



# THE COMMENTATOR

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The Student Newspaper of the New York University School of Law

September 17, 2008

## EIW Flourishes in New Location, Firms Happy to Foot the Bill

By ROBERT GERRITY '09

For the first time in its 29 year history, NYU Law's Early Interview Week (EIW) shed the cozy confines of campus buildings like D'Agostino Hall and embraced the glamorous Embassy Hotel in Battery Park City as its new home. This year's EIW event was held at the all-suites hotel August 18–22 and hosted 363 law firms who provided a total of 14,386 interview slots for 435 2L and 80 3L students.

While employer turnout and available interview schedules were both down slightly from 2007, and from the event's peak in 2006, Irene Dorzback, Assistant Dean and Director of the Office of Career Services (OCS), explained that the event was a success. "The employers were, overall, very very happy [with the move to the Embassy Hotel]," said Dorzback, "and from an [OCS] perspective everyone thought it was more professional. Our signage was more professional, everything we did we did first class."

The move to more professional surroundings did not come

cheap. One of the greatest hurdles for OCS in orchestrating the move from on-campus to a hotel proved to be sticking to Dean Ricky

picking up the difference," reported Dorzback.

The event required more than 150 hotel rooms each day



The Embassy Hotel provided plenty of space for both employers and students to gather in preparation for their interviews.

Revesz's requirement that the move be revenue neutral.

"That was Ricky's directive: we could not spend any money on this move. We had to do a very complicated budget that essentially resulted in the firms

Monday through Thursday and approximately 80 rooms on Friday, in addition to the ballroom, a room for *Law Review* members to use to work on their assignments, a space

See EIW page 4.

## A Few Statistics: NYU Law's Incoming Class

By ANDREW L. SIMON '09

New York University School of Law has taken on 937 new full-time students this semester, according to the Office of Admissions. The JD class of 2011 alone consists of 448 students; they are joined by 425 LLMs, 50 transfers, and 14 visiting students. Not included in the grand tally, and likely not seen by most of the school, are the 54 full-time LLMs who have chosen to start in Singapore.

As in past years, the incoming students hail from a variety of locales. The LLM class has representatives from over 50 countries. The JDs, in addition to having a range of undergraduate experiences and backgrounds (see below), have found their way to Greenwich Village from 43 states, Canada, South Korea, China, Zimbabwe, and England.

### JD Class of 2011: Top Feeder Schools

1. Yale (23)
2. UPenn (22)
3. NYU (19)
4. Columbia (17)
5. Cornell (16)
6. Princeton (13)
7. Harvard (12)
8. Berkeley (11) and Duke (11)
10. Stanford (10) and UCLA (10)
12. Chicago (9) and UT-Austin (9)

### JD Class of 2011: General Statistics

- 43% women
- 70% out of college at least one year
- 11% out of college 5 years or more
- 8% with advanced or professional degrees
- 4% aged 30 and over
- LSAT 75th/25th Percentile: 173/169
- GPA 75th/25th Percentile: 3.9/3.6

## Fire (Alarm) in the Dorms!

Three False Alarms in Law School Housing Plague the First Weeks of the Semester



D'Agostino Hall has experienced three fire alarms since the beginning of the school year, according to the Department of Residence Services. One was a scheduled fire drill, but the other two were caused by individuals—one a worker mishap, the other an unknown individual pulling fire alarms. Mercer Hall hasn't escaped the fire-alarm frenzy: a bag of "granular material" thrown down the garbage chute caused a smoke detector to be set off on August 27.

## NJ Attorney General Urges Law Students to Commit to Public Service

By LIZ KILSTEIN '11 AND ANURAG GUPTA '11

On Monday, September 8, New Jersey Attorney General Anne Milgram '96, delivered the 12<sup>th</sup> annual Attorney General Robert Abrams Public Service Lecture to an audience of over a hundred at the law school's Greenberg Lounge. In her lecture, appropriately titled "Public Service as a Career," Milgram—just eleven years out of law school when she became the nation's youngest attorney general—detailed her "extremely satisfying" public interest career path.

Dean Ricky Revesz opened the evening by introducing Robert Abrams '63, a former attorney general of the state of New York and the sponsor of the lecture series. Abrams noted that he founded series to allow NYU Law students to "examine other career options" and to tackle the "common stereotypes" associated with people in public office. A 28-year veteran of elected politics himself, Abrams sympathized with the sense of "disillusionment" young lawyers feels about public office. Milgram, he remarked, exemplified accomplished public figures who adhere to their moral principals.

Milgram, 37, grew up in East Brunswick, New Jersey in a family of teachers and police officers. Before studying at NYU Law, Milgram graduated *summa cum*



New Jersey Attorney General Anne Milgram '96 spoke with students about her life and career before her lecture on September 8.

laude from Rutgers College and earned a master's degree in Social and Political Sciences at Trinity Hall College. She confessed that practicing law was not always her

first career choice. A cooking buff, Milgram seriously considered becoming a pastry chef, going

See MILGRAM page 4.

It's an outrage that NYU cable doesn't have the YES Network! An outrage, I tell you! page 2

Professor Rascoff has a storied history involving terrorists, Iraq, and the NYPD. And we've got the interview to prove it. page 5

New to NYU? Feeling lost? No friends? Hungry? The Commentator is here for you. page 8

Infra



# NYU Cable Should Stop Saying “No” to YES

By MICHAEL MIX ’11

Less than 30 minutes after I had moved into D’Agostino Hall a few weeks ago, I did what any sensible 1L would do: I took stock of the television channels that NYU offers. I wasn’t expecting much, but I needed ESPN and SNY, which is dedicated to covering the New York Mets and Jets, to make my life complete. I’m sure that scores of fellow 1Ls breathed collective sighs of relief when they discovered that ESPN was indeed one of the channels available on NYU TV. I was soon also content to learn that SNY was situated only one channel down from ESPN, so I wouldn’t have to miss any games involving my beloved Mets.

As the day progressed, I surfed the channels, memorized the lineup, and tried to figure out what exactly the channel SCOLA was. But a realization soon dawned on me—there was no YES Network. If you have never lived in the Northeast or

are unfamiliar with the channel that Scott Brosius built, the YES Network is owned by the New York Yankees and shows the vast majority of the team’s games. In addition, YES owns the rights to other programming such as New Jersey Nets games, random Ivy League football contests, a live simulcast of the radio show *Mike* (without the Mad Dog), *Yankees Batting Practice Today*, and *Yankeeography*: *Chuck Knoblauch*.

My first reaction was to laugh heartily at the misfortune of Yankees fans who attend NYU Law. I would get to watch my team; they would not. But I soon began to sympathize with fans of the Bronx Bombers; it was not fair that they couldn’t watch their team despite living in New York City. To make matters worse, even if any Yankees games air on ESPN, they’re blacked out (except on Sunday nights) because of MLB rules.

Being the good investigative journalist that I am, I decided to uncover the truth behind this dastardly decision by NYU

not to carry the YES Network. As visions of a Pulitzer Prize danced in my head, I salivated at the idea of uncovering a major conspiracy. Perhaps the President of NYU is a disgruntled Red Sox fan? Maybe Hank Steinbrenner prefers Columbia to NYU? Could the head of programming at NYU TV be none other than former disgraced Yankee pitcher Hideki Irabu?

Unfortunately for me and my dreams of fame, the answer was relatively simple. (And my “investigative reporting” amounted to nothing more than clicking on “Frequently Asked Questions” on the NYU TV website.) I found out that the reason that NYU does not carry the YES Network is because the licensing costs are too high. NYU claims that because most of the games occur during the summer, when students are not in school, it does not make financial sense to carry the network at such high a cost.

Even though I was disappointed that there was such a sensible

reason for the omission of YES, I sympathize with the university’s plight. When the YES Network debuted a few years ago, it engaged in a long battle with Cablevision over a similar issue. Eventually, the problem was resolved, but many fans lost an entire season of Yankees-viewing (although not listening to announcer Michael “Biased” Kay for a whole year is probably a good thing). The fact that some Yankees fans still cannot watch their team because of YES’s high subscription fee boggles the mind and just proves how the team cares more about money than about its fans.

Major League Baseball (MLB) is not free of guilt either. The MLB enables fans to shell out a huge sum of money to be able to watch out-of-market games. But under MLB rules, anyone who purchases MLB TV on the Internet cannot watch games in his or her local area. So even if a Yankees fan in NYU Law housing wanted to pay for MLB TV, he or she still could not watch the team.

It’s really sad that, in this day and age, teams and the MLB are so insensitive to fans’ needs. Baseball was once a game of spontaneous play, a pastoral refuge in an increasingly industrial and urban society. As the fictional rendering of Shoeless Joe Jackson put it in *Field of Dreams*, “I’d have played for food money.” But even in Jackson’s day (and he should know this better than anyone), greed was so prevalent in the game that baseball was almost destroyed. The quarreling over the YES Network is just an aspect of that still-thriving greed.

After solving the mystery of the lack of the YES Network, I could move on to more important things, like actually doing my reading. But after some procrastination, I discovered that NYU TV also doesn’t carry MSG Plus (formerly Fox Sports New York). No New York Islanders games? No Rick DiPietro and Bill Guerin? My dreams of uncovering a Pulitzer-worthy conspiracy are still alive.

# NYU Law: Making 1L Year Even Worse, One Step at a Time

By ANDREW GEHRING ’09

There wasn’t much I enjoyed about my 1L year. Highlights include the end of exams in the fall semester, the facial-hair-growing contest I had with my friends, and the end of exams in the spring semester. In all, I’d say it was a pretty rough year. But it wasn’t as bad as it could have been because the school had an event during orientation that really softened the

blow to the head that is 1L year: a discussion with 2Ls and 3Ls about their experiences going through the same thing we were about to go through. That hour-long talk is the only thing I remember from orientation—or, at least, the only thing I remember fondly—and this year it was eliminated.

I participated in the event as a 2L, too. Looking back on it, I like to think that I did some good—made a few jokes, informed 1Ls of

*The Commentator*’s existence, and imparted some worthwhile advice. One of the 1Ls in my section even came up to me later and thanked me for sharing my thoughts. Certainly, it was too early in the year to tell if it would do him any good, and he could have dropped out at this point for all I know, but at least at the time he thought I’d done him some good.

I can’t tell you what that discussion was replaced with at orientation this year—as of September 15, a full 20 days after orientation ended, the new website tells me to “please check back for the 2008 Orientation Schedule” (depending on what else goes on in the intervening two weeks, my next editorial might very well be about the well-intentioned debacle known as “the new website”)—but it seems unlikely both that (a) whatever

took the event’s time slot was more useful to the 1Ls than the discussion with upperclassmen would have been and (b) there was no available time in which to reschedule it, even if it no longer coincided with a meal.

There really isn’t much more to say about the lack of the discussion. I think the orientation-planning committee screwed up big time and they should reinstate it next year. So, anyway, I’m going to use the balance of my space to do what I would have done if the event had been scheduled again this year: pass on some sage advice.

First, attend events with your Lawyering section. Implicit in that statement is the thought that your Lawyering section will plan events; if no one steps up to fill that role, you should. The Lawyering section is a brilliant device: you

all share significant chunks of your lives, you’ve already bonded through the traumatic experience of your first few Civil Procedure classes, and these things make it incredibly painless to find common ground on which to strike up conversations. In short, your Lawyering classmates are the most effortless friends you’ll ever make, and they’ll last the rest of your time here (and, I can only hope, beyond).

Second, find something to do that isn’t studying, attending class, or talking about the law. You become boring faster than you can say “res ipsa loquitur” if you don’t make a non-law activity part of your life. That doesn’t mean it has to be totally apart from the law school, which graciously sponsors a number of groups that don’t

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## THE COMMENTATOR

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# Taking Notes, the Law School Way



By Melisa Gerecci '09

Understanding the hierarchy of authority is fundamental to persuasive legal writing. Similarly, your choice of writing instruments when taking notes should be a carefully considered exercise in self-discipline and organization. Lest a competitor mock your note-taking for sloppiness, I now offer 1Ls this useful guide on effective selection of writing instruments.

Do not even think that you may simply pick something up out of the bottom of your backpack and begin to mark your reading without giving advance thought to the tool on which you rely. Every aspiring note-taker needs a basic understanding of the tools of her trade, so familiarize yourself with the following:

There are pens, which are broadly divided between “assorted colors” and the more traditional “black or blue” school. Pens undergo secondary categorization into inks—roller-ball, felt-tipped, and fountain being the most common.

Next come pencils, both traditional and modern mechanical (with their corresponding sub-sections, “self-advancing” and “manual loading”). Traditional pencils should be avoided because of their time-wasting and incessant need to be sharpened and the policy considerations of diminishing pencil sharpener resources.

Finally, there are hi-liters—the modern heirs of old English *highlighters*, which should be selected according to the following standard: first those purchased in multi-colored packs, then those received free of charge from promotional booths, and, finally, those found on the floor.

Before you begin taking notes, remember that precedent defines our profession and your original choice of instrument may well dictate years

of note-taking to come. Consider carefully the document that you’re marking up, as well as any future documents you plan to read and the general world of critical reading that will continue after you. As you work your way through the text, remember that agility with instruments is key to taking compelling notes, and remember too that over-reliance on a single method of note-taking will come across as weak, to say nothing of boring. Variety is the spice of life, but don’t get too crazy—radical use of metallic gel pens or slim markers is routinely frowned upon.

When marking through pages of repetitive statutory text, try to focus your mind on the original purpose of each of these inscribers. The pen is used to write with authority and conviction, as evidenced by its inability to be erased. The pencil is too often used to scribble in random thoughts, brackets, and parentheses, among other illusory attempts at organization that are ultimately so vague as to be of at most modest guidance to anyone, clarity to nobody, and confusion to everybody. And those hi-liters! Though available in an assortment of brilliant colors, they just saturate all the pages and end up en-litening nothing. So choose wisely. Consistent and judicious use of an assortment of well thought-out instruments is the best way to successfully take notes. To stray from these venerable traditions of instrument selection would be to render your note-taking illegible.

Finally, reflect, reflect, reflect. Maturing in your note-taking can only be achieved by constant consideration and awareness of what you’re doing, when you’re doing it, and why you’ve chosen to do it. Do you tend to rely on pencils in moments of weakness? Does sloppy use of hi-liters diminish your final product? Are you reaching for a blue pen when you really should

be selecting a red pencil? I can’t stress enough how critical self-observation and peer review are to your effective taking of notes. You might try time-stamping whenever you decide to change instruments midway through the course of note-taking. I also suggest that you keep your instruments organized from

## DISCUSSION: Everything You Always Wanted to Know About Law School but Were Afraid to Ask

Continued from page 2

interact directly (or at all) with the law—like S.L.A.P., Law Revue, and (may I be so bold as to suggest) *The Commentator*. The benefits of finding another activity are immeasurable: in addition to not necessarily boring people to tears, it looks good on your résumé and helps you keep your sanity.

Third, join a study group, but no earlier than Thanksgiving break. Anecdotaly, I attribute the improvement of my grades from first semester to second semester to the fact that I joined a study group second semester. The group itself forces you to keep to a schedule for your studying, requiring you to fend off procrastination, which is anathema to success. You also get the benefit of sometimes learning

from people that understand an area of law better than you, and at other times of teaching them a subject that you have a firm grasp on, which reinforces and deepens your familiarity with it. Basically, the study group helps with an unpleasant process that you have to engage in anyway. But just don’t start it too early: begin studying too early in the semester, and you won’t be able to see how all of the pieces fit together, so you’re just wasting your time.

I won’t pretend that I am the ultimate authority on advice to students new to law school. I’m sure many 2Ls and 3Ls disagree with most, or even all, of what I’ve said above. So my last piece of advice: don’t take what anyone says as gospel. Try various approaches out, find what works for you (even if it’s quirky), and stick with it.

*Thought it would be years until you argued before a Justice of the United States Supreme Court?*

Think again!

Enter the Fall Marden Competition, hosted by NYU’s Moot Court Board, and you could advance to the Spring Finals, at which you’d argue before Justice Samuel A. Alito Jr. and other distinguished judges.

Registration ends this Friday, September 19.

All participants in the Fall Marden also earn an academic credit and compete for prizes and awards. Marden is the perfect opportunity to develop your oral advocacy skills and a writing sample.

Pick up info sheets and registration forms outside the Moot Court Office in the D’Agostino sub-basement. E-mail questions to Marden Editor, Jed Miller, at [jem507@nyu.edu](mailto:jem507@nyu.edu).



## EIW: This Ain't Your Daddy's Interview Scene

*Continued from page 1.*

for OCS to use as a satellite office, an employer check-in space, and an employer luncheon area. OCS also had to organize shuttle bus service between campus and



*OCS representatives greeted students each day at the Embassy Hotel to help them make sense of the thousands of scheduled interviews.*

the hotel, and to provide food for students throughout the day.

All told, Dorzback estimated the cost of the event at approximately \$216,000—including \$30,000 to outfit the student ballroom lounge with computers, printers, internet access and other technology support during the week. Previous EIW events held at D'Agostino carried price tags of approximately \$40,000. However, Dorzback and OCS verified in advance that the firms would support the \$176,000 increase. "For them, it's a drop in the bucket," explained Dorzback. "The thing that's very heartening about being at a place like this is that [the firms] said, 'This is NYU, of course we'll pay.' I don't think students always realize that when there are cuts to be made, it's not going to be a cut here, it's going to be cuts at another school."

Law firms compensate NYU for the costs of EIW by paying per interview schedule. Each interview schedule represents approximately 20 interview slots and costs an average of \$300 to defray the \$216,000 total. At 290 interviews, Skadden bought up more schedules than any other firm. Cleary was second with 265 interviews. The registration fee is not the only investment firms make in this recruitment event; hospitality suites and catering expenses can easily add another \$4000 or more for many firms.

Dorzback explained that the use of hotels by peer schools together with limitations on catering and strict fire restrictions at D'Agostino "crystallized the need to go elsewhere at the height of the market when firms were trying to ratchet up the quality of their recruiting, making a big splash on campus, and so what we perceived to be a luxury for many years [an on-campus EIW event], became sort of sub-par."

The move to the Embassy Hotel fixed many of these logistical problems, but it created some new issues as well. While firms this year were able to offer more lavishly catered hospitality suites (filled with more swag and branding materials than

ever before), student interest in the suites decreased from past years.

"When you had to pass through the [hospitality] suites to get to your interview, there was the forced social interaction. But in the hotel, you could go to your

in interview schedules, Dorzback explained that there is also a difference in the percentage of interviews allocated for 2L versus 3L students with more firms shifting their schedules to be 80% 2Ls and 20% 3Ls or no 3Ls at all.

However, Dorzback does not expect the current economic climate or the decrease in employers and interview slots to translate into a lower yield for this year's event. According to survey data gathered by OCS, the 427 2Ls who participated in the 2007 EIW took an average of 28.6 interviews, leading to 14.9 callbacks. Of those callback invitations, the average 2L attended only 7.4, yielding 5.3 summer employment offers. While survey data on this year's EIW will not be available until later in the year, Dorzback does expect any major changes.

"I expect the number of callbacks to be a little bit lower, but not by much. I do not expect the number of callbacks taken to change; although, I think it should change. I think students should be taking more callbacks in this market than has been the pattern," said Dorzback.

As an example, Dorzback pointed to last year's statistics for students with less than a 3.0 GPA (unofficial GPA, of course). These students averaged 8 callback invitations, but took only 4.8 of them. While these numbers do not distinguish between students who declined callback invitations immediately and students who cancelled callbacks



*One of the hotel's ballrooms served as a lounge for students to relax—as much as they could—in between interviews.*

the occasional double-decker tour bus—will also be eliminated next year in favor of exclusive reliance on the purple trolley cars.

Hotel representatives have even suggested their own improvements for next year's event, mentioning that firms could rent out conference rooms which sat unused this year as quiet rooms or even massage rooms for anxious interviewees.

While the economic downturn may leave some students concerned about what to expect from next year's EIW, its impact on this year's event was minor. At the event's peak in 2006, 368 firms sponsored 746 interview schedules. This year, those numbers were down slightly to 363 and 713 respectively. However, in addition to the decrease

only after receiving an offer of employment elsewhere, Dorzback still finds it puzzling.

"It doesn't make sense to me that people would be that sure of what the yield was going to be," said Dorzback.

Despite ongoing concerns about the economic decline, early anecdotal evidence shows that the reputation of the law school may be justifying students' job search optimism.

"I've had people whose academic profile I would not have thought would yield very strong success in this market, and I've been very pleasantly surprised. Based on the reputation of the school, and with the limited information I have so far, we are doing pretty well," explained Dorzback.

## MILGRAM: Nation's Youngest AG Has Seen Both Highs and Lows in Career

*Continued from page 1.*

as far as apprenticing at the upscale French restaurant Le Cirque during her 3L year. Yet she realized the impracticality of that career path after having received an elite—and very expensive—legal education.

Upon graduating from law school, she went on to clerk for federal district court Judge Anne Thompson in Trenton, New Jersey. During her clerkship, Milgram discovered a passion for criminal law, and she has not looked back since. "I love trying cases," she said. "It's the best thing I have learned how to do."

Milgram's career has spanned local, state, and federal governments. After her clerkship, Milgram joined the Manhattan District Attorney's office as an assistant district attorney. She began her career prosecuting "token suckers," people who engaged in the non-violent crime of sucking tokens out of purposely jammed New York subway turnstiles. Though not very glamorous, she noted that "it was an incredible learning experience on procedure."

In 2001, Milgram went on to work in the criminal section of the United States Department of Justice's (DOJ) civil rights division, where she rose to become the lead federal prosecutor for human trafficking crimes. At the DOJ, Milgram successfully prosecuted numerous cases concerning hate crimes, sex trafficking, forced labor, and domestic servitude. In this capacity, she oversaw attorneys and advised local, state, and federal prosecutors and law enforcement agents. She has "learned the most from the victims" with whom she interacted while at the DOJ. They taught her that justice does not always entail winning a case, but rather "doing the right thing." For her work, Milgram was awarded the DOJ Special Commendation for Outstanding Service in December 2004 and the Director's Award in September 2006.

Milgram left the DOJ in 2005 to get some political experience. She became counsel to then-U.S. Senator Jon Corzine (D-N.J.) and returned to New Jersey when Corzine was elected governor in 2006. She served as New Jersey's First Assistant Attorney General for 17 months before being appointed as New Jersey's 57th Attorney General on June 29, 2007. She now heads the 9,400-person Department of Law and Public Safety, one of

the largest state agencies in the nation. As Attorney General, she supervises New Jersey's criminal justice system, defends the state against law suits, and heads the Division of State Police. Since taking office, she has spearheaded investigations into public corruption, internet safety, mortgage fraud, college student loans, and consumer rights.

Despite Migram's illustrious career, she experienced challenges as a young, female Attorney General. She recalled being asked in meetings on multiple occasions after her appointment, "Where



*Anne Milgram spoke to a crowd of over 100 when she visited NYU.*

is the Attorney General?" She also recounted attending her first National Association of Attorneys General meeting, where she was labeled "the hottest attorney general" by several Midwestern attorneys general. But she maintained that the joy she derives from her job has easily countered her career's low points.

Milgram was pushed during audience questioning about her controversial decision last year to order local police officers to inquire about the immigration status of suspects. Milgram described the issue as more complicated than its portrayal in media coverage and invited constructive criticism in order to right any ongoing wrongs. She was also questioned about the "trick" to her success, to which she answered, "There is no one path to success, and the only advice I can give is to not follow other people's advice but do what your heart says."

Speaking to law students in the audience, Milgram said, "If I can become Attorney General of New Jersey, all of you can become Attorneys General, partners at public or private firms, chief prosecutors, heads of think-tanks, and the like." She advised taking "jobs you love, ones that you will do well and ones that will allow you to develop a skill." But, she emphasized, public service "makes us all better people. At the end of the day, we are judged by our kindness, integrity, and justice."



Rascoff Brings New Insight on Terrorism and Law to NYU

By Molly Wallace '10

Professor Samuel Rascoff's resume begins with one of the more impressive educational trilogies out there: Harvard, Oxford, Yale. Add to that a Supreme Court clerkship, some time at the Pentagon, and a stint at Wachtell, and you start to get a sense of what NYU Law's recent faculty addition brings to the table. But when I met with him he was more eager to discuss his time at the NYPD than any of these more exalted institutions.

Rascoff, who is currently teaching Counter-Terrorism and the National Security Constitution (as well as the Administrative and Regulatory State in the spring), started building his credentials in the national security field as far back as college. He studied Arabic and Persian, and he interned at the State Department and the Pentagon. While his interest in counter-terrorism was results-driven, he saw the importance of approaching the subject from an organizational standpoint. "I am interested in defining authority and structure within the government that would prevent attacks effectively, wisely, and legally," explains Rascoff. "I knew I couldn't have that without going to law school."

Rascoff has found that NYU suits this approach to the law.



Professor Rascoff joins the law school faculty this year after working with NYU Law's Center on Law and Security, the Coalition Provisional Authority in Iraq, and the NYPD.

Though he is a new professor, he is familiar with the university from his four-year affiliation with NYU Law's Center on Law and Security (CLS). "This is a place I feel at home," he says. He cites the school's emphasis on a regulatory approach to the law as one example of how NYU's program "fits into my worldview about how legal research and teaching should relate to practice."

And he should know. Though Rascoff has remained involved in academics through CLS, he has had plenty of practical experience: he has been special assistant

with the Coalition Provisional Authority (CPA) in Iraq and Director of Intelligence Analysis with the NYPD, for example.

"We are all taught that individuals can make decisions which, grandiose as it sounds, may fundamentally change history," Rascoff says, speaking of his time in Iraq. "I had a front row seat to decisions that had enormous implications for our national security. Unfortunately, those involved did not always understand the gravity of what was going on." He cites post-war Japan and Germany as historical experiences the government could have drawn on to inform its efforts in Iraq. "In Germany, there was an enormous effort from inside the United States government to reach out to experts, and they did a really thorough job. But they also had many more 'boots on the ground.' That really was a defining issue in this occupation, especially early on."

Rascoff had a different experience altogether at the NYPD. "In some ways the NYPD's counter-terrorism program is the polar opposite of the CPA," he says. "It operates on a shoestring budget, and it has a very clear mission: protect the five boroughs from the next terrorist attack."

Police Commissioner Ray-

mond Kelly (LLM '74) recognized that relying on the federal government for security was not working, as was tragically demonstrated by the 1993 and 2001 attacks on the World Trade Center. He decided New York City needed to do more to protect itself and started a local counter-terrorism program.

Rascoff explains how he fit into Kelly's vision: "I was brought in to create a new capability that police didn't have, which was to analyze intelligence to understand the threat specific to New York City rather than to the whole country." Though the budget did not compare to what the federal government had provided, the lack of budget instilled discipline. "It forced pragmatism," says Rascoff. "People could not spend money proving pet theories or ideologies."

Focus was not the NYPD's only advantage over the federal government. Rascoff also cites local knowledge. "Some intelligence guy who is on a three-year tour of duty wouldn't necessarily be able to understand the complexities of New York City," he says. "You need to begin with people who understand the city, and that means turning to people who made a career out of it and relying on people who have cultural and linguistic understanding of the full range of

communities that compose New York. Federal officials that are here on a rotating basis won't be able to do that."

As Rascoff starts to summarize the national security lessons that can be learned from the NYPD's approach, our interview is interrupted by other professors filtering into the room. Rascoff, unfazed, continues, "We need the right people: people who understand local languages and cultures. We need better methodologies. And we need to understand that in a globalized world—"

"Want to join us?" Professor Richard Stewart invites Rascoff to participate in the assembling conference, which deals with a climate change conference planned for Abu Dhabi. "Actually that sounds really interesting," Rascoff responds before turning back to me. "Sorry, where was I?"

"Something starting with 'understanding that in a globalized world.'"

"Uh, hmm . . . Professor Stewart?"

We look to Stewart. "Understanding that in a globalized world what is local is global and what is global is local."

Actually, we agree, that works.

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SCHUDOKO!

Below you'll find a variation on a standard sudoku grid. Fill in the missing boxes such that each row, column, and three-by-three box contains one of each of the following letters: N Y U L A W S C H

	S			U				A
	N	A				U	L	
U							Y	N
		Y		C	L			
	U						S	
			W	N		A		
N	Y							S
	A	W				Y	C	
S				L			U	

Solution on page 7.



# SBA President Welcomes New Students, Solicits Feedback



BY CARLY LEINHEISER '09

Hello! I'd like to welcome all of the 1Ls, transfers, LLMs, and JSDs to NYU Law, and to welcome back all of the 2Ls and 3Ls. I hope everyone had a fantastic and restful summer and is ready to do this crazy thing called law school for one more year.

My name is Carly Leinheiser, and I'm the president of the Student Bar Association (SBA), which is the student governance organization here at the law school. That means we oversee and fund all the student groups and act as a liaison between the administration and the student body. We also throw weekly parties on Thursday nights.

One of the SBA's most important roles is to act as an advocate for the student body by making sure that the administration hears and understands your concerns. If you ever have a problem navigating the bureaucracy that is NYU Law, or you see a way that things could be made better for you and your fellow students, please

contact me or one of the other members of the SBA, and we will do our best to make things right. And though I know that school work can get overwhelming very quickly, do try to swing by the Thursday night parties whenever possible. These parties are some of the only opportunities to get the entire law school community together, for different classes to interact, and for us to just get away from law school for a little while. You'll find information about the location of the party in my weekly email, but know that we'll have something great for you (thanks to our fantastic social chairs!) every Thursday night.

I also want to tell you about an exciting initiative going on at the law school right now, which is called the Lobby Committee. Vice-Dean Barry Friedman has put together a group of students, faculty, staff, and alumni to reevaluate the appearance and use of the public spaces in both Vanderbilt and Furman Halls. While some of the changes we're considering are simple things like altering the color scheme with a coat of paint, we are also going to be thinking about how to use the space to improve the way information is communicated to students and how the space can be modified to better accommodate student needs. I'll

be soliciting feedback and opinions from you, so I'd ask that you just take a minute to notice where and how you spend your time and what changes could be made to improve how you interact with the buildings that house our law school.

Lastly, I'd like to wish the 1L class good luck. Your first semester is going to be confusing, overwhelming, and frustrating, but I promise you it gets better. And don't let your coursework take over too much of your life. NYU has so much to offer beyond just Torts, Contracts, and Civil Procedure. So join a student organization or two, go to one of the many fascinating lectures and symposia that are happening almost every day, and get to know your classmates. They're all fantastic people who have done amazing things in their lives before law school, and many will become some of your closest friends. Looking up from the books every now and again really will help you keep perspective on the whole thing, and you'll get through these next three years a much happier person.

That's all for now, and I'll see you all at the next SBA party!

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## Congratulations to Deb Ellis and Hal Strelnick on the Occasion of Their Marriage



*May your lives be full of happiness and love.  
Warm wishes,  
Eve, Letizia, Sara, and Sarah  
The Public Interest Law Center*



Leaders in Public Interest Series  
Fall 2008

**Monday, September 22**, 6:00-7:00 PM, Tishman Auditorium  
“Confronting Injustice,” Professor Bryan Stevenson, Executive Director, Equal Justice Initiative, Montgomery, Alabama. Co-sponsored by Youth and Criminal Justice Society. Reception to follow in VH Golding Lounge.

**Monday, October 6**, 6:00-7:00 PM, VH 210  
“Campaign for Fiscal Equity: Making the Right to a Sound Basic Education a Reality in our Schools,” Geri Palast ’76, Executive Director, Campaign for Fiscal Equity, New York, NY. Co-sponsored by Education Law and Policy Society. Reception to follow in Golding Lounge.

**Monday, October 20**, 6:00-7:00 PM, Lipton Hall  
“Making a Difference and Realizing Professional Satisfaction: The Role of a Government Lawyer,” Michael Cardozo, Corporation Counsel, New York City Law Department, New York, NY. Co-sponsored by the American Constitution Society.

**Monday, October 27**, 6:00-7:00 PM, Greenberg Lounge  
“Mission Impossible: Making Governmental Proceedings Fundamentally Fair—Will You Accept This Assignment?” David Raff ’70, Managing Partner, Raff & Becker LLP, New York, NY. Co-sponsored by the Unemployment Action Center.

**Monday, November 17**, 6:00-7:00 PM, Lipton Hall  
“US Foreign Policy and Multilateral Engagement,” Spencer Boyer ’95, Director, International Law and Diplomacy, Center for American Progress, Washington, D.C. Co-sponsored by International Law Society.

Other Upcoming Law School Events

**Sunday, September 21**  
Family Day. Invited your family to get a taste of law school by taking classes, touring the campus, and more.

**Tuesday, October 7**  
“Man of Peace: Rehearing the Case Against Leo Strauss,” Professor Robert Lloyd Howse, the Lloyd C. Nelson Professor of International Law. There will be a reception following the lecture.

**Saturday, October 18**  
“Continuing to Promote Diversity in the Legal Profession,” Craig Watkins, district attorney of Dallas County. Sponsored by the Black Allied Law Students Association.

**Monday, November 10**  
“Securing Fragile Foundations: Affirmative Constitutional Adjudication in Federal Courts,” Judge Marsha S. Berzon, United States Court of Appeals for the Ninth Circuit. A reception will immediately follow the lecture.

**Wednesday, November 12**  
“A Hip-Hop Theory of Justice,” Professor Paul Butler, Associate Dean for Faculty and Carville Dickinson Benson Research Professor of Law, George Washington Law School.

The More You Know:  
Useful Terms for 1Ls

*A public service announcement  
from your friends at* The Commentator

Being a 1L can be tough: you’ve paid a fortune to be here, had to pay another fortune to buy your books, now you have to read those books, and God only knows what Civil Procedure is about at this point. And no one else is making things easier. All they do is throw around law school jargon that’s littered with acronyms and normally familiar words being used to convey new meaning. *The Commentator* wants to help ease your transition, with this (sort of) helpful (eerily familiar) guide to learning the lingo.

“**A” paper** – the law student’s wannabe-thesis  
*Although Vicki’s “A” paper, “Economic Analysis of the Legal Underpinnings of Egyptian Barter Systems” contained original scholarship, it still wasn’t fit for publication anywhere.*

**Callback** – a painfully extended interview conducted at a firm, often accompanied by

an overpriced lunch  
*“I just got back from an 8-hour callback at Cravath, and all they gave me was a lousy lunch.”*

**C&S** – “cite and substance” checking, journal grunt work largely relegated to over-eager 2Ls  
*“I’ve been asked to C&S the ‘Economic Analysis of the Legal Underpinnings of Egyptian Barter Systems.’”*

**EIW** – “early interview week,” the week preceding the first week of classes, when screening interviews are conducted to determine who will receive callbacks at which firms  
*Having spent the week before classes in São Paulo rather than at EIW, Ricky knew he’d chosen wisely (and selflessly) by opting for a career in public interest.*

**Golding vs. Greenberg** – Golding is a lounge, and Greenberg a hall; you eat in the former and meet in the latter  
*Golding is upstairs, Greenberg is downstairs.*

“**Hide the ball**” – obfuscate or otherwise obscure the point that’s being driven at  
*No professor thinks he or she hides the ball, but they all do.*

**OCI** – “on-campus interviews,” when firms looking to hire students interview them—cryptically enough—on campus  
*Spring OCI is most useful for practicing your “you can count on me” handshake and increasing the size of your pen collection.*

**Summer** (v) – to work during the summer  
*“I chose the non-traditional path and summered at Burger King.”*

**Summer associate** – glorified intern  
*“I’m going to be a summer associate at Cahill Gordon.”*  
*“You mean you’re going to be an intern there?”*  
*“Yes.”*

SCHUDOKU!  
Solution

See puzzle page 5.

M	U	N	Y	T	V	H	C	S
H	C	Y	N	S	U	M	V	T
S	V	T	M	H	C	U	Y	N
Y	H	V	U	N	M	S	T	C
T	S	C	V	Y	H	N	U	M
U	N	M	T	C	S	Y	H	V
N	Y	S	H	V	T	C	M	U
C	T	U	S	M	Y	V	N	H
V	M	H	C	U	N	T	S	Y



## Cozy Coffee Houses

**Barnes & Noble**  
(Union Square North; Astor Place; 6th Ave. b/w W. 8th & Waverly)  
Flagship location sports a large cafe on the 4th floor with views of the park; sunny and study-friendly; regular readings with interesting authors.

**Esperanto Cafe**  
(114 MacDougal b/w W. 3rd & Bleecker)  
Solid food and beverage choices; packed with the student/Village crowd; can be very smoky; open 24 hours.

**Patisserie Claude**  
(187 W. 4th b/w 6th & 7th Aves.)  
Perfect pastries and lattes; tiny, tiny place; no outlets; sparse yet charming; closes at 8pm.

**Porto Rico Importing Co.**  
(201 Bleecker b/w 6th Ave. & MacDougal)  
Widely known as the best coffee in the city; take away and bean sales only; slow service, but worth it.

**Starbucks**  
(Astor Place; 6th Ave. at 8th St.; Broadway near W. 3rd; 7th Ave. at Sheridan Sq.; Greenwich west of 7th Ave.; various other locations)  
The ubiquitous coffee shop; reminds us suburban kids of home.

**TeaSpot**  
(MacDougal, across from Vanderbilt)  
All tea, no coffee; free internet; lots of tables; a very knowledgeable staff.

**Think Coffee**  
(248 Mercer b/w W. 3rd & 4th Sts.)  
Cheaper than Starbucks; wireless internet; Scrabble on Tuesdays; live music on Thursdays.

## Down-Home Diners

**Sullivan Street Diner**  
(Sullivan b/w Bleecker and Houston)  
Friendly service; good food (try the crepes).

**Washington Square Diner**  
(150 W. 4th at 6th Ave.)  
Good, cheap and fast, though greasy at times; frequented by Sexton and other NYU gliterati; open 24 hours.

**Waverly Restaurant**  
(385 6th Ave. at Waverly)  
Similar to Washington Square Diner but with a hip model crowd; very smoky.

## Luscious Lunch Spots



*Suzie's (163 Bleecker b/w Sullivan & Thompson): A veritable NYU institution, lunch hour at Suzie's is packed with students eating on the cheap. Quick service and large portions make overlooking the not-so-great quality of the food easy to do.*

**Freshco Burrito Taco**  
(235 Sullivan b/w W. 3rd & Bleecker)  
“Tex-Mexican” food, whatever that means; try the eel burrito for an East-meets-West rumble in your mouth; not very good, but cheap.

**Mamoun's Falafel**  
(119 MacDougal, south of W. 3rd)  
The definite middle eastern eatery; cheap, fresh falafels; a staple of many law students' diets.

**Pepe Rosso**  
(149 Sullivan b/w Houston & Prince)  
Can't get better pasta for the money; excellent salads as well; cute place with a few outdoor tables, but not much room inside.

**Quantum Leap**  
(226 Thompson, b/w 3rd and Bleecker)  
All organic, all vegetarian; fabulous, cheap veggie burgers.



*Yatagan Kebab House (104 MacDougal St. at Bleecker): The falafel is nothing to write home about, but the doner kabob is widely recognized as some of the best in the Village.*

## Desirable Dinner Destinations

**Meskarem**  
(124 MacDougal b/w W. 3rd & Bleecker)  
Great Ethiopian food; don't expect cheap prices just because it's in the basement; as family-style as you can get and you get to eat with your hands.

**Raffetto's**  
(Houston b/w MacDougal & Sullivan)  
Homemade pasta and sauces, fresh meats and cheeses; delicious and inexpensive, it's the perfect place for a pasta lover to shop for dinner on a budget; cash only.

**Rare Bar & Grill**  
(228 Bleecker at 6th Ave.)  
An expensive burger, but a tasty one; they get their cheese fresh from Murray's, and serve 'em up along side sweet potato fries.

**Tomoe Sushi**  
(172 Thompson b/w Bleecker & Houston)  
One of the city's best sushi houses; remarkably affordable; totally jam-packed all the time; go early and wait, or sneak in for lunch and avoid the crowds.



*John's of Bleecker (278 Bleecker b/w Jones and Morton): By many standards it's the best pizza in the city—a Village institution.*

**Volare**  
(147 W. 4th b/w MacDougal & 6th Ave.)  
A favorite local Italian place; the real deal—Tony Soprano would go. . . fuhgeddabowdit!

*Negril Village (70 W 3rd b/w LaGuardia and Thompson): Negril Village is one of the many law school favorites located on 3rd Street. It features Caribbean cuisine and a live music lounge.*

## Blissfully Baroque Bars



*Peculier Pub (145 Bleecker at LaGuardia): The only thing peculiar about this bar is the spelling of the name. Otherwise, it's a straight-up pub with the biggest beer selection in the area.*

**Barrow Street Ale House**  
(15 Barrow b/w W. 4th & 7th Ave.)  
Only slightly off the beaten path, but well worth the walk; a big room, a young crowd and a good place to watch Duke lose in the semi-finals.

**B Bar**  
(Bowery at W. 4th)  
The outdoor patio is a perfect summer spot, attracting the chill-out crowd; the DJ inside keeps you moving; slightly pricey.

**Down the Hatch**  
(179 W. 4th b/w 6th & 7th Aves.)  
This dive is where you want to be on a late Saturday night; good specials, loud music, foosball and a fun crowd.

**Madame X**  
(94 W. Houston b/w Thompson & LaGuardia)  
A Village bar with attitude: red lights, cool music and a velvet lounge make this bar a hot location for any night out.

**Off the Wagon**  
(109 MacDougal b/w Bleecker and W. 3rd)  
One of the best places in the neighborhood to watch sports; wide variety of drink and food specials.

**Peculier Pub**  
(145 Bleecker at LaGuardia)  
One of the longest beer lists in the Village; excellent jukebox selection; lots of tables available, so it's a great place to chat with friends.

**Red Lion**  
(151 Bleecker at Thompson)  
Always features an array of interesting musicians; plays host to many an SBA event, but don't let that stop you from going.

**The Stoned Crow**  
(85 Washington Place b/w MacDougal & 6th Ave.)  
This dark, smoky pub is often crowded with folks admiring the many posters decorating the place; two pool tables in the back; tasty burgers.

## Decadent Dessert Shoppes

**GROM**  
(233 Bleecker at Carmine)  
Gelato straight from Italy; sometimes a line, but always worth the wait; be sure to get a free sample.

**La Lanterna**  
(129 MacDougal St. at W. 3rd St.)  
Serves a fine Italian dinner, but better for cozy desserts, fireside chats, and spiked coffee in the winter.

**Tonnie's Minnies**  
(120 W. 3rd St.)  
Best mini cupcakes in the area; best regular sized cupcakes in the area; NYU discount; get a cheesesteak while you're there.

