 657; 29 Suffolk Transnat'l L. Rev. 113; 56 Case W. Res. 203; Elizabeth A. Hull, *The Disenfranchisement of Ex-Felons* (2006)

**Herbie DiFonzo:** 51 Vill. L. Rev. 25; 65 Md. L. Rev. 246; 40 U. Rich. L. Rev. 867; 44 Fam. Ct. Rev. 149; 44 Fam. Ct. Rev. 87; 27 Cardozo L. Rev. 1221; 27 Cardozo L. Rev. 1155; 44 Fam. Ct. Rev. 316; 39 J. Marshall L. Rev. 115

**Janet Dolgin:** 32 Am. J. L. and Med. 53; 65 Md. L. Rev. 246; 48 Ariz. L. Rev. 97; 55 Am. U. L. Rev. 683; 16 Health Matrix 1; 16 Health Matrix 151; 54 Am. J. Comp. L. 125; 39 Fam. L.Q. 663; 44 Fam. Ct. Rev. 316; 51 Loy. L. Rev. 549

**Eric Freedman:** 47 Wm. and Mary L. Rev. 1587; 70 J. Air L. & Com. 577; 44 Fam. Ct. Rev. 300

**Monroe Freedman:** 5 ABA Journal eReport 17; 2006 U. Ill. L. Rev. 475; 39 Suffolk U. L. Rev. 379; 20 ND J. L. Ethics & Pub Pol'y 209; 20 ND J. L. Ethics & Pub Pol'y 11; 12 Clinical L. Rev. 369; 19 Geo. J. Legal Ethics 441; 94 Geo. L. J. 683; 47 Wm. and Mary L. Rev. 1587; 19 Geo. J. Legal Ethics 225; 19 Geo. J. Legal Ethics 155; 19 Geo. J. Legal Ethics 111; 19 Geo. J. Legal Ethics 59; 33 Pepp. L. Rev. 575; 33 Pepp. L. Rev. 677; 38 Conn. L. Rev. 159; 14 Wm. and Mary Bill of Rts.

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J. 555; 33 Fordham Urb. L. J. 211; 12 Tex. Wesleyan L. Rev. 389; 78 Temp. L. Rev. 607; 51 Wayne L. Rev. 129; 74 Miss L. J. 955; 29 J. Legal Prof. 1; 119 Harv. L. Rev. 1510; 80 Tul L. Rev. 975; 28 J. Legal Prof. 165

**Leon Friedman:** 74 Fordham L. Rev. 1569; 41 Harv. C.R.-C.L. L. Rev. 219; 91 Iowa L. Rev. 431; 12 Tex Wesleyan L. Rev. 91

**Scott Fruehwald:** Petition for Certiorari, *Sasson v. Sokoloff*, 2006 WL 655063

**Linda Galler:** 100 Nw. U.L. Rev. 535; 74 U. Cin. L. Rev. 531; 38 Loy. L.A. L. Rev. 2081; 5 Hous. Bus. & Tax L.J. 160

**Mitchell M. Gans:** 38 Loy. L.A. L. Rev. 2081

**James Garland:** 15 Colum. J. Gender & L. 63; 47 Wm. and Mary L. Rev. 1587; 44 Fam. Ct. Rev. 87; 23 Hofstra Lab. & Emp. L. J. 189

**John Gregory:** 15 Colum. J. Gender & L. 297; 7 J. L. Fam. Stud. 351; 39 Vand. J. Transnat'l L. 253

**Joanna Grossman:** 13 Duke J. Gender L. & Pol'y 85; 13 Duke J. Gender L. & Pol'y 7; 40 Ga. L. Rev. 469; 53 UCLA L. Rev. 637; 94 Calif. L. Rev. 1; 74 UMKC L. Rev. 365; 14 Wm. & Mary Bill of Rts. J. 555; 15 Tex. J. Women & L. 1; 54 Emory L. J. 1671; 22 Ariz. J. Int'l & Comp. Law 613; 6 Cardozo J. Conflict Resol. 283

**Grant Hayden:** 42 Idaho L. Rev. 123

**James E. Hickey:** 54 Am. J. Comp. L. 581; 86 B.U.L. Rev. 65; 100 A.J.I.L. 88

**Lawrence Kessler:** 12 Texas Wesleyan L. Rev. 91

**Stefan H. Krieger:** *Centerpoint Energy Entex v. R.R. Comm'n*, 2006 Tex. App. LEXIS 1520; *Centerpoint Energy Entex v. R.R. Comm'n*, 2006 Tex. App. LEXIS 3202; 21 Ga. St. U.L. Rev. 965; 12 Clinical L. Rev. 369; 33 Pep. L. Rev. 677

**Julian Ku:** 106 Colum. L. Rev. 830; 37 Colum. Human Rights L. Rev. 627; 119 Harv. L. Rev. 1404; 47 Wm. & Mary L. Rev. 1587; 29 Harv. J. L. & Pub. Pol'y 291; 27 Mich. J. Int'l L. 115; 119 Harv. L. Rev. 2077; 30 Wm. & Mary Envtl. L. & Pol'y Rev. 471; 94 Calif. L. Rev. 175; 34 Hofstra L. Rev. 565; 12 ILSA J. Int'l & Comp L. 253; 19 Emory Int'l L. Rev. 1615

**Eric Lane:** 65 Md. L. Rev. 82; 40 Ga. L. Rev. 469; 106 Colum. L. Rev. 753; 12 City Law 25; 38 Loy. L. A. L. Rev. 2131; 74 Miss. L. J. 1177; 42 Idaho L. Rev. 471

**Marcia Levy:** 12 Clinical L. Rev. 615

**Linda McClain:** Gottlieb et al., *Jurisprudence: Cases and Materials: An Introduction to the Philosophy of Law and Its Applications* 490 (Lexis/Nexis 2d ed. 2006); 15 Colum. J. Gender & L. 297; 15 Colum. J. Gender & L. 63; 65 Md. L. Rev. 1; 29 Harv. J. L. & Gender 151; 13 Ind. J. Global Leg. Stud. 165; 44 Fam. Ct. Rev. 186; 39 U.C. Davis L. Rev. 991; 84 Tex. L. Rev. 653; 35 J. L. & Educ. 117; 93 Calif. L. Rev. 1647; 37 Rutgers L. J. 111; 17 Yale J. L. & Feminism 327; 7 J. L. Fam. Stud. 317; 79 St. John's L. Rev. 1193

**Mark Movsesian:** 10 Marq. Intell. Prop. L. Rev. 215; 24 Berkeley J. Int'l L. 79; 6 Chi. J. Int'l L. 725; 41 Wake Forest L. Rev. 123; 92 Va. L. Rev. 251; 81 Wash. L. Rev. 1; 119 Harv. L. Rev. 1445; 34 Hofstra L. Rev. 595; 24 Temp. J. Sci. Tech. & Envtl. L. 519

**Richard K. Neumann, Jr.:** 57 Mercer L. Rev. 621; 12 Clinical L. Rev. 501; 12 Clinical L. Rev. 369; 104 Mich. L. Rev. 1033; 33 Pep. L. Rev. 677; 35 Seton Hall L. Rev. 1407; 7 Rutgers J. Law & Relig. 5; 21 Touro L. Rev. 665; 74 Miss. L. J. 1177; 28 J. Legal Prof. 283; 44 Fam. Ct. Rev. 149

**Alan Resnick:** 39 Cornell Int'l L. J. 1; 43 San Diego L. Rev. 61; 48 Ariz. L. Rev. 149; 10 N.C. Banking Inst. 57; *National Law Journal* (March 27); 79 S. Cal. L. Rev. 363; 79 Am. Bankr. L. J.

893; 27 Mich. J. Int'l L. 257

**Andrew Schepard:** 65 Md. L. Rev. 246; 65 Md. L. Rev. 82; 19 Geo. J. Legal Ethics 367; 37 Loy. U. Chi. L. J. 571; 28 Fam. Adv. 3; 44 Fam. Ct. Rev. 209; 39 U. C. Davis L. Rev. 991; 44 Fam Ct. Rev. 87; 44 Fam. Ct. Rev. 74; 44 Fam. Ct. Rev. 31; 7 J. L. Fam. Stud. 351; 44 Fam. Ct. Rev. 300; 44 Fam. Ct. Rev. 316; 34 Hofstra L. Rev. 535; 29 Legal Prof. 223

**Norman Silber:** 58 Baylor L. Rev. 139; 47 Wm. & Mary L. Rev. 1587; 32 Legis. 50; 12 Tex Wesleyan L. Rev. 91; 5 Hous. Bus. & Tax L. J. 480

**Ronald Silverman:** 25-3 ABIJ 102; 39 Vand. J. Transnat'l L. 125; 35 U. Balt. L. Rev. 215

**Roy Simon:** 19 Geo. J. Legal Ethics 489; 59 Vand. L. Rev. 155; 33 Pep. L. Rev. 575; 20 Geo. Immigr. L. J. 1; 78 Temp. L. Rev. 607; *New York Law Journal* (September 23); 74 Miss. L. J. 955; 29 J. Legal Prof. 89; 58 Ark. L. Rev. 983; 4 DePaul Bus. & Comm. L. J. 309

**Barbara Stark:** 99 A.J.I.L. 947; 82 U. Det. Mercy L. Rev. 547; 17 Fla. J. Int'l L. 271

**Marshall Tract:** 58 Rutgers L. Rev. 339

**Aaron Twerski:** 24 Berkeley J. Int'l L. 79; 58 Fla. L. Rev. 265; 55 Am. U. L. Rev. 683; 84 Tex. L. Rev. 653; 55 DePaul L. Rev. 517; 55 DePaul L. Rev. 279; 55 DePaul L. Rev. 253; 22 Santa Clara Computer & High Tech. L. J. 529; 22 Santa Clara Computer & High Tech. L. J. 455; 38 Loy. L. A. L. Rev. 2027; 34 Hofstra L. Rev. 329; 74 U. Cin. L. Rev. 329, 58 Okla. L. Rev. 135, 70 Mo. L. Rev. 349; 32 Wm. Mitchell L. Rev. 1095; 74 Fordham L. Rev. 2425; 58 Stan. L. Rev. 1251

**Vern Walker:** 54 Am. J. Comp. L. 581; 23 Wis. Int'l L. J. 283

**Michelle M. Wu:** 39 Akron L. Rev. 151

## HONORS, APPOINTMENTS AND OTHER ACKNOWLEDGMENTS

**Alafair Burke** delivered the Hofstra University Distinguished Faculty Lecture in April.

**Robin Charlow's** recent article on religious equality was featured on Larry Solum's Legal Theory Blog on March 16.

**Eric Freedman** submitted comments on behalf of the ABA to the Supreme Court of Arizona in support of the adoption of death penalty representation guidelines.

**Eric Freedman** and **Mark Movsesian** shared Hofstra Law School's "Teacher of the Year" award for 2005-06.

**Monroe Freedman** received Hofstra Law School's Alumni Award for Outstanding Professor in May. He also conducted a site visit of the Massachusetts Committee for Public Counsel Services on behalf of The Constitution Project and the National Legal Aid and Defender Services.

**Scott Fruehwald** was appointed to the Legal Writing Institute's Ad Hoc Committee on Listserve Job Postings and to the AALS Section on Legal Writing, Reasoning, and Research's Awards Committee.

**Linda McClain's** recent book, *The Place of Families: Fostering Capacity, Equality, and Responsibility*, was celebrated with a panel discussion at Hofstra on March 8.

**Norman Silber** helped found and accepted appointment to the executive committee of the American Association of Law Schools' new Section on Nonprofit Law and Philanthropy. He also launched two new discussion boards,

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co-edited with Robert Katz and sponsored by the  
AALS Section on Nonprofit Law and  
Philanthropy, available at:

[AALSNONPROFIT-announce@pride.hofstra.edu](mailto:AALSNONPROFIT-announce@pride.hofstra.edu)

[AALSNONPROFIT-discuss@pride.hofstra.edu](mailto:AALSNONPROFIT-discuss@pride.hofstra.edu)