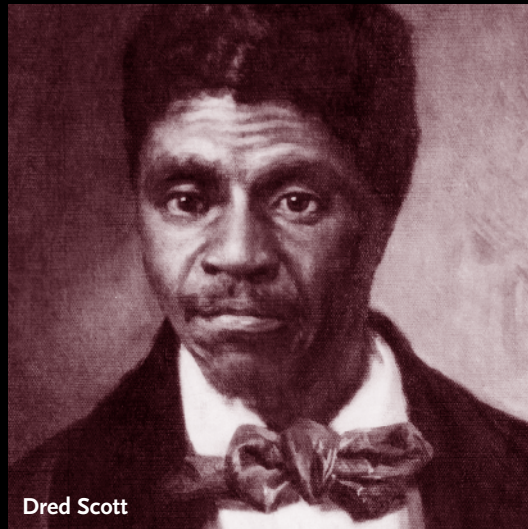


150th Anniversary of Dred Scott v. Sandford

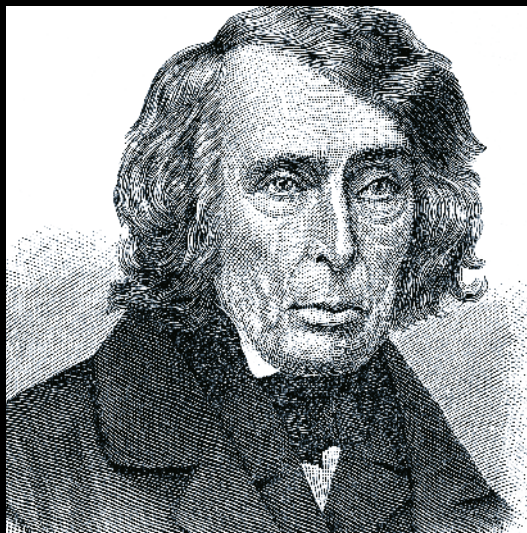
RACE, CITIZENSHIP & JUSTICE

Friday & Saturday
April 6 & 7, 2007

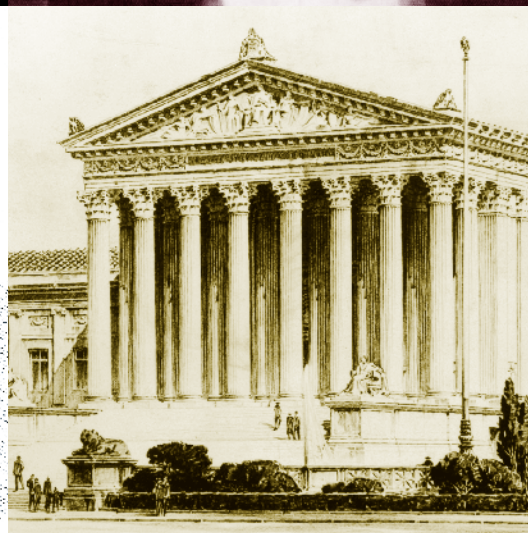
Ames Courtroom, Austin Hall
Harvard Law School
Cambridge, Massachusetts




Dred Scott



Chief Justice Roger Taney



A woman with dark hair in a ponytail, wearing a white sleeveless top, blue trousers, white socks, black shoes, and large red boxing gloves, stands confidently next to a dark, bent metal pole. The background is a light-colored brick wall.

DIVERSITY IS POWERFUL

Bingham McCutchen LLP is proud to sponsor the [Charles Hamilton Houston Institute for Race & Justice at Harvard Law School](#) and conference commemorating the 150th Anniversary of *Dred Scott v. Sandford*: Race, Citizenship & Justice.

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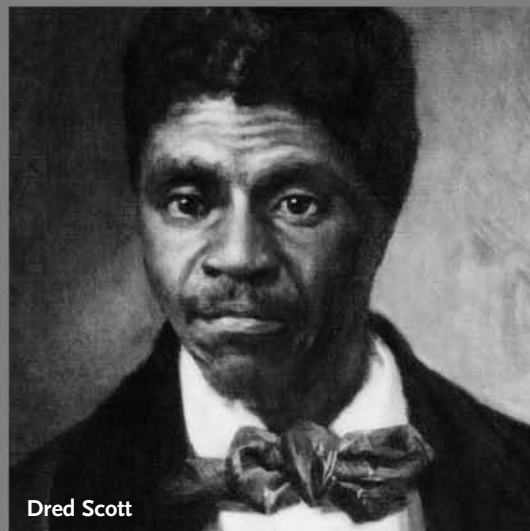
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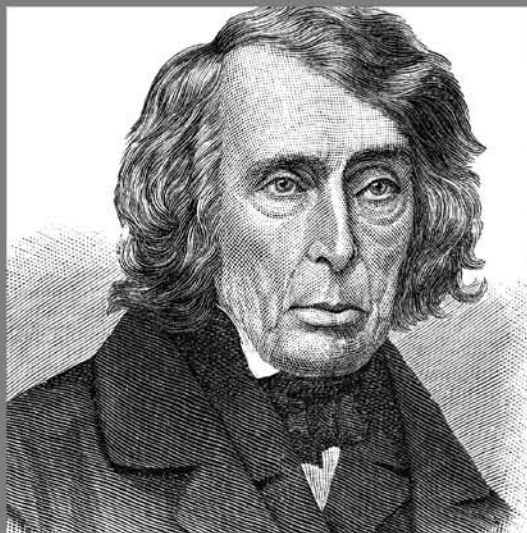
RACE, CITIZENSHIP & JUSTICE

Friday & Saturday
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Ames Courtroom, Austin Hall
Harvard Law School
Cambridge, Massachusetts



Dred Scott



Chief Justice Roger Taney



Charles
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INSTITUTE FOR
RACE & JUSTICE

HARVARD LAW SCHOOL

CHARLES J. OGLETREE, JR.
Jesse Climenko Professor of Law
Executive Director, Charles Hamilton Houston
Institute for Race and Justice

April 6, 2007

Dear Friends,

On behalf of the Charles Hamilton Houston Institute for Race and Justice, I would like to welcome you to "The 150th Anniversary of *Dred Scott v. Sandford*: Race, Citizenship & Justice." We are pleased to be able to convene this meeting, and thank you for joining us in reconsidering this landmark U.S. Supreme Court decision, whose impact and implications have defined our understanding and experience of race, citizenship and justice for the past 150 years.

There is little question that our understanding of the question of citizenship has changed throughout the history of the nation. It has certainly changed since Chief Justice Roger Taney, writing for the majority, concluded that blacks not only were "inferior" to whites, but also "had no rights which the white man was bound to respect." We would not have come this far except for the work of those like Charles Hamilton Houston, who taught us that "we must remain on the alert and push the struggle farther with all our might," and it is in keeping with his legacy that we gather for this reconsideration.

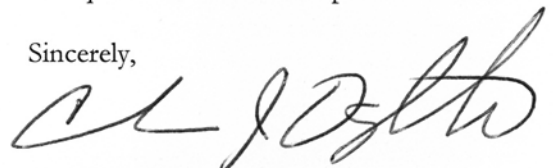
During the conference, we will take a close look at the actors involved in the case, the politics surrounding the case, and the legal arguments it included and provoked then as well as now. We will raise difficult questions about who we were as a nation 150 years ago, as well as who we have become today. In addition to leading scholars and jurists joining us for the conference, we are especially pleased that our formal reconsideration of the case will be presided over by U.S. Supreme Court Justice Stephen Breyer and ten U.S. Appellate Court judges.

During this conference, we will also feature a panel examining the 1946 *Mendez v. Westminster* case that challenged the separate but equal doctrine in public education, and which preceded *Brown v. Board of Education* in 1954, as well as a panel of survivors of the 1921 Tulsa Race Riots case, including 104-year-old Otis Clark, the oldest living survivor.

The Institute will follow this conference with a year-long project that will delve more deeply into the basic question of citizenship raised by the *Dred Scott* decision, and seek to address the question of where we might expect to be in 50 years.

We would like to extend our deepest thanks to the law firm of Bingham McCutchen for its ongoing support of the Institute and sponsorship of this conference. Again, we at the Charles Hamilton Houston Institute thank you for joining us for this historic gathering, and encourage you to become engaged over these two days and beyond in the critical questions of citizenship.

Sincerely,



Charles J. Ogletree, Jr.

HARVARD UNIVERSITY

OFFICE OF THE PRESIDENT

MASSACHUSETTS HALL
CAMBRIDGE, MASSACHUSETTS 02138
(617) 495-1502

March 22, 2007

Dear Friends,

I am honored to take part in the Charles Hamilton Houston Institute for Race and Justice's momentous event commemorating the 150th Anniversary of the *Dred Scott* ruling.

The *Dred Scott* decision was a critical moment in the coming of the Civil War, a moment I have thought and taught about for many years. I am delighted to be able to listen as legal scholars explore the implications of *Dred Scott v. Sandford* for law and race relations today. This conference represents yet another example of the exciting opportunities the Institute gives us to advance civil rights through scholarship. I can think of no better way to honor the memory of Charles Hamilton Houston, whose pioneering work has not only proven essential in shaping the Law School, but helped to change the very face of our nation.

I am grateful to Professor Ogletree and to the Institute for their important work and for providing us with this historic opportunity.

Sincerely,

A handwritten signature in black ink, reading "Drew Faust". The signature is fluid and cursive, with the first name "Drew" and the last name "Faust" clearly legible.

Drew Gilpin Faust
President-elect



HARVARD LAW SCHOOL

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OFFICE OF THE DEAN

Telephone (617) 495-4601
Fax (617) 495-5115

April 2, 2007

Dear Friends:

I'm delighted to welcome you to the 150th Anniversary of *Dred Scott v. Sandford* Conference, hosted by the Law School's Charles Hamilton Houston Institute for Race & Justice.

The *Dred Scott* decision occupies a unique place in our legal history. Often referred to as the Supreme Court's worst decision ever, it outraged abolitionists, paving the way for the Civil War and ultimately sowing the seeds of the modern civil rights movement. So strong is its hold on our national conscience that, 150 years later, its invocation remains the most powerful way to discredit a judicial decision.

It's especially fitting that this conference is hosted by the Houston Institute, as Charles Hamilton Houston spent his life combating the pervasive racial injustices reflected in the *Dred Scott* decision. A 1922 Harvard Law School graduate and the first African-American editor of the *Harvard Law Review*, Houston spearheaded the litigation in *Brown v. Board of Education*, the Supreme Court decision that outlawed segregation in public schools. That case was argued by an NAACP litigator named Thurgood Marshall, for whom I later had the honor to clerk after he became the first black justice on the U.S. Supreme Court. Today, along with being Dean, I'm proud to hold the title Charles Hamilton Houston Professor of Law—and proud of the work this Law School does to advance the vision of equal justice championed by these two great men, whose portraits now hang in our Langdell Library.

In closing, I'd like to express my heartfelt thanks to everyone who has helped make this conference possible. Special thanks to U.S. Supreme Court Justice Stephen Breyer and the eminent circuit court judges, scholars, and lawyers who will take part in the reargument of the *Dred Scott* case—a remarkable exercise that I know will prompt new insights and ways of thinking. I'd also like to thank and recognize the five extraordinary conference honorees for their generosity and support: Alan Haymon, John Henry, Michael Klein, Jay Zimmerman, and Charles Hamilton Houston, Jr. Finally, I am deeply grateful to Charles Ogletree, Jesse Climenko Professor of Law and Director of the Houston Institute. Without Tree, there would not only be no conference—there would be no Institute.

Sincerely,

Elena Kagan
Dean

April 6, 2007

Dear Conference Participants and Attendees:

As chairman of Bingham McCutchen and a 1980 graduate of Harvard Law School, I welcome you to our commemoration of the 150th anniversary of *Dred Scott v. Sandford*.

This conference provides us with the opportunity to explore one of the most important U.S. Supreme Court rulings in our country's history and its impact on race and civil rights today. My hope is that we can use this gathering to recognize the gains that we have made in the area of racial justice and identify the challenges we still face.

We have a spectacular array of federal judges, lawyers and legal scholars assembled here, and I am confident that you will be inspired by the range of perspectives and ideas introduced and debated. I am especially looking forward to Saturday's mock court argument that will reconsider *Dred Scott*, presided over by U.S. Supreme Court Associate Justice Stephen G. Breyer.

Bingham McCutchen is committed to supporting the mission of the Charles Hamilton Houston Institute for Race & Justice, that is, to carry forth the legacy of one of the great lawyers of the 20th century and to define the civil rights agenda for the coming generation. This conference is just one of several events and projects that the Institute is undertaking. It is exciting and important work, and I am proud that Bingham is a part of it.

Enjoy the discussion.

Sincerely yours,

A handwritten signature in black ink, appearing to read "J. Zimmerman", with a large, stylized flourish at the end.

Jay S. Zimmerman
Chairman

Bingham McCutchen LLP

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RACE, CITIZENSHIP
& JUSTICE

CONFERENCE AGENDA

DAY ONE—FRIDAY, APRIL 6, 2007

- 7:45–8:45 a.m. **Continental Breakfast & Registration**
Registration will remain open until 4:00 p.m.
- 9:00 a.m. **Welcome & Overview of Conference**
Professor Charles J. Ogletree, Jr., Founding & Executive Director, CHHIRJ
Dean Elena Kagan, Dean & Charles Hamilton Houston Professor of Law,
Harvard Law School
President-Elect Drew Gilpin Faust, Harvard University
- 9:15–10:45 a.m. **PANEL 1: *Dred Scott v. Sandford*: The Parties, The Court, and Politics**
Professor Stephen Best, Associate Professor, Department of English,
University of California-Berkeley
Professor Gregg D. Crane, Associate Professor in English, University of Michigan
Professor Judith Jackson Fossett, Associate Professor of American Studies,
Ethnicity & English, University of Southern California
Professor Farah J. Griffin, Professor of English & African American Studies,
Columbia University
Professor John Stauffer, Chair, History of American Civilization, and
Professor of English and African and African American Studies, Harvard University
Moderator: **Professor Charles J. Ogletree, Jr.**, Founding & Executive Director, CHHIRJ
- 10:45–11:00 a.m. **Break**
- 11:00 a.m.–12:30 p.m. **PANEL 2: *Dred Scott v. Sandford*: The Issues of Citizenship**
Professor Mark Graber, Professor of Law, University of Maryland School of Law
Professor John A. Powell, Professor of Law, Executive Director, Kirwan Institute for
the Study of Race & Ethnicity, Moritz College of Law, Ohio State University
Professor Gwendolyn DuBois Shaw, Associate Professor, Department of
History of Art, University of Pennsylvania
Professor Valerie Smith, Woodrow Wilson Professor of Literature, Director,
Center for African American Studies, Princeton University
Gregory J. Wallance, Esq., Partner, Kaye Scholer LLP
Moderator: **David J. Harris**, Managing Director, CHHIRJ

RACE, CITIZENSHIP
& JUSTICE

CONFERENCE AGENDA

- 12:30–1:45 p.m. **Lunch**
On Your Own (List of options available at Registration)
- 2:00–3:30 p.m. **PANEL 3: *Dred Scott v. Sandford*: The View of Historians**
Professor Lea VanderVelde, Josephine Witte Professor of Law, University of Iowa College of Law
Professor Jenny Wahl, Professor of Economics, Carleton College
R. Owen Williams, Ph.D. Candidate, Yale University
Commentator:
Professor Jed Shugerman, Assistant Professor of Law, Harvard Law School
Moderator: **Professor David A. Thomas**, Professor of Business Administration, Harvard Business School
- 3:30–3:45 p.m. **Break**
- 3:45–5:15 p.m. **PANEL 4: *Dred Scott v. Sandford*: A Constitutional Analysis of the Continuing Significance of the Case**
Professor Derrick A. Bell, Visiting Professor of Law, New York University School of Law
Professor Sarah H. Cleveland, Bemis Visiting Professor in International Law, Harvard Law School, and Professor of Law, University of Texas School of Law
Professor Bruce L. Hay, Professor of Law, Harvard Law School
Professor Cass R. Sunstein, Visiting Professor of Law, Harvard Law School, and Karl N. Llewellyn Dist. Service Professor of Law, Law School, Dept. of Political Science and the College, University of Chicago Law School
Professor Mark Tushnet, William Nelson Cromwell Professor of Law, Harvard Law School
Moderator: **Professor Charles J. Ogletree, Jr.**, Founding & Executive Director, CHHIRJ
- 5:15–6:30 p.m. **Reception**—Austin Hall Lobby & Rotunda

CONFERENCE AGENDA

DAY TWO—FRIDAY, APRIL 7, 2007

- 7:45–8:30 a.m. **Continental Breakfast & Registration**
Registration will remain open until 2:00 p.m.
- 8:45 a.m. **Welcome & Musical Selections**
Professor Charles J. Ogletree, Jr., Founding & Executive Director, CHHIRJ
Professor Lawrence Watson, Professor, Berklee College of Music, Ensemble Department
- 9:00–10:15 a.m. **PANEL 1: The Road from *Dred Scott* to *Brown*: *Mendez v. Westminster***
Video Greetings & Introduction: **The Honorable Robert L. Carter**, Senior Judge,
U.S. District Court for the Southern District of New York

Panelists:
Professor Jack Greenberg, Alphonse Fletcher Professor of Law, Columbia Law School
The Honorable Carlos F. Lucero, Judge, U.S. Court of Appeals for the 10th Circuit
Christopher Arriola, Past President, California La Raza Lawyers
Susan Eaton, Research Director, CHHIRJ
Sylvia Mendez, Daughter of Gonzalo Mendez
Sandra Robbie, Writer/Producer, *Mendez vs. Westminster: For All the Children/*
Para Todos los Ninos
Moderator: **Professor Charles J. Ogletree, Jr.**, Founding & Executive Director, CHHIRJ
- 10:15–11:30 a.m. **PANEL 2: The 1921 Tulsa Race Riot**
Otis G. Clark, 104-year-old Tulsa Race Riot Survivor
Professor Eric J. Miller, Assistant Professor of Law, Saint Louis University School of Law
Reginald Turner, Producer of *Before They Die!*, The Tulsa Race Riot Documentary
Wess Young, 90-year-old Tulsa Race Riot Survivor
Moderator: **Professor Charles J. Ogletree, Jr.**, Lead Counsel, Tulsa Race
Riot Litigation Team
- 11:30 a.m.–1:00 p.m. **Lunch**
On Your Own (List of options available at Registration)
- 1:15 p.m. **Greetings, Remarks & Award Presentations**
Professor Charles J. Ogletree, Jr., Founding & Executive Director, CHHIRJ
Dean Elena Kagan, Dean & Charles Hamilton Houston Professor of Law,
Harvard Law School
Jay S. Zimmerman, Chairman, Bingham McCutchen LLP

CHARLES HAMILTON HOUSTON JUSTICE AWARD RECIPIENTS
Alan Haymon, CEO, Haymon Entertainment LLC
John W. Henry, Principal Owner, Boston Red Sox
Charles Hamilton Houston, Jr., Assistant Professor, Morgan State University
Michael Klein, Co-Founder & Chairman, The Sunlight Foundation
Jay S. Zimmerman, Chairman, Bingham McCutchen LLP

RACE, CITIZENSHIP
& JUSTICE

CONFERENCE AGENDA

1:30–4:30 p.m. **Mock Court & Court Deliberation:**

Reconsideration of *Dred Scott v. Sandford*

Presiding Chief Justice:

The Honorable Stephen G. Breyer, Associate Justice, United States Supreme Court

Justices:

The Honorable Harry T. Edwards, Senior Judge, U.S. Court of Appeals for the
D.C. Circuit

The Honorable Damon J. Keith, Senior Judge, U.S. Court of Appeals for
the 6th Circuit

The Honorable Allyson K. Duncan, Judge, U.S. Court of Appeals for the 4th Circuit

The Honorable Roger L. Gregory, Judge, U.S. Court of Appeals for the 4th Circuit

The Honorable Carlos F. Lucero, Judge, U.S. Court of Appeals for the 10th Circuit

The Honorable Theodore A. McKee, Judge, U.S. Court of Appeals for the 3rd Circuit

The Honorable Edward C. Prado, Judge, U.S. Court of Appeals for the 5th Circuit

The Honorable Johnnie B. Rawlinson, Judge, U.S. Court of Appeals for the 9th Circuit

The Honorable Ann Claire Williams, Judge, U.S. Court of Appeals for the 7th Circuit

The Honorable Charles R. Wilson, Judge, U.S. Court of Appeals for the 11th Circuit

Lawyers:

Professor Akhil Reed Amar, Professor of Law, Yale Law School

Professor Erwin S. Chemerinsky, Alston & Bird Professor of Law and Political
Science, Duke University School of Law

John Payton, Esq., Partner, WilmerHale

Dean Kenneth W. Starr, Duane & Kelly Roberts Dean and Professor of Law,
Pepperdine University School of Law

Expert Witnesses:

Professor Derrick A. Bell, Visiting Professor of Law, New York University School of Law

Professor Sarah H. Cleveland, Bemis Visiting Professor in International Law,
Harvard Law School, and Professor of Law, University of Texas School of Law

Professor Paul Finkelman, President William McKinley Distinguished Professor of
Law and Public Policy, Albany Law School

Professor John Stauffer, Chair, History of American Civilization, and Professor of
English and African and African American Studies, Harvard University

Vocalist:

Professor Lawrence Watson, Professor, Berklee College of Music, Ensemble Department

4:30 p.m. **Closing Remarks**

Professor Charles J. Ogletree, Jr., Founding & Executive Director, CHHIRJ

4:30–5:30 p.m. **Reception**—Austin Hall Lobby & Rotunda

CHARLES HAMILTON HOUSTON JUSTICE AWARD RECIPIENTS

*All our struggles must tie in together and support one another.
We must remain on the alert and push the
struggle farther with all our might.*

—Charles Hamilton Houston

The Charles Hamilton Houston Institute for Race and Justice is pleased to present its first Equal Justice awards to five individuals who, by their actions and activities, have over the course of many years and in many ways, contributed to the Houston legacy of fighting for a more just society. Each of this year's awardees has exemplified Houston's spirit of mutual support and mandate for vigilance.

ALAN HAYMON

JOHN W. HENRY

CHARLES HAMILTON HOUSTON, JR.

MICHAEL KLEIN

JAY ZIMMERMAN

RACE, CITIZENSHIP
& JUSTICE

ALAN HAYMON is a native of Cleveland, Ohio, where he attended public schools. He is a graduate of Harvard College and Harvard Business School. Mr. Haymon started his illustrious career while in business school, initially promoting jazz concerts in Boston. He then went on to become one of the nation's most successful promoters in entertainment, and is now the President and CEO of Haymon Entertainment.

He has successfully promoted urban music acts around the country and around the world for more than 25 years. Mr. Haymon is also a generous donor to historically black colleges and universities, providing scholarships to high school and college students to continue their education.



JOHN W. HENRY and his partners purchased the Boston Red Sox and its affiliates creating New England Sports Ventures, LLC in 2002. As principal owner, Mr. Henry now heads New England Sports Ventures, which owns the Boston Red Sox, Fenway Sports Group, New England Sports Properties, Fenway Park and the New England Sports Network. He also serves on Major League Baseball's Executive Council, various MLB committees and the board of MLB.com.

Mr. Henry and his partners also created the Red Sox Foundation. The Foundation supports a wide variety of programs serving children and families in need throughout New England and has become the largest team charity in Major League Baseball.

In 2007, Fenway Sports Group partnered with Roush Racing to form Roush Fenway Racing—the first-time owners of a franchise in one of the four major leagues has entered the world of NASCAR. The partnership provides both organizations with the necessary resources to remain competitive at the highest levels of their respective sports.

An Illinois native, Mr. Henry is one of the most successful investment managers in the futures industry, serving leading money center banks, brokerage firms, multinational corporations and private clients. Mr. Henry is chairman of John W. Henry & Company, Inc. Established in 1981, the firm is currently among the largest futures investment firms in the world.

Since 1989, Mr. Henry has devoted a substantial amount of time to baseball. His love of baseball inspired him in 1989 to become chairman and majority owner of the Tucson Toros of the Triple-A Pacific Coast League and the West Palm Beach Tropics of the Senior Professional Baseball Association. In 1992, he became a limited partner of the N.Y. Yankees and, then, the chairman and sole owner of the Florida Marlins from 1999 to 2002.

He currently serves as a trustee of Massachusetts General Hospital and on the board of the Benson-Henry Mind Body Medical Institute at the hospital. Mr. Henry has received honorary doctorate degrees from Northeastern and Boston Universities, a lifetime achievement award from Alternative Investment News, and been elected to the Futures Hall of Fame by the Futures Industry Association.

RACE, CITIZENSHIP
& JUSTICE



CHARLES HAMILTON HOUSTON, JR., the son of Charles Hamilton Houston, is a Lecturer in the Department of History and Geography, Morgan State University, Maryland. His research interests include race relations in Cuba following the 1912 massacre of blacks, comparative African and South American race relations, and the NAACP policy formation process from 1919–1941. Mr. Houston has received several awards, including an honorary doctorate from

the New England School of Medicine in 2000. He has lectured on the Honorable Charles Hamilton Houston at the University of Pittsburgh School of Law, The New England School of Law, Harvard Law School, Howard University School of Law, and the District of Columbia Humanities Council. Mr. Houston is a member of the American Historical Society, the Maryland Historical Society, and the Washington Historical Society. A graduate of Duquesne University (B.A., 1968) and the University of Pittsburgh (M.A., 1977), Mr. Houston is a doctoral candidate at the University of Maryland in the field of history. From 1971 to 1985, he worked for Gulf Oil Co. in public affairs, and from 1985 to 1987, he was deputy city representative for marketing and public relations for the City of Philadelphia.



MICHAEL KLEIN's current focus is improving the transparency and accountability of Congress through The Sunlight Foundation, which he founded in 2005. The foundation is inspired by Louis Brandeis' observation in *Other Peoples' Money*: "Sunlight is said to be the best of disinfectants; electric light, the best policeman." Sunlight is an effort to improve Congressional performance by providing the public with Internet access to information about

what members of congress, and those who seek to influence them, do with their time, money, and activities. Sunlight creates and makes available databases on lobbyist reports, campaign contributions, personal financial reports, federal contracts, legislative activity, and more.

The foundation's premise is built upon Mr. Klein's earlier experiences. He learned the power of public disclosure during his career as a securities and corporate lawyer at WilmerHale and as the chairman and co-founder of CoStar Group, Inc., which provides web information for more than 35 billion square feet of commercial, industrial and retail real estate. Sunlight also reflects what Mr. Klein learned about the power of peer judgment as a member and president of the PEN Faulkner Foundation, an organization that honors and builds audience for contemporary American fiction.

Mike serves as lead director and vice chairman of the board of Perini Corporation, a construction company, and as a director of SRA International, Inc., a leading systems integrator. In the private sector, he is an owner and director of Astar Air Cargo, Inc., an air cargo carrier; the chairman and CEO of Le Paradou, a restaurant he co-founded with legendary chef Yannick Cam, and Zenith Gallery, Inc., one of D.C.'s longest-lived contemporary art galleries, and a director of Oz Fitness, Inc., a fitness club chain.

In the not-for-profit arena, Mr. Klein has founded and served on the board of numerous public interest and support organizations like the Washington D.C. Advocates for the Public Interest. Presently, he serves as a director of The American Himalayan Foundation and as a trustee of the University of Miami, the Dean's Advisory Board of Harvard Law School, the Committee on University Resources of Harvard University, and the Society of Fellows of the Aspen Institute.

RACE, CITIZENSHIP & JUSTICE



JAY ZIMMERMAN, chairman of Bingham McCutchen, personifies the firm's entrepreneurial approach to growth and the decisiveness and commitment that have propelled it into the top echelon of U.S. law firms. Mr. Zimmerman has pioneered a new style of law-firm management that balances opportunistic agility with strategic business thinking, and that combines financial discipline with a willingness to invest in appropriate opportunities.

Mr. Zimmerman joined the firm in 1982, headed its London office for seven years, and was elected managing partner in 1994. Recognizing the changing needs of clients and dynamics of the legal marketplace, he was able to think beyond the traditional regional model to embark on a strategy to expand the firm's geographic base and diversify its practice portfolio. Under his management, the firm has engineered a series of mergers that have resulted in the firm's growth from four to 13 offices worldwide, quadrupled its size to over 950 lawyers, and increased its revenues six-fold. Equally important to Mr. Zimmerman, the firm has sustained a distinctive set of core values that has contributed to Bingham McCutchen being named one of FORTUNE magazine's "100 Best Companies to Work For" in 2005, 2006 and 2007. During Mr. Zimmerman's tenure, Bingham McCutchen also has been a leader in embracing the concept of multidisciplinary practices and has established several of its own subsidiary businesses:

- Bingham Consulting Group, a business and governmental consulting practice that creates custom political strategies for businesses in industries subject to complex state regulatory schemes.
- Bingham Legg Advisers, a joint venture with Legg Mason, the Baltimore-based financial services company, an investment advisory and money management resource for high net-worth individuals and families, and the first transaction of its type between a major law firm and a major investment management company.
- Bingham Strategic Advisors, a team that provides strategic business advice on mergers and acquisitions, joint ventures and business restructurings.
- Bingham Sports Consulting LLC, a sports-industry services firm that helps identify growth opportunities and maximize franchise performance.

Mr. Zimmerman serves as chairman of the board of all four of these subsidiary businesses.

150th Anniversary of
Dred Scott v. Sandford

RACE, CITIZENSHIP
& JUSTICE

CONFERENCE PARTICIPANTS

JUDGES, LAWYERS AND EXPERTS



PANELISTS AND GUEST SPEAKERS

RACE, CITIZENSHIP
& JUSTICE

JUDGES, LAWYERS AND EXPERTS



THE HONORABLE STEPHEN BREYER was born in San Francisco in 1938 and is a graduate of Stanford, Oxford, and Harvard Law School. Mr. Breyer clerked for Justice Arthur Goldberg during the 1964–65 term of the Supreme Court. He taught law for many years at Harvard and has also worked as a Justice Department lawyer, an assistant Watergate special prosecutor, and chief counsel of the Senate Judiciary Committee. In 1980, Justice Breyer was appointed to the First Circuit Court of Appeals by President Carter. In 1994, he was appointed to the Supreme Court by President Clinton. Justice Breyer has written several books and articles about administrative law, regulation, and the Constitution. He and his wife, Joanna, have three children (Chloe, Nell and Michael) and two grandchildren.



THE HONORABLE ROBERT L. CARTER has been a U.S. district judge, Southern District of New York, since 1972. Prior to this appointment, he was a partner in the firm of Poletti Freidin Prashker Feldman & Gartner (1969–72) and served as assistant Special counsel and general council for the NAACP (1944–62), where he won 21 of 22 cases in the U.S. Supreme Court. In 1962, he served as director of veterans affairs for the American Veterans Committee. He is the recipient of numerous honors and awards including: The Empire State Chapter of the Federal Bar Association's Lifetime Achievement Award (2003); the Sara T. Hughes Civil Rights Award, Federal Bar Association (2003); appointment as a senior scholar fellow, Harvard University and Harvard Law School (2003); LLD, Yale University (2003); the Medal of Freedom, Harvard Law School (2000); Alumni Award for Distinguished Postgraduate Achievement, Howard University (1980), and a DCL, Lincoln University (1965).

Judge Carter's publications include: "Thirty Five Years Later: New Perspectives on Brown", *Race in America, The Struggle for Equality*, at 83 (University of Wisconsin Press, 1993); *Legal Aspects of the Civil Rights Movement* (Detroit University Press, 1965); contributing author, *The African Forum* (Pantheon Press, 1959) and articles in, among others, the *Michigan Law Review*, *Encyclopedia of The American Constitution*, *Harvard Law Review*, *Journal of the Supreme Court History*, and the *Washington Post*.

A graduate of Lincoln University (AB, 1937), Howard University (LLB, 1940) and Columbia University (LLM, 1941), he has taught as the W. Haywood Burns Memorial Chair in Civil Rights, adjunct professor, at CUNY School of Law (1999–2000); as adjunct professor, University of Michigan and New York University Law Schools (1977 and 1965–70 respectively), and as a visiting lecturer, Yale University (1975–77). He currently serves on the Council of Advisors, Northside Center for Child Development. He has served many organizations in various capacities including: president, National Committee Against Discrimination in Housing; board member, American Civil Liberties Union; board member, Alvin Ailey Dance Theatre; Delegate, World Assembly on Human Rights in Montreal, Canada; member, American Delegation to the U.N. Conference on Crime and Treatment of Offenders in Stockholm, Sweden.



THE HONORABLE HARRY T. EDWARDS was appointed to the United States Court of Appeals for the District of Columbia Circuit by President Carter in 1980. He served as chief judge from September 15, 1994 until July 16, 2001, and he took Senior status on November 3, 2005. Before joining the bench, Judge Edwards was a tenured professor of law at the University of Michigan (1970–75 and 1977–80) and at Harvard Law School (1975–77). He practiced law in Chicago with Seyfarth, Shaw, Fairweather & Geraldson from 1965 to 1970.

Judge Edwards received a B.S. degree from Cornell University in 1962 and a J.D. degree from the University of Michigan law School in 1965. He graduated from law school with distinction and was a member of the Michigan Law Review and the Order of the Coif.

He is a member of the American Law Institute; the American Academy of Arts and Sciences; the American Judicature Society; the American Bar Foundation; the American Bar Association; the Supreme Court Historical Society; and a director/mentor at the Unique Learning Center in Washington, D.C., a volunteer program to assist disadvantaged inner-city youth.

Judge Edwards is the co-author of four books: *Labor Relations Law in the Public Sector*; *The Lawyer as a Negotiator*; *Collective Bargaining and Labor Arbitration*; and *Higher Education and the Law*. And, in 2004, in commemoration of the 50th anniversary of *Brown v. Board of Education*, Judge Edwards authored “The Journey from *Brown v. Board of Education* to *Grutter v. Bollinger*: From Racial Assimilation to Diversity,” 102 Michigan L. Rev. 944 (2004), in which he draws on his own personal and professional experiences to reflect on racial equality and inequality in America over the past 50 years and ponder the consequences of the shift from racial assimilation to diversity as a means of achieving racial equality.

Since 1980, he has taught at a number of law schools, including Duke, Georgetown, Harvard, Pennsylvania, Michigan, and NYU (where he has taught since 1990 and is now a visiting professor of law).



THE HONORABLE DAMON J. KEITH was born in Detroit, Michigan, and has served on the United States Court of Appeals for the Sixth Circuit since 1977. Prior to his appointment to the Court of Appeals, Judge Keith served as chief judge of the United States District Court for the Eastern District of Michigan. Judge Keith is a graduate of West Virginia State College (B.A. 1943), Howard Law School (J.D. 1949), and Wayne State University Law School (LL.M. 1956).

In 1985, Chief Justice Warren E. Burger appointed Judge Keith as chairman of the Bicentennial of the Constitution Committee for the Sixth Circuit. Then, in 1987, Judge Keith was appointed by chief justice William Rehnquist to serve as the national chairman of the Judicial Conference Committee on the Bicentennial of the Constitution. In 1990, President Bush appointed him to the Commission on the Bicentennial of the Constitution.

In 1993, Wayne State University Professor Emeritus, Edward J. Littlejohn, approached Judge Keith about creating a collection of photographs, personal papers, legal memoranda, and memorabilia from African-Ameri-

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can lawyers and judges. This was the beginning of the Damon J. Keith Collection of African-American Legal History, the first and only collection of its kind.

Judge Keith is the recipient of numerous honors and awards, including over 40 honorary degrees. In 1974, the Detroit Board of Education dedicated a primary school in his honor, naming it The Damon J. Keith Elementary School. Judge Keith has also received the NAACP's highest award, the Spingarn Medal, the American Bar Association's Thurgood Marshall Award, the Distinguished Public Service Award from the National Anti-Defamation League, the Detroit Urban League's Distinguished Warrior Award, and the prestigious Edward J. Devitt Award for Distinguished Service to Justice. In January 2000, Turner Broadcasting Systems presented Judge Keith the Pinnacle Award at the Eighth Annual Trumpet Awards. In February 2000, Court TV profiled Judge Keith in its program honoring "America's Great Legal Minds." The National Urban League also gave him their highest honor, the Whitney Young Award in July 2004.

Judge Keith and his late wife, Rachel Boone Keith, M.D., have three daughters and two granddaughters.



THE HONORABLE ALLYSON K. DUNCAN took her seat on the United States Court of Appeals August 15, 2003 after being nominated by President Bush.

She was the first African American woman to serve on the Fourth Circuit and the North Carolina Appellate Courts. She was sworn in as the 109th president of the North Carolina Bar Association on June 21, 2003, making her the first African American and only the third woman to hold this position.

Prior to joining the Fourth Circuit, Judge Duncan was a partner in the Raleigh offices of Kilpatrick Stockton, LLP. Before joining the firm, she was a member of the North Carolina Utilities Commission from 1991–1997, during which time she held leadership positions in the National Association of Regulatory Utility Commissioners, served as a member of the Harvard Electricity Policy Group and the Electric Power Research Institute (EPRI), and testified before Congress on energy issues.

Judge Duncan served on the North Carolina Court of Appeals from 1990–1991, and prior to that was an assistant professor of Law at North Carolina Central University, teaching property, employment discrimination, labor law and appellate advocacy. She also co-authored a textbook on North Carolina appellate advocacy. Judge Duncan worked for the Equal Employment Opportunity Commission in Washington, D.C. from 1978–1986, first as an appellant attorney, later as executive assistant to Chairman Clarence Thomas and ultimately served as the agency's acting legal counsel.

Judge Duncan is active in numerous professional and community organizations, and has received as a result a number of awards and honors. She graduated from Hampton University in 1972, and Duke University School of Law in 1975. She is married to U.S. Magistrate Judge William A. Webb.



THE HONORABLE ROGER L. GREGORY grew up in Petersburg, Virginia and was the son of tobacco factory workers.

Gregory received his B.A., summa cum laude from Virginia State University in 1975 and his J.D. from the University of Michigan in 1978. He was an associate attorney in the Detroit firm of Butzel, Long, Gust, Klein & Van Zile and the Richmond firm of Hunton & Williams.

In 1982, he formed the law firm of Wilder & Gregory with L. Douglas Wilder (who later served as Governor of Virginia). He served as managing partner and head of the litigation section of the firm until his appointment to the court.

Judge Gregory was appointed to the United States Court of Appeals for the Fourth Circuit by recess appointment of President Clinton on December 27, 2000 becoming the first African American to serve the Fourth Circuit. He has been sitting on the bench since January 18, 2001. He was re-nominated by President Bush and confirmed by the Senate for a lifetime appointment to the court on July 25, 2001. Judge Gregory is the only person in the history of the United States to be appointed to the United States Court of Appeals by two presidents of different political parties.

By appointment of the chief justice of the Supreme Court of the United States, he serves on the Judicial Conference Committee on the Administrative Office of the United States Courts. By appointment of the chief justice of the Supreme Court of Virginia, he currently serves on the Virginia State-Federal Judicial Council. He has served on the Brown v. Board of Education 50th Anniversary Commission established by the president and Congress to commemorate the anniversary of that landmark decision and also served as a member of the American Bar Association's Commission on the American Jury.

He is a member of Good Shepherd Baptist Church in Petersburg Virginia. He is a member of Omega Psi Phi Fraternity and Sigma Pi Phi Fraternity (Alpha Beta Boulé).

He is married to the former Carla Lewis and they have three daughters.



THE HONORABLE CARLOS F. LUCERO was appointed to the United States Court of Appeals for the Tenth Circuit by President Clinton on June 30, 1995.

Judge Lucero was born November 23, 1940, in Antonito, Colorado. He received a B.A. from Adams State College, where he was the editor of *The South Coloradan*, and a J.D. from the George Washington University Law School in 1964.

Following law school, Judge Lucero clerked for Judge William E. Doyle of the United States District Court for the District of Colorado. Prior to his clerkship, he was a staff aide for the Senate Judiciary Subcommittee on Administrative Practice and Procedure. He entered private practice in Alamosa, Colorado where he became senior partner of the law firm of Lucero, Lester and Sigmund.

While in private practice, Judge Lucero was a founding member of the Board of Directors of Colorado Rural Legal Services and served on the Colorado Supreme Court Board of Law Examiners. In 1994, Adams State Col-

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lege named a project started by Judge Lucero and his wife, Dorothy, “The Lucero Project.” That program, funded by the Luceros for several years, enables college students to mentor elementary school students.

Judge Lucero has received numerous awards, including the Professional Service Award of the Colorado Hispanic Bar Association, the Professional Service Award of the League of United Latin American Citizens (LULAC), honorary membership in the University of Colorado Chapter of the Order of the Coif, St. Thomas More Award of the Colorado Catholic Lawyers’ Guild, the Colorado Jaycees’ Outstanding Young Man of Colorado Award, the Paul Harris Fellow of the Rotary Foundation, and the Distinguished Alumnus Award of the George Washington University. In 2006, he was presented the National Jurist of the Year Award by the Hispanic National Bar Association.

He is a fellow of the American College of Trial Lawyers, the International Academy of Trial Lawyers, the International Society of Barristers, the American Bar Foundation, and the Colorado Bar Foundation, of which he was president. He is a member and past president of the Colorado Bar Association and a member of the National Hispanic Bar Association.



THE HONORABLE THEODORE A. MCKEE was sworn in as a judge of the U.S. Court of Appeals for the Third Circuit on June 20, 1994. He is only the fourth African-American to serve on the Third Circuit bench. Judge McKee graduated magna cum laude from Syracuse University College of Law in 1975. He received several awards for outstanding academic performance in law school including being inducted into the Order of the Coif.

Judge McKee began his legal career in Philadelphia at Wolf, Block, Schorr & Solis-Cohen. In 1977, he became an assistant U.S. attorney for the Eastern District of Pennsylvania, a position that marked the beginning of a career in public service. In 1980 Judge McKee became the deputy city solicitor in the administration of then mayor, William Green. There, he headed the enforcement division of the city’s law department. In 1983 he accepted a position as general counsel to the Philadelphia Parking Authority, and then ran successfully for the Court of Common Pleas. He served as a judge of the Court of Common Pleas for over 11 years, until his appointment to the Third Circuit Court of Appeals by President Clinton.

Judge McKee is quite active in the community, and serves on the boards of directors of several non profit organizations and institutions including: the Diagnostic and Rehabilitation Center, Fox Chase Cancer Center, and the Advisory Committee of City Year Philadelphia. While a Judge of the Court of Common Pleas, Judge McKee also served on the Pennsylvania Sentencing Commission, and was the chair of the Commission for nearly four years during which time he chaired a subcommittee charged with reexamining Pennsylvania’s sentencing guidelines. Since joining the U.S. Court of Appeals for the Third Circuit, Judge McKee has become a member of the Third Circuit Task Force on Equal Treatment in the Courts, and co-chaired the Commission on Racial and Ethnic Bias of the Task Force.

Judge McKee enjoys time with his family (including their German Shepard, “Chipper”). He married the former Ana Luisa Pujols in 1974. They have two daughters: Emilia and Marisol.



THE HONORABLE EDWARD PRADO was appointed to the United States Court of Appeals for the Fifth Circuit in May 2003 by President Bush. He graduated from the University of Texas at Austin in May of 1969 and received his J.D. from the University of Texas School of Law in 1972. Judge Prado currently is a member of the Federal Judges Association Board, Fifth Circuit District Judges Workshop Committee, Federal Courts Committee for the San Antonio Bar Association, the Federal Judicial Center's Advisory Committee on the Benchbook for the United States District Judges, and the Judicial Branch Committee for the Conference of the United States Courts. He also coordinates the Fifth Circuit

New Law Clerk Orientation Workshop and serves as the technology proctor for the Fifth Circuit Court of Appeals.

Judge Prado began his career in 1972 as the Bexar County assistant district attorney in San Antonio, Texas. He later became assistant federal public defender for the Western District of Texas and served as state district judge for the 187th Judicial District Court of Bexar County, Texas. In March 1981, Judge Prado was appointed United States Attorney by President Ronald Reagan for the Western District of Texas and three years later, the President appointed him United States District Judge for the Western District of Texas. During his district courtship, Judge Prado was a board member of the Federal Judges Association, president of the Fifth Circuit District Judges Association, and chair of the Fifth Circuit Judicial Conference.

Judge Prado is a life fellow of the Texas Bar and San Antonio Bar Foundations. He is the former president of the San Antonio Bar Foundation and the William S. Sessions American Inns of Court. He was also a member of the American Bar Association's Drug Crisis Committee and its Judicial Immigration Education Project. His recent awards include Latino Judge of the Year for 2005 by the Hispanic National Bar Association, 100 Most Influential Latinos in the United States in 2005 by Hispanic Business Magazine, and the Honorary Order of the Coif Award presented by the University of Texas Law School Alumni Association.



THE HONORABLE JOHNNIE B. RAWLINSON was appointed United States District Judge by President Clinton in August 1997 becoming the first woman and the first African American to serve on the federal district court in Nevada. On February 23, 2000, President Clinton nominated Judge Rawlinson to the United States Ninth Circuit Court of Appeals, and she became the first African-American woman to sit on the Ninth Circuit.

Prior to taking the bench, Judge Rawlinson served as a deputy district attorney and a chief deputy in the office of the Clark County District Attorney. In January 1995, she was appointed to the position of assistant district attorney, where she supervised the Civil, Family Support and Administrative divisions.

Judge Rawlinson received a B.S. in Psychology, summa cum laude from N.C. A&T State University in Greensboro. She graduated with distinction from McGeorge School of Law, University of the Pacific, in Sacramento.

Judge Rawlinson is a member of the Just The Beginning Foundation, Federal Judges Association, State Bar of Nevada, California State Bar, National Bar Association, American Judicature Society, and an Honorary

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Member of Delta Sigma Theta Sorority, Inc.

Judge Rawlinson has received numerous honors and awards: 1996 Distinguished Service Award - Clark County Pro Bono Project, Black Women Lawyers of Northern California Recognition Award, Kappa Alpha Psi Outstanding Community Service Award, N.C. A&T State University Alumni Association Outstanding Professional Achievement Award, NOBLE Award, Martin Luther King Committee Drum Major of the Millennium Award, Nevada Attorney General Role Model Award, Links Achievement Award, Urban Chamber Outstanding Professional Achievement Award, McGeorge School of Law 2003 Alumna of the Year Award, Numerous Who's Who distinctions, and the 2007 High Heels in High Places Trumpet Award.

Judge Rawlinson is married to her college sweetheart, Dwight. They have three children, Monica, a medical doctor, Traci, a recent graduate of the University of Nevada, Las Vegas School of Hotel Administration, David, a high school student, and an adorable grandson Marc.



THE HONORABLE ANN C. WILLIAMS, with her appointment by President Reagan at the age of 35, became one of the youngest judges ever appointed to an Article III federal judgeship. At the time, she was the first black woman appointed to the district court in Illinois and in the Seventh Circuit.

In 1999, Judge Williams was appointed to the U.S. Court of Appeals for the Seventh Circuit by President Clinton. She became the first African American ever appointed to the Circuit and the third African American woman to serve on a federal appeals court. In 1999, Judge Williams became the first black president of the Federal Judges Association and served a two-year term.

Chief Justice Rehnquist appointed her chair of the Court Administration and Case Management Committee of the Judicial Conference of the United States in 1993. In 2005, the chief justice appointed her to a three-year term on the Supreme Court Fellows Program Commission.

She has served as an instructor in numerous law programs and has long been committed to public service and minority concerns. Troubled by the bar passage rate of blacks in Illinois, she co-founded Minority Legal Education Resources, Inc., an organization that has taught at least 2,000 lawyers how to pass the Illinois bar.

In 1993, the judge co-founded the Just The Beginning Foundation (JTBF), an organization dedicated to celebrating the contributions, preserving the history and educating the public about the accomplishments of black federal judges. In partnership with local churches, JTBF publishes and distributes "Know Your Rights" newsletters on topics including housing, employment, and criminal law. In 1997, she co-founded the JTBF Law School Consortium (formerly known as the MLER Law School Consortium) to assist minority law students in Chicago-area law schools in academics and career planning.

Judge Williams received the Chicago Lawyer's 2000 Person of the Year Award. In 2004, both Crain's magazine and the Chicago Sun-Times named her as one of Chicago's 100 Most Influential and Powerful Women. In 2006, she received the Spirit of Excellence Award from the American Bar Association's Commission on Racial and Ethnic Diversity in the Profession.



THE HONORABLE CHARLES R. WILSON was appointed by President Clinton to serve as a Circuit Judge for the United States Court of Appeals for the Eleventh Circuit on September 13, 1999.

Prior to his appointment as circuit judge, Judge Wilson was the United States Attorney for the Middle District of Florida. He has served as a United States Magistrate Judge in the Middle District of Florida, as a County Judge in Florida; and as an assistant county attorney in Hillsborough County, Florida. He was in private practice in Tampa, for five years.

Judge Wilson has been active in numerous bar associations and law-related activities. He presently serves as a member of the Accreditation Committee of the American Bar Association; Advisory Board of the Notre Dame Law School; and the American Inns of Court.

His undergraduate and law degrees were received from the University of Notre Dame. After law school, he served as a law clerk for the Honorable Joseph W. Hatchett, on the United States Court of Appeals for the Fifth Circuit.

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PROFESSOR AKHIL REED AMAR is currently the Southmayd Professor of Law and Political Science at Yale, where he teaches constitutional law in both Yale College and Yale Law School. After graduating in 1980 from Yale College and in 1984 from Yale Law School (where he served as an editor of the Yale Law Journal), he clerked on the First Circuit for Judge Stephen Breyer in 1984–85 and then joined the Yale faculty in 1985. In 1994 he received the Paul Bator award from the Federalist Society; in 1998 his work on the Bill of Rights earned the ABA Certificate of Merit and the Yale University Press Governor's Award; and his most recent book earned the ABA Silver Gavel Award of 2006. He has delivered

endowed lectures at some three dozen colleges and universities, and has written widely on constitutional issues in both law journals and general-interest publications. Professor Amar is the co-editor of a leading constitutional law casebook, *Processes of Constitutional Decisionmaking*. He is also the author of several books, including *The Constitution and Criminal Procedure: First Principles* (Yale Univ. Press, 1997), *The Bill of Rights: Creation and Reconstruction* (Yale Univ. Press, 1998), and most recently, *America's Constitution: A Biography* (Random House 2005).



PROFESSOR DERRICK BELL has worked for almost 50 years in every aspect of civil rights as a litigator, with the NAACP Legal Defense Fund from 1960 until 1965, an administrator with H.E.W., and following appointment to Harvard Law School faculty in 1969, law teacher and writer. He left Harvard in 1981, to become dean of the University of Oregon Law School, and returned to Harvard in 1986, serving there until 1992.

Bell came to New York University School of Law in 1991 as a visitor. Rather than the offer of a tenured appointment, Bell suggested a series of one-year visits that would allow him to teach full-time. He is now in his 16th year as a visitor.

Bell is most proud of his participatory teaching method based on the pedagogically sound principle that students learn more by doing than by either reading or listening. And they learn most by teaching others. His model is Paulo Freire who advised: "Education must begin with the solution of the teacher-student contradiction, by reconciling the poles of the contradiction so that both are simultaneously teachers and students."

The Derrick Bell Reader, edited by Richard Delgado and Jean Stefancic, (NYU Press, August 2005), is the most recent book of his writings. In 2004, he published: *Silent Covenants: Brown v. Board and the Unfulfilled Quest for Racial Justice* (Oxford University Press). His other books include: *Ethical Ambition: Living a Life of Meaning and Worth* (2002), *And We Are Not Saved: The Exclusive Quest for Racial Justice* (1987); *Faces at the Bottom of the Well: The Permanence of Racism* (1992), *Confronting Authority: Reflections of an Ardent Protester*, (1994) *Gospel Choirs, Psalms of Survival in Alien Land Called Home* (1996); and *Afrolantica Legacies* (1998). His civil rights law text, *Race, Racism & American Law*, first published in 1973, is now in its 5th Edition (2004); and a constitutional law text, *Constitutional Conflicts* (1997). He edited *Shades of Brown: New Perspectives on School Desegregation* (1980).



PROFESSOR ERWIN CHERMERINSKY joined the Duke faculty in July 2004 after 21 years at the University of Southern California Law School, where he was the Sydney M. Irmas Professor of Public Interest Law, Legal Ethics, and Political Science. Before that he was a professor at DePaul College of Law; he practiced law as a trial attorney for the United States Department of Justice and Dobrovir, Oakes & Gebhardt in Washington, D.C. Professor Chemerinsky received a B.S. from Northwestern University and a J.D. from Harvard Law School.

Professor Chemerinsky is the author of four books: *Federal Jurisdiction* (Aspen Law & Business 4th ed. 2003); *Constitutional Law: Principles and Policies* (Aspen Law & Business 3d ed. 2006); *Constitutional Law* (Aspen Law & Business 2d ed. 2005); *Interpreting the Constitution* (Praeger 1987); He has authored over 100 law review articles, writes a regular column on the Supreme Court for *California Lawyer*, *Los Angeles Daily Journal*, and *Trial Magazine*, is a frequent contributor to newspapers and other magazines, and regularly serves as a commentator on legal issues for national and local media.

In April 2005, Professor Chemerinsky was named by *Legal Affairs* as one of “the top 20 legal thinkers in America.” He was named by the *Daily Journal* every year from 1998–2003 as one of the 100 most influential lawyers in California. He has received numerous awards including the 2000 Alumni Achievement Award from Northwestern University; the 1999 Eason Monroe Courageous Advocate Award from the American Civil Liberties Union of Southern California.

Professor Chemerinsky has testified many times before congressional and state legislative committees, including his role as a witness before the Senate Judiciary Committee on the hearings of Samuel Alito for confirmation to the Supreme Court in January 2006. He was elected in April 1997 to serve a two-year term as a member of the Elected Los Angeles Charter Reform Commission. He served as chair of the Commission which proposed a new Charter for the City which was adopted by the voters in June 1999. He also served as a member of the Governor’s Task Force on Diversity in 1999–2000.



PROFESSOR SARAH H. CLEVELAND is the Bemis Visiting Professor of International Law at Harvard Law School (2006–2007) and the incoming Louis Henkin Professor of Law at Columbia Law School. She is a graduate of Yale Law School and Oxford University, where she studied Modern History as a Rhodes Scholar. A former law clerk to U.S. Supreme Court Justice Harry Blackmun, Professor Cleveland teaches and writes in the areas of the constitutional law of U.S. foreign relations, international human rights law, and the interface between international law and U.S. domestic law.

Her recent writings include “Foreign Authority, American Exceptionalism, and the Dred Scott Case” (forthcoming *Chicago-Kent L. Rev.* 2006); “Our International Constitution” (*Yale J. Int’l L.* 2006); “Powers Inherent in Sovereignty: Indians, Aliens, Territories, and the Nineteenth-Century Origins of Plenary Power over Foreign Relations” (*Texas L. Rev.* 2002). She has previously taught at Columbia Law School, Michigan Law School and the University of Texas School of Law.

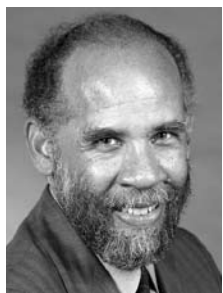
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PROFESSOR PAUL FINKELMAN is the President William McKinley Distinguished Professor of Law and Public Policy and Senior Fellow in the Government Law Center at Albany Law School. Before coming to Albany, he held the Chapman Distinguished Professorship at the University of Tulsa College of Law; the John F. Seiberling Chair in Constitutional Law at the University of Akron and chairs at Cleveland State University Law School and the University of Miami. He received his B.A. in American studies from Syracuse (1971) and his M.A. and Ph.D. in U.S. history from Chicago (1972, 1976) and was a fellow in law and humanities at Harvard Law School (1982–83).

He is editor of the forthcoming CQ Guide to Abraham Lincoln and an advisor to the Abraham Lincoln Bicentennial Commission. Currently writing a history of John Brown's Raid at Harpers Ferry, Professor Finkelman is the author, co-author, or editor of more than 20 books and 100 scholarly articles on Constitutional law, American legal history, civil rights, civil liberties, and race relations. His books include: *Dred Scott v. Sandford: A Brief History* (Bedford, 1995); *A March of Liberty: A Constitutional History of the United States* (Oxford, 2002) and *Landmark Decisions of the United States Supreme Court* (CQ Press, 2003). He is editor of the series *Law, Society, and Politics in the Midwest* with the Ohio University Press and co-editor of *Studies in the Legal History of the South* at the University of Georgia Press.

He has held fellowships from the National Endowment for the Humanities, the American Philosophical Society, the American Bar Foundation, Yale University, Harvard Law School, the Gilder Lehrman Institute, and the Library of Congress. He has lectured at more than 150 universities and forums around the world. He was an expert witness in the famous Alabama Ten Commandments Monument case and in the lawsuit over the ownership of Barry Bonds' 73rd Home Run Ball. He has published op-ed pieces in many papers, including the *New York Times* and *USA Today*. He has appeared in a number television programs for PBS, the History Channel, C-Span, and in the movie *Up For Grabs*.



JOHN PAYTON, ESQ. is a partner and lawyer at WilmerHale LLP. Mr. Payton's practice ranges from complex commercial matters to the most challenging of civil rights matters. He was the lead counsel for the University of Michigan in successfully defending the use of race in the admissions process at its undergraduate college and at its law school. His civil practice has ranged from libel, to representing the American Legacy Foundation in its efforts to see that youth do not become smokers, to partnership matters, to employment matters. In addition to the University of Michigan cases, he has extensive civil rights experience including defending the use of race-based

measures to address continuing problems in our society. He represented Richmond in the Supreme Court in *Richmond v. Croson* and has filed numerous amicus briefs in the Supreme Court in other civil rights cases.

From 1991 to 1994, Mr. Payton served as the Corporation Counsel of the District of Columbia. He headed the firm's Litigation Department from 1998 to 2000.

Mr. Payton served as president of the District of Columbia Bar from June 2001 to June 2002. He was a

member of the American Bar Association's House of Delegates from June 2000 to June 2002 and currently is a member of the Council of the ABA's Section on Individual Rights and Responsibilities and the ABA's Commission on Immigration Policy. Mr. Payton is on the Board of the Washington Lawyers' Committee for Civil Rights and Urban Affairs and on the Board of the National Lawyers' Committee for Civil Rights Under Law. He has served as co-chair of each organization. He also serves on the Board of Global Rights. He is a past Vice Chair of the District of Columbia Public Defender Service.

Mr. Payton has taught as a visiting professor at Harvard Law School and at the Georgetown Law Center. He is a member of the American Law Institute and a Fellow of the American Bar Foundation. In addition, he is a Master in the Edward Coke Appellate Inn of Court.



DEAN KENNETH STARR is the Duane and Kelly Roberts Dean and Professor of Law at Pepperdine University School of Law in Malibu, California. He is also of counsel to the law firm of Kirkland & Ellis, P.C., where he was a partner from 1993 to 2004, specializing in appellate work, antitrust, federal courts, federal jurisdiction and constitutional law.

As solicitor general of the United States (1989–1993), Judge Starr argued 25 cases before the Supreme Court. He also served as United States circuit judge for the D.C. Circuit (1983–1989), as counselor to U.S. Attorney General William French Smith (1981–1983) and as law clerk to Chief Justice Warren E. Burger (1975–1977) and 5th Circuit Judge David W. Dyer (1973–1974). Judge Starr was appointed to serve as independent counsel for five investigations, including Whitewater (1994–1999).

He has taught constitutional law as an adjunct professor at New York University School of Law and at Chapman Law School in Orange, California. He was also a distinguished visiting professor at George Mason University School of Law. In 2002, he published his first book, *First Among Equals: The Supreme Court in American Life*.

Judge Starr received his B.A. from George Washington University (1968), his M.A. from Brown University (1969), and J.D. from the Duke Law School (1973), where he was Note and Comment Editor of the Law Review and graduated Order of the Coif.

He has received a multitude of honors and awards including the J. Reuben Clark Law Society 2005 Distinguished Service Award, the 2004 Capital Book Award, the Jefferson Cup from the FBI, the Edmund Randolph Award for Outstanding Service in the Department of Justice, and the Attorney General's Award for Distinguished Service.

Judge Starr was born on July 21, 1946, in Vernon, Texas, and was raised in San Antonio. He and his wife Alice have three children and one grandchild. He has volunteered many hours teaching in the inner city and assisting disadvantaged Washington, D.C. students with summer internships, after-school programs, and financial help for college.

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PROFESSOR JOHN STAUFFER is the chair of the History of American Civilization and professor of English and African and African American Studies at Harvard University. He received his Ph.D. from Yale University in 1999, and has written and lectured widely on slavery, abolition, social protest, and photography. His first book, *The Black Hearts of Men: Radical Abolitionists and the Transformation of Race* (Harvard University Press, 2002), received four major awards, including the Frederick Douglass Book Prize, the Avery Craven Book Prize, and the Lincoln Prize runner-up. Other publications include the Modern Library edition of Frederick

Douglass' *My Bondage and My Freedom* (2003); an essay in *Time Magazine* on Douglass's relationship with Lincoln (July 4, 2005); an anthology of John Brown, *Meteor of War: The John Brown Story* (Brandywine); a collection on abolitionism, *Prophets of Protest: New Essays on American Abolitionism* (The New Press, 2006); and pieces in *Raritan* and *21st: The Journal of Contemporary Photography*. His forthcoming work includes a book of race and friendship, *Imagining Equality: American Interracial Friendships in History and Myth*; and a cultural and literary biography of Frederick Douglass and Abraham Lincoln.

PANELISTS AND GUEST SPEAKERS



CHRISTOPHER ARRIOLA was born in Southern California, graduated from Stanford University in 1992 and Boalt Hall School of Law at the University of California Berkeley in 1995. After law school, Mr. Arriola went to work for the L.A. County District Attorney's Office and was assigned to try cases in the South Central Judicial District of the County in Compton. He published a commentary in the Los Angeles Times, an article in La Raza Law Journal, and consulted on the creation of an Emmy Award winning PBS documentary about a landmark Latino school desegregation case in Southern California, *Mendez v. Westminster* (1947). In 1998, Mr. Arriola moved to the District Attorney's Office in San Jose, California. He tried serious felony cases until 2000 when he worked on the newly established Community Prosecution Unit at the District Attorney's Office and conducted the first successful prosecution of a landlord for child endangerment. Mr. Arriola then worked for nearly four years as a trial attorney on the Career Criminal Unit, prosecuting the most serious offenders. He is presently assigned to the Juvenile Delinquency Unit, where he supervises the Mental Health Court and handles sexual assault cases.

Mr. Arriola was the 2006 president of the Santa Clara County Bar Association in San Jose. He organized The President's Blue Ribbon Commission on Diversity in the Legal Profession in Silicon Valley that will examine indigenous solutions to diversity issues facing valley law offices. Mr. Arriola is also the past president and present judicial chair of the California La Raza Lawyers Association, a statewide association representing over 2,000 Latino attorneys. He has served on numerous boards and commissions; most recently sitting as Co-Chair of the Governor's Advisory Panel on Racial Profiling, a body tasked with creating mandatory training on the subject for all California Police Officers. Mr. Arriola was named in the top 20 Lawyers under 40 in the State of California in 2003 by the Daily Journal Legal Newspaper and given a Bay Area Local Heroes Award by KQED-PBS for Latino Heritage month in 2001.

He lives in San Jose, California with his wife and daughter.



PROFESSOR STEPHEN BEST is associate professor of English at the University of California, Berkeley. Together with Saidiya Hartman he has for the past several years served as co-organizer of the Redress Project. He is the author of *The Fugitive's Properties: Law and the Poetics of Possession* (University of Chicago Press, 2004) and is currently at work on a study of rumor, promiscuous speech, and the slave's archive.

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OTIS G. CLARK was born on February 13, 1903, in Meridian, Oklahoma when Oklahoma was still an Indian Territory. The Lord saved him at the young age of 25 from the world of entertainment. Evangelist Clark was saved at Second Baptist Church in Los Angeles, California, where he heard of the holiness movement. Clark attended the revival at 33rd and Compton Street in Los Angeles in 1929. Clark had the honor of serving his mentor, Bishop Charles H. Mason, whom he affectionately called “Dad.” Bishop Mason is the leader and founder of the Church of God in Christ. Mother Lillian Coffey was the State Mother for the church, and Clark also had the privilege of

being her driver. Clark was heavily involved with the original Azusa Street Mission in California before it was torn down and was given Power of Attorney by Bishop Driscoll. He still has this original document.

Prior to his conversion, Clark had the opportunity to serve Clark Gable, Joan Crawford and Charley Chaplin. However, they are all deceased and to Clark’s knowledge none of these great stars had the wisdom or revelation like Moses of old, as in Hebrews 11:24–25. By faith when Moses matured, he refused to be called the son of Pharaoh’s daughter, choosing to suffer affliction with the People of God, than to enjoy the pleasures of sin for a season. Around 1928, God saved Clark out of the world of pleasure.

In the midst of the chaos of The Great Depression (1929–1932), God blessed Clark. He did not have to suffer any afflictions and God provided the food and clothing that he needed. Not once did he have to get in the bread line—he was able to work and give blessings to the church. In 1942, Bishop Samuel M. Crouch ordained Clark at the headquarters of the Church of God. To the glory of God, he has served as an International Evangelist for nearly 79 years. Clark is going strong at the young age of 104 as he continues to preach and write about the oracles of God. He attends Victory Church in Oklahoma City.



PROFESSOR GREGG CRANE is an associate professor and Graduate Chair in the Department of English at the University of Michigan. A former lawyer, Professor Crane’s scholarly work has examined the historical interactions of 19th-century American law and literature on the themes of justice and citizenship. He is the author of *Race, Citizenship, and Law in American Literature* (Cambridge University Press, 2002) and *The Cambridge Introduction to the Nineteenth-Century American Novel* (forthcoming in 2007) as well as essays in *The Hastings Constitutional Law Quarterly*, *American Literary History*, *American Literature*, *Nineteenth-Cen-*

tury Literature, and *The Oxford Companion to American Law*.



SUSAN EATON is research director at the Charles Hamilton Houston Institute for Race and Justice at Harvard Law School. Her scholarly and research interests center around the causes and cures for unequal opportunities for racial, ethnic and linguistic minorities in the United States. She is particularly concerned about the challenges of schooling and childrearing in high-poverty, urban neighborhoods. She has lectured, studied and written about related subjects for two decades as a journalist, scholar and activist across the United States, in South Africa and in Japan.

Ms. Eaton is author, most recently, of *The Children in Room E4: American Education on Trial* (Algonquin, 2007), a narrative book that interweaves the stories of a landmark contemporary civil rights case and an urban classroom in Hartford, Connecticut. She is also author of *The Other Boston Busing Story: What's Won and Lost Across the Boundary Line* (Yale, 2001), which explores the adult lives of African-Americans who'd participated in a voluntary, urban to suburban school desegregation program as children. She is also co-author, with Gary Orfield, of *Dismantling Desegregation: The Quiet Reversal of Brown v. Board of Education* (New Press, 1996), an overview of recent and tragically overlooked jurisprudence on school desegregation.

Her writing has appeared in numerous popular and scholarly publications, including *The New York Times*, *The Boston Globe Sunday Magazine*, the *Nation*, *Virginia Quarterly Review* and *Education Week*. Susan holds a doctorate in education from Harvard where she was assistant director at the Project on School Desegregation. For nearly a decade, Ms. Eaton was a staff reporter at daily newspapers in Massachusetts and Connecticut where she won several awards for her writing about public education.

She is currently at work on a book that explores the complexities and influence of immigration by chronicling the lives of three Latino immigrants struggling to find meaning and security in the 21st century United States.

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PROFESSOR DREW GILPIN FAUST is dean of the Radcliffe Institute, president-elect of Harvard University, and Lincoln Professor of History in the Faculty of Arts and Sciences.

Faust became dean of the Radcliffe Institute for Advanced Study on January 1, 2001. On February 11, 2007, she was named the 28th president of Harvard University, effective July 1, 2007. Faust also holds an appointment as the Lincoln Professor of History in the Faculty of Arts and Sciences at Harvard University.

Before coming to Radcliffe, Faust was Annenberg Professor of History and director of the Women's Studies Program at the University of Pennsylvania. Faust is a historian of the Civil War and the American South.

She is the author of five books, including *Mothers of Invention: Women of the Slaveholding South in the American Civil War* (University of North Carolina Press, 1996), for which she won the Francis Parkman Prize in 1997. Her most recent scholarship, studying the impact of the Civil War's enormous death toll on the lives of nineteenth-century Americans, will be published in 2008 as *This Republic of Suffering: Death and the American Civil War* (Alfred A. Knopf).

Faust is a trustee of Bryn Mawr College, the Andrew Mellon Foundation, and the National Humanities Center, and she serves on the educational advisory board of the Guggenheim Foundation. She has served as president of the Southern Historical Association, vice president of the American Historical Association, and executive board member of the Organization of American Historians and the Society of American Historians. Faust has also served on numerous editorial boards and selection committees, including the Pulitzer Prize history jury in 1986, 1990, and 2004.

Faust's honors include awards in 1982 and 1996 for distinguished teaching at the University of Pennsylvania. She was elected to the American Academy of Arts and Sciences in 1994, the Society of American Historians in 1993, and the American Philosophical Society in 2004. She received her bachelor's degree in 1968 from Bryn Mawr and received her master's degree (1971) and doctoral degree (1975) in American civilization from the University of Pennsylvania.



PROFESSOR JUDITH JACKSON FOSSETT is an associate professor of American Studies & Ethnicity and English at the University of Southern California where she has taught American and African-American Literatures and African-American and American Studies for the last 10 years. She is director of the university's African-American Studies Program, and the convener of an interdisciplinary Working Group in Slavery Studies. Professor Fossett joined the faculty after receiving her A.B. in Literature from Harvard and Radcliffe, and her Ph.D. in English Literature from Princeton University.

Trained in African-American literature, history and culture as well as American literature and history, Professor Fossett specializes in the literature, history and culture of plantation slavery in the Americas, especially the American South. Her work is centrally interested in the rhetoric and technologies of race and representation in the wake of chattel slavery. Her first book is *Illuminated Darkness: Slavery and Its Shadows in 19th-Century America* (University of North Carolina Press, forthcoming). She has edited the essay collection, *Race Consciousness: African-American Studies for the New Century* (NYU Press, 1997), an annotated edition of Charles Chesnutt's 1900 novel, *House Behind the Cedars* (Random House/Modern Library, 2003), and published essays and reviews in journals such as *North Carolina Literary Review*, *The Mississippi Quarterly*, *PMLA*, and the digital scholarly journal *Vectors*. Her current book-length project is *Structures of Slavery: The Antebellum Plantation in the Americas*, an interdisciplinary book project which provides an alternate narrative of the material culture, built environment and systems of representation of slavery in the Americas by situating the contemporary remnants of the plantation complex as extant artifacts of the institution of slavery. She is also at work on a project focusing on Hurricane Katrina, New Orleans and the political economy of plantation slavery.

In addition to university teaching awards and faculty research grants, she has been a Woodrow Wilson National Fellowship Foundation Career Enhancement Fellow, a Faculty Research Fellow at the Humanities Research Institute (University of California-Irvine), and the recipient of numerous other fellowships from the Mellon Foundation, Ford Foundation, and the Henry E. Huntington Library.



PROFESSOR MARK A. GRABER is a professor of government and law at the University of Maryland and the University of Maryland School of Law. He is the author of *Dred Scott and the Problem of Constitutional Evil*, three other books, and too many articles on constitutional history, theory, law, and politics. He is a past head of the Law and Courts section of the American Political Science Association and a very occasional contributor to Balkinization.

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PROFESSOR JACK GREENBERG was assistant counsel and then director-counsel to the NAACP Legal Defense and Educational Fund from 1949 to 1984. He has argued 40 cases before the U.S. Supreme Court, including the landmark case of *Brown v. Board of Education*, in 1954, which declared racial segregation unconstitutional. He joined the Columbia Law School faculty in 1984 and teaches constitutional, civil, and human rights law, as well as civil procedure. In 1996, he received the American Bar Association's Thurgood Marshall Award for his long-term contributions to the advancement of civil rights, civil liberties, and human rights in the United States. In 2001, he was awarded the Presidential Citizens Medal by President Clinton for his enduring work in defense of civil rights.

Over the years, Professor Greenberg has participated in human rights missions to the Soviet Union, Poland, South Africa, the Philippines, Korea, Nepal, and elsewhere. He is a founding member of the Mexican-American Legal Defense and Education Fund, and the creator of the Earl Warren Legal Training Program. He has also been a member of various organizations, including the Asian American Legal Defense and Education Fund and the Human Rights Watch (1978–98), to name a few.

His publications include *Race Relations and American Law* (1959); *"Litigation for Social Change"* (1973); *Cases and Materials on Judicial Process and Social Change* (1976); *Dean Cuisine: The Liberated Man's Guide to Fine Cooking* (with Vorenberg, 1991); *Crusaders in the Courts: How a Dedicated Band of Lawyers Fought for the Civil Rights Revolution* (1994); and articles on civil rights, capital punishment, and other subjects.

Professor Greenberg received both his undergraduate and law degrees from Columbia University in 1945 and 1948 respectively. His academic career is extensive and includes: Adjunct professor, Columbia Law School, 1970–84; Visiting lecturer, Yale Law School, 1971; Harvard Law School, 1983. Dean, Columbia College, 1989–93. Visiting professor, College of the City of New York, 1977; University of Tokyo Faculty of Law, 1993–94; Distinguished Visiting Professor, St. Louis University Law School, 1994; Princeton University, 1995; University of Munich, 1998; Tokyo University, 1996, 1998, and University of Nuremberg-Erlangen, 1999–2000.



PROFESSOR FARAH GRIFFIN is professor of English and Comparative Literature at Columbia University. She received her B.A. from Harvard (1985) and her Ph.D. from Yale (1992). Professor Griffin's major fields of interest are African American literature, music, history and politics. The recipient of numerous honors and awards for her teaching and scholarship, in 1996–97 Professor Griffin was a fellow at the Bunting Institute of Radcliffe College. She is the author of *Who Set You Flowin'?: The African American Migration Narrative* (Oxford University Press, 1995), the co-editor (with Cheryl Fish) of *Stranger in the Village: Two Centuries of African American Travel Writing* (Beacon, 1998), and the editor of *Beloved Sisters and Loving Friends: Letters from Addie Brown and Rebecca Primus* (Knopf, 1999). Her most recent book, *If You Can't Be Free Be A Mystery: In Search of Billie Holiday*, was published in 2001 by the Free Press.



DAVID J. HARRIS is the managing director of the Charles Hamilton Houston Institute for Race and Justice at Harvard Law School. David has extensive experience in many facets of civil rights issues, from police brutality and racial profiling, to redistricting and domestic violence, as well as fair housing and community development.

Prior to his position at the Charles Hamilton Houston Institute, he served as founding executive director of the Fair Housing Center of Greater Boston. During his tenure, the Fair Housing Center became nationally recognized among fair housing organizations. The center's work generated several original analyses of housing discrimination patterns in Greater Boston and the organization became a leading force for fair housing and regional equity. Harris is recognized as a leading voice for civil rights in the Boston region and has spoken extensively at local, regional and national forums on civil rights, regional equity and fair housing.

Harris previously served with the U.S. Department of Housing and Urban Development (HUD), and with the U.S. Commission on Civil Rights. His cases at HUD, including the landmark *Jane Doe v. BHA*, garnered some of the largest damage awards and most extensive affirmative relief in New England. While at the Commission on Civil Rights, he conducted studies of the civil rights implications of domestic violence in Connecticut, legislative redistricting in Rhode Island and highway construction on integrated neighborhoods.

He holds a Ph.D. in sociology from Harvard University, a B.A. from Georgetown University, and is an adjunct faculty member of Cambridge College. Harris is the president of the Board of Directors of the Massachusetts Foundation for the Humanities. He lives in West Medford with his wife and son, and chairs the Medford Human Rights Commission.



PROFESSOR BRUCE L. HAY is Professor of Law at Harvard University. He teaches courses in legal procedure, ethics, and evidence, and also on literature and film. His main research interests concern the intersections of law and the humanities.

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DEAN ELENA KAGAN, the Charles Hamilton Houston Professor of Law, has served as dean of Harvard Law School since July 1, 2003.

Kagan came to Harvard Law School as a visiting professor in 1999 and became professor of law in 2001. While on the faculty, Kagan has taught administrative law, constitutional law, civil procedure and a seminar on the law surrounding the presidency.

From 1995 to 1999, Kagan served in the White House, first as associate counsel to the president (1995–96) and then as deputy assistant to the president for domestic policy and deputy director of the Domestic Policy Council (1997–99). In those positions she played a key role in the executive branch’s formulation, advocacy, and implementation of law and policy in areas ranging from education to crime to public health.

A leading scholar of administrative law, Kagan’s recent work focuses on the role of the president of the United States in formulating and influencing federal administrative and regulatory law. Her 2001 *Harvard Law Review* article, “Presidential Administration,” was honored as the year’s top scholarly article by the American Bar Association’s Section on Administrative Law and Regulatory Practice, and is being developed into a book to be published by Harvard University Press. Other works in progress include a new casebook on administrative law.

Kagan launched her scholarly career at the University of Chicago Law School, where she became an assistant professor in 1991 and a tenured professor of law in 1995. In 1993, Kagan received the graduating students’ award for teaching excellence.

Kagan clerked for Judge Abner Mikva of the U.S. Court of Appeals for the D.C. Circuit from 1986 to 1987 then for Justice Thurgood Marshall of the United States Supreme Court. She also worked as an associate in the Washington, D.C. law firm of Williams & Connolly from 1989 to 1991.

Kagan received her bachelor’s degree, *summa cum laude*, from Princeton in 1981. She attended Worcester College, Oxford, as Princeton’s Daniel M. Sachs Graduating Fellow, and received an M. Phil. in 1983. She then attended Harvard Law School, where she was supervising editor of the *Harvard Law Review*, and graduated *magna cum laude* in 1986.



SYLVIA MENDEZ is the daughter of Gonzalo Mendez, a Mexican immigrant, and Felicitas Mendez, a Puerto Rican, who fought so she could have an equal education through the case *Mendez v. Westminster*, et al.

Ms. Mendez was born in Orange County, California and attended Orange Coast Community College where she earned her Associate of Arts degree in nursing. She went on to California State University at Los Angeles where she earned her Bachelor of Science in Nursing, and a Public Health Certificate.

Ms. Mendez worked 33 years as a nurse at the Los Angeles University of Southern California Medical Center. During her final five years of service, she held the position of assistant nursing director of the Pediatric Pavilion.

Ms. Mendez continues to reside in Orange County. She has two adopted daughters and two grandchildren. She spends her retirement traveling abroad and enjoying her family.

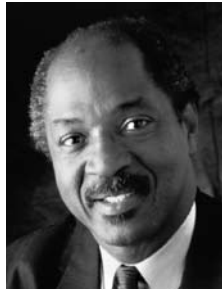


PROFESSOR ERIC J. MILLER is an assistant professor at St. Louis University Law School, where he teaches and writes in the areas of criminal law, criminal procedure, jurisprudence, and critical race theory.

He is a member of the Reparations Coordinating Committee, and has worked extensively on a variety of reparations issues. He played a significant part in drafting the briefs in *Alexander v. Governor of Oklahoma*, a reparations law suit seeking monetary and injunctive relief from the City of Tulsa and the State of Oklahoma for the victims of the Tulsa Race Riot of 1921.

Professor Miller received an LL.B. from the University of Edinburgh, an LL.M. from Harvard Law School, where he was also a Charles Hamilton Houston fellow, and is completing his doctoral work at Brasenose College, Oxford. He clerked for the Hon. Myron H. Thompson in the Middle District of Alabama and the Hon. Stephen Reinhardt of the Ninth Circuit Court of Appeals.

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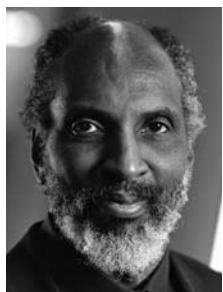
PROFESSOR CHARLES J. OGLETREE, JR., the Harvard Law School Jesse Climenko Professor of Law, and founding and executive director of the Charles Hamilton Houston Institute for Race and Justice, is a prominent legal theorist who has made an international reputation by taking a hard look at complex issues of law and by working to secure the rights guaranteed by the Constitution for everyone equally under the law.

Professor Ogletree's most recent book, co-edited with Professor Austin Sarat of Amherst College is *From Lynch Mobs to the Killing State: Race and the Death Penalty in America*, was published in May 2006. His historical memoir, *All Deliberate Speed: Reflections on the First Half-Century of Brown v. Board of Education* was published in April 2004.

In March 2006, Professor Ogletree and the Houston Institute hosted a summit on Katrina at Harvard Law School. He wrote the introduction in a new book by his former students and colleagues, entitled *After the Storm: Black Intellectuals Explore the Meaning of Hurricane Katrina*, published by New Press in August 2006. He will also receive the prestigious Phoenix Award at the upcoming Congressional Black Caucus Foundation Annual Legislative Weekend in September. He participated in the historic march across the Crescent City Connection Bridge in New Orleans with Rev. Jesse Jackson, Rev. Al Sharpton, Bruce Gordon, Ted Shaw, Sheila Jackson Lee, and Mayor Ray Nagin, on April 1, 2006.

Professor Ogletree is a native of Merced, California, where he attended public schools. Professor Ogletree earned an M.A. and B.A. (with distinction) in Political Science from Stanford University, where he was Phi Beta Kappa. He also holds a J.D. from Harvard Law School, where he served as special projects editor of the *Harvard Civil Rights-Civil Liberties Law Review*.

Professor Ogletree was named by *Ebony Magazine* as one of the 100+ Most Influential Black Americans. He was presented with the Lifetime Achievement Award when he was inducted into the Hall of Fame for the National Black Law Students Association, where he served as national president from 1977–1978. Professor Ogletree also received the first ever Rosa Parks Civil Rights Award given by the City of Boston.



PROFESSOR JOHN A. POWELL is executive director of The Kirwan Institute for the Study of Race and Ethnicity at The Ohio State University. He holds the Williams Chair in Civil Rights and Civil Liberties at the The Ohio State University's Moritz College of Law. His education includes an undergraduate degree from Stanford University, a J.D. from the University of California at Berkeley, and a Post-Doctoral Fellowship at the University of Minnesota.

Professor Powell is founder and past director of the Institute on Race and Poverty at Minnesota; he has served as national legal director of the ACLU, where he was instrumental in developing educational adequacy theory, and director of legal services for the City of Miami, Florida. He has taught at Columbia University, Harvard Law School, American University, The University of San Francisco School of Law and the Law School at the University of Minnesota.

Born in Detroit, Professor Powell has worked in India, South America, Europe and Africa, where he served as consultant to the Mozambique and South African governments. He is an internationally-recognized authority on issues related to, among other topics, racialized space, concentrated poverty, smart growth, opportunity-based housing, school segregation and the connection between spirituality and social justice. He has written four books, 15 book chapters and more than 50 articles, essays and position papers.

Under his leadership, the Kirwan Institute has taken a leading role in development, research and advocacy. The Institute is involved in research initiatives to support Gulf Coast rebuilding efforts and Katrina relief, including an analysis of the geographic distribution of opportunity throughout the New Orleans region and the monitoring of redevelopment in the Gulf.

The professor has spoken throughout the nation on Katrina's significance and has drafted several upcoming publications on how Katrina reflects greater problems in our society. The Institute is an active participant in the National Alliance to Restore Opportunity to the Gulf Coast and Displaced Persons, a coalition of faith-based and secular non-profit organizations advocating for greater federal assistance for those impacted by Hurricanes Katrina and Rita. The work of the Alliance can be seen at www.linkedfate.org.



SANDRA ROBBIE is the writer/producer of the Emmy Award-winning PBS documentary *Mendez vs. Westminster: For All the Children/Para Todos los Ninos*. Mendez tells the story of the Orange County school desegregation case that ended legal school segregation in California seven years before *Brown v. Board of Education*. Robbie has spoken across the country about the Mendez case including at the Smithsonian in Washington, D.C. In 2004, Robbie saw one of her dreams come true when she was with the Mendez family at the White House to see their family honored by the president for their contribution to American civil rights.

This year marks the 60-year anniversary of this historic case and the US Postal Service has announced they will be issuing a stamp on Mendez v. Westminster this year. To help promote the upcoming stamp and Mendez history, Robbie is taking Mendez on the road this spring with the Mv.W Magical History Tour making stops up the state to share the Mendez story and learn more about California's segregated history and civil rights legacy. The Mv.W Magical History Tour will be the subject of a new Mendez documentary that Robbie is producing in the effort to have the Mendez history become part of the required curriculum for the state of California.

Robbie is passionate about the Mendez story because it bridges the history of people of many colors and it reveals the invisible, electric human connection that binds us all. Robbie has received numerous awards and recognitions for her work on the Mendez history from organizations such as MANA, OC-NAACP, Chapman University, OC Black Chamber of Commerce, Soroptomist International Newport Harbor, Los Angeles Mexican American Bar Association, Radio Television News Association, the OC Department of Education, and OCAPICA. Robbie has most recently been selected as an OC United Way Hispanic influential and as one of OC Metro magazine's 20 Women to Watch.

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PROFESSOR GWENDOLYN DUBOIS SHAW is associate professor of History of Art at the University of Pennsylvania. She received her PhD in American art from Stanford University in 2000 and subsequently served as an assistant professor at Harvard University for five years.

In 2004 she published her first book, *Seeing the Unspeakable: The Art of Kara Walker*, with Duke University Press. Her second book, *Portraits of a People: Picturing African Americans in the Nineteenth Century*, was published by University of Washington Press in 2006 as an exhibition catalog to accompany a traveling exhibition of the same name. She is the author of numerous articles, reviews, and book chapters. Shaw has also been the curator of several exhibits, including: *Trouble in Paradise: The Art of Polynesian Warfare*, and *The Legacy of the Harlem Renaissance*.



PROFESSOR JED SHUGERMAN is an assistant professor at Harvard Law School, teaching American legal history and Torts. His 10th grade history teacher assigned selections from *Dred Scott*, and that class sparked Professor Shugerman's interest in both law and history. He could not decide which path to pursue, so he combined them. He received his B.A. and J.D. from Yale, and he is completing his Ph.D. in American history at Yale.

His dissertation, "The People's Courts," examines the adoption of judicial elections in the nineteenth century and their impact on American law. Among other topics, he has written about the slave trade and the Louisiana Purchase, the history and politics of judicial review, and the development of American tort law in the wake of man-made disasters.



PROFESSOR VALERIE SMITH is the Woodrow Wilson Professor of Literature and Director of the Center in African American Studies. Her research and teaching interests include African American literature and culture, black feminist theory, autobiography, black film and visual art, and twentieth century U. S. literature. She has held fellowships from the Alphonse G. Fletcher Foundation, the Guggenheim Foundation, the Bunting Institute, the National Endowment for the Humanities, the American Council of Learned Societies, the University of California Humanities Research Institute, and the University of California President's Office.

She is the author of numerous essays and articles as well as two books: *Self-Discovery and Authority in Afro-American Narrative* and *Not Just Race, Not Just Gender: Black Feminist Readings*. She is also the editor of *African American Writers*, *Representing Blackness: Issues in Film and Video*, *New Essays on Song of Solomon*, and a special issue of *Signs* with Marianne Hirsch on gender and cultural memory. At present, she is writing a book on the Civil Rights Movement in cultural memory and a book provisionally entitled *Toni Morrison: Literature and the Moral Imagination*.



PROFESSOR CASS SUNSTEIN graduated in 1975 from Harvard College and in 1978 from Harvard Law School magna cum laude. After graduation, he clerked for Justice Benjamin Kaplan of the Massachusetts Supreme Judicial Court and Justice Thurgood Marshall of the U.S. Supreme Court. Before joining the faculty of the University of Chicago Law School, he worked as an attorney-advisor in the Office of the Legal Counsel of the U.S. Department of Justice. Professor Sunstein has testified before congressional committees on many subjects, and he has been involved in constitution-making and law reform activities in a number of nations, including Ukraine, Poland, China, South Africa, and Russia. A member of the American Academy of Arts and Sciences, Mr. Sunstein has been Samuel Rubin Visiting Professor of Law at Columbia, visiting professor of law at Harvard, vice-chair of the ABA Committee on Separation of Powers and Governmental Organizations, chair of the Administrative Law Section of the Association of American Law Schools, a member of the ABA Committee on the future of the FTC, and a member of the President's Advisory Committee on the Public Service Obligations of Digital Television Broadcasters.

Professor Sunstein is a member of the Department of Political Science as well as the Law School. He is author of many articles and a number of books, including *After the Rights Revolution: Reconceiving the Regulatory State* (1990), *Constitutional Law* (co-authored with Geoffrey Stone, Louis M. Seidman, and Mark Tushnet) (1995), *The Partial Constitution* (1993), *Democracy and the Problem of Free Speech* (1993), *Legal Reasoning and Political Conflict* (1996), *Free Markets and Social Justice* (1997), *Administrative Law and Regulatory Policy* (1998) (with Justice Stephen Breyer and Professor Richard Stewart and Matthew Spitzer), *One Case At A Time* (1999), *Behavioral Law and Economics* (editor, 2000), *Designing Democracy: What Constitutions Do* (2001), *Republic.com* (2001), *Risk and Reason* (2002), *The Cost-Benefit State* (2002), *Punitive Damages: How Juries Decide* (2002), *Why Societies Need Dissent* (2003), *The Second Bill of Rights* (2004), and *Laws of Fear: Beyond the Precautionary Principle* (2005). He is now working on various projects involving the relationship between law and human behavior.



PROFESSOR DAVID A. THOMAS is H. Naylor Fitzhugh Professor of Business Administration, senior associate dean, and director of faculty recruiting at Harvard Graduate School of Business Administration. He joined the HBS faculty in 1990 and became a tenured professor in 1998.

David Thomas is a recognized thought leader in the area of strategic human resource management. His research addresses issues related to executive development, cultural diversity in organizations, leadership and organizational change. His research has appeared in leading academic journals and practitioner oriented periodicals. He is the 1998 recipient of the Executive Development Roundtable's Marion Gislason Award for Contributions to Executive Development Theory and Practice and the 2006 recipient of the Academy of Management's Mentoring Legacy Award.

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He is co-author of the Best Selling *Harvard Business Review* article “Making Differences Matter: A New Paradigm for Managing Diversity.” His book *Breaking Through: The Making of Minority Executives in Corporate America* (with John Gabarro) has met with critical acclaim in reviews by academics and journalists, and is the recipient of the Academy of Management’s George R. Terry Book Award for outstanding contribution to the advancement of management knowledge. It explores the career advancement and development of minority executives in large multinational corporations.

Professor Thomas is the faculty chair for the HBS Executive Education program, Strategic Human Resource Management. He is a frequent presenter in executive education programs as well as a consultant to private sector corporations, government agencies and not-for-profit organizations.

Professor Thomas received his Bachelor of Arts (1978), Master of Philosophy (1984) and Doctor of Philosophy (1986) degrees from Yale University. He also holds a Master of Arts (1981) in Organizational Psychology from Columbia University.

Prior to joining the faculty of the Harvard Business School, he was on the faculty of the Wharton School of Finance. He is a member of the Academy of Management, National Training Laboratories and the International Society for the Psychoanalytic Study of Organizations. Professor Thomas sits on the boards of several organizations, among them Cambridge Trust Company, Brigham and Women’s Hospital, Jobs for the Future and the Boston Partnership.



REGINALD (REGGIE) TURNER is the filmmaker and social entrepreneur behind the feature documentary film “Before They Die!” The film chronicles the pursuit of justice for the living survivors of the 1921 Tulsa Race Riot. For more than three years he and his company, Mportant Films, have followed the dream team of lawyers assembled by Harvard Law Professor Charles J. Ogletree, Jr., and his core of survivor clients around the country, documenting their life stories and bringing to life and light one of the darkest days in American history.

On May 31, 1921, in Tulsa, Oklahoma, Greenwood, America’s most prosperous Black community known as “The Black Wall Street” was bombed, burned and looted and destroyed in less than 18 hours. Through intimidation, and with the support of the state and local governments, a conspiracy of silence was instituted to cover up the loss of more than 300 lives and the displacement of more than 10,000 law-abiding citizens.

Combining his multifaceted career as a deal-making lawyer/agent/manager/entrepreneur in the business, broadcasting, entertainment and sports industries with his social activism, he seeks to create a vehicle for social change in America. Utilizing this network of athletes, celebrities and industry moguls, Turner is working to bring them all together, through his film, to create resolution, closure and compensation to the victims of the worse case of domestic violence in American history... Before They Die!.

As the CEO of Virtual Technology Group and Momentum Management, the Los Angeles based Mr. Turner holds degrees from Stanford University and Georgetown University Law School.



PROFESSOR MARK TUSHNET is William Nelson Cromwell Professor of Law at Harvard Law School. He received his undergraduate degree magna cum laude from Harvard College in 1967. He received a J.D. and M.A. in history from Yale University in 1971. He clerked for Judge George Edwards and Justice Thurgood Marshall before beginning to teach at the University of Wisconsin Law School in 1973. In 1981 he moved to the Georgetown University Law Center, and in 2006 to Harvard Law School. He has been a visiting professor at the University of Texas, University of Southern California, University of Chicago, Columbia University, New York University, and Harvard law schools.

Professor Tushnet is the co-author of four casebooks, including the most widely used casebook on constitutional law, *Constitutional Law* (with Stone, Seidman, and Sunstein). He has written 14 books, including a two-volume work on the life of Justice Thurgood Marshall and *A Court Divided: The Rehnquist Court and the Future of Constitutional Law*, and edited eight others. He has received fellowships from the Rockefeller Humanities Program, the Woodrow Wilson International Center for Scholars, and the John Simon Guggenheim Memorial Foundation, and has written numerous articles on constitutional law and legal history. He was president of the Association of American Law Schools in 2003. In 2002 he was elected a fellow of the American Academy of Arts and Sciences.



PROFESSOR LEA VANDERVELDE is the Josephine R. Witte Professor of Law at the University of Iowa College of Law, where she has been the school's faculty scholar and global scholar. She writes in the fields of employment law, property law, legal history and constitutional law.

Her research in the areas of labor and property highlights the nature of legal change over time. She draws her inspiration from history, cross-cultural observation, and legal realism. Her trio of articles published in the Yale and Stanford law journals demonstrate the significance of gender in the historical development of rules in contracts, torts, and constitutional litigation. Other articles have explored cultural patterns in land use law, the 13th Amendment and law of slavery. In search of cultural comparisons, she has visited South Africa, China, Japan and India, where she has been working with Kailash Satyarthi and an organization called the Global March to End Child Slavery.

Her new courses include Property and Liberty, the Law of the Frontier, 1820–1857, and Design of Law. She is at work on a new casebook called *Property and Liberty: Laws and Norms*. She also contributed to the 4th and 5th editions of *Cases and Materials in Property Law*, by Casner, Leach, French, et al. Her treatise in *Employment Law*, with Rothstein, Craver, Shoben, and Schroeder was published in 1994.

Her current book projects include *Slaves on the Frontier: The Background Story of the Dred Scott Case* and *Redemption Songs: How Slaves Sued for Freedom in St. Louis Courts*. She helped discover almost 300 freedom suits brought by slaves in the St. Louis courts, which are now filed on the web by Washington University-St. Louis. She is also at work on a monograph, *The Master Narrative of 19th Century Law*, which explores how master-servant law has resisted change and is still relevant in modern employment relations.

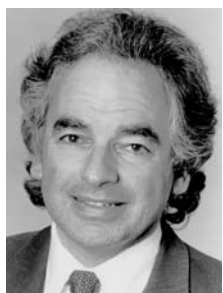
She frequently spends spring semester teaching in Europe where she is a regular visitor at the Juridicum of the University of Vienna. She has also taught at Yale Law School and the University of Pennsylvania.

RACE, CITIZENSHIP & JUSTICE



PROFESSOR JENNY WAHL is professor of economics at Carleton College. She received her A.B. summa cum laude from Indiana University and her M.A. and Ph.D. from the University of Chicago. Before joining the faculty at Carleton, Wahl taught at St. Olaf College and worked as an international tax economist at the U.S. Treasury's Office of Tax Analysis. Wahl teaches intermediate price theory, intermediate and advanced labor economics, law and economics, American economic history, economics of the public sector, and principles of microeconomics. Her book on the economics of Southern slave law, *The Bondsman's Burden*, was published by Cambridge University Press in 1998. She has

published articles in the *Journal of Economic History*, *Social Science History*, *National Tax Journal*, *American Journal of Legal History*, *Social Science Quarterly*, and several other economics journals and law reviews. Wahl's current research includes an investigation using the Panel Study of Income Dynamics into the effects of *Brown v. Board* on the earnings and intergenerational mobility of black men, an article on the economic effects of the Dred Scott case (forthcoming in the *Chicago-Kent Law Review*), and an analysis of the relationship between income and estate tax wealth. Wahl is also working hard to get her eighth-grader through algebra unscathed.



GREGORY WALLANCE, ESQ. was assistant United States attorney for the Eastern District of New York from 1979 to 1985. As an assistant United States attorney, he was a member of the ABSCAM prosecution team, which convicted six United States congressmen and a United States senator, and lead trial prosecutor in the highly publicized *United States v. The Southland Corporation*, which resulted in the conviction of a major corporation and a former New York City councilman.

Since coming to Kaye Scholer LLP from the United States Attorney's Office, Mr. Wallance has represented numerous individuals and companies in state and federal criminal and regulatory proceedings, in internal investigations, and in implementing corporate compliance programs. He served as a member of the Ad Hoc Advisory Group to the US Sentencing Commission on the Organizational Sentencing Guidelines and has testified before the Sentencing Commission and Congress as an expert on corporate governance issues.

From 1995–2001, Mr. Wallance was chief litigation counsel (while remaining a partner at Kaye Scholer) at Kidder, Peabody & Co. Incorporated. He has tried numerous criminal and civil cases and arbitrations, and argued appeals in multiple state and federal appellate courts.

Mr. Wallance has published more than 100 legal and non-legal article in, among others, *The New York Times*, *The Wall Street Journal*, *Bloomberg.com*, *Newsweek*, and *Newsday*. He is the author of the historical novel *Two Men Before the Storm: Arba Crane's Recollection of Dred Scott and the Supreme Court Case That Started the Civil War*. He was a producer of the HBO film *Sakharov* and a co-host of the BBC's *The Law Show*. He is quoted frequently in major newspapers and has appeared as a legal commentator on CNN, Fox News, Court TV, MSNBC, C-SPAN and NBC's *The Today Show*.



PROFESSOR LAWRENCE WATSON is a professor of voice and performance at Berklee College of Music. He is a graduate of the State University of New York at Oswego where he majored in secondary education and history. At Oswego, he auditioned and played the lead in several dramatic productions and finally decided in his senior year to pursue music. One impressive audition landed him a spot in the voice department and a senior recital.

Watson went on to complete a master's degree at Cornell University in Ithaca, New York. During his graduate years at Cornell, Watson's artistic muse compelled him to return to his music. Early in his musical training, Watson had determined that as a performer, he had tremendous affinity with the great Paul Robeson. During Watson's first year in graduate school, Robeson died and Watson was chosen to represent The Africana Studies and Research Center at a special memorial conference at Purdue University. Watson returned from the conference singing of love, pain, passion and suffering. He made a decision that has guided him to this day: Whatever he sang he would sing with dignity and an eye to teaching and leading by example. Lawrence resumed singing with a new purpose: To sing about the history and social movement that produced heroes like Paul Robeson. Watson pursued advanced training in voice with the acclaimed soprano Barbara Troxell.

Acclaim and musical opportunities for Watson have expanded over the years solely by audience word-of-mouth. Highlights include a 1993 Playboy Jazz Festival appearance at the Hollywood bowl with the late, legendary Dorothy Donegan, and a more recent appearance with Al Green and Jean Carne. He worked closely with Sarah Caldwell on two of her productions and sang the role of one of the Jazz Singers in the Bernstein Mass. He sang on the PBS special, *The American Experience: The Fisk Jubilee Singers*, *The Boston Globe Jazz and Blues Festival*, a Pennsylvania PBS special, *Seeing is Believing: Violence and Children*, the Discovery Channel's, *Killed By The Klan* and C-SPAN'S coverage of the Saturday School program's Thurgood Marshall Dedication at Harvard Law School with Justice Stephen Breyer and Mrs. Thurgood Marshall.

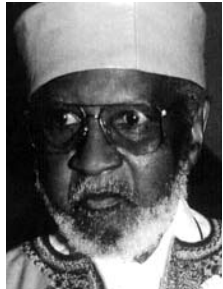


R. OWEN WILLIAMS will earn a Ph.D. in History from Yale University in 2009. He holds an A.B. in Philosophy from Dartmouth College, a M.A. in Philosophy from Cambridge University, as well as a M.Phil. in History and a M.S.L. in Law both from Yale University. His dissertation is entitled *Lincoln's Justices: Dred Scott to the Civil Rights Cases, 1857–1883*.

Mr. Williams has been the head teaching fellow for "Civil War and Reconstruction," a Yale University course taught by Professor David Blight. He has served in editor positions for the *Encyclopedia of Antislavery and Abolition* and the *Yale Journal of Law and the Humanities*. He is a past fellow of the Institute of Constitutional Study at George Washington University and a past associate fellow of Calhoun College at Yale University. Mr. Williams is also a member of the Connecticut Supreme Court Historical Society and the Organization of American Historians.

Mr. Williams has past work experience as the director and global product manager of government bonds at Salomon Brothers Inc., executive director at Goldman Sachs and Company, senior managing director at Bear Stearns & Company, and managing director at First Union Capital Markets.

RACE, CITIZENSHIP
& JUSTICE



WESS H. YOUNG was born in Madill, Oklahoma in 1917. He moved to Tulsa with his family when he was just four years old and has lived there for most of his 90 years. The 1921 Tulsa Race Riot began very close to his family's home. All of the buildings in a 30-block area were burned down save for one church. Mr. Young and his family found refuge in a local public school, and later were sent to the Tulsa Fairgrounds where they, along with over 1,000 others, were aided by the army and the Red Cross. In the weeks after the riot, a city of tents was erected to house the displaced residents.

In 1933, Young participated in President Roosevelt's Civilian Conservation Corps program. As a young man, he also worked on the Frisco railroad, and in numerous kitchens, hotels, and stores in the Tulsa area. In 1943, Young was drafted by the military, and served for two and a half years during World War II. Mr. Young retired in 1970 after working for 17 years as a machinist at a pump manufacturer. He now resides in Tulsa with his wife Cathryn.

Cathryn Young was born in Arkansas in 1925. She moved to Tulsa with her family at the age of five and has lived there ever since. By the time she arrived in Tulsa, Mrs. Young says there was no evidence of the destruction of the riots, nor did anyone talk about what had happened in 1921.

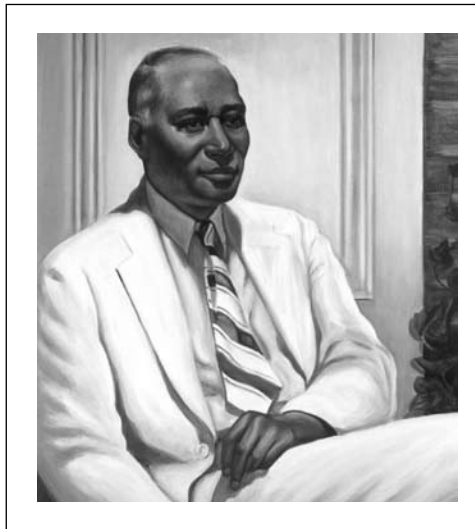
Cathryn and Wess met at a local drugstore, the usual after-church gathering place. They have been married for 57 wonderful years. They had five children together and countless grandchildren and great-grandchildren.

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RACE, CITIZENSHIP
& JUSTICE

CHARLES HAMILTON HOUSTON

RACE, CITIZENSHIP
& JUSTICE



CHARLES HAMILTON HOUSTON

On September 3, 1895, Charles Hamilton Houston was born to Mary Ethel Hamilton Houston, a hairdresser, and William LePre Houston, a lawyer in Washington D.C. Charles Hamilton Houston attended M Street High School, graduating as valedictorian of his high school class. In 1915, at the young age of 19, he graduated magna cum laude from Amherst College as one of six valedictorians. He was also elected a member of Phi Beta Kappa in college.

After teaching English for two years at Howard University, in 1917 Houston enlisted in a segregated officers training program and served in World War I as a second lieutenant in a segregated U.S. Army unit. After the war, Houston matriculated in 1919 at Harvard Law School, where he became the first Black editor of the Harvard Law Review. He earned the LL.B., cum laude, in 1922 and the doctorate of juridical science in 1923, one of only a few lawyers of that time to earn the advanced law degree. Former U.S. Supreme Court Justice Felix Frankfurter, then a member of the faculty at Harvard, said that Houston was one of the most brilliant students he ever taught. Houston won Harvard's Sheldon Fellowship, which provided a postdoctoral year of study at the University of Madrid and travel.

Houston practiced law with his father until 1950, also teaching and serving as vice-dean of Howard Law School from 1929 until 1935. Striving for academic excellence, Houston led the effort to gain Howard Law School's accreditation by the Association of American Law Schools and the American Bar Association. Under his leadership, Howard Law School trained almost a quarter of the nation's Black law students, including Thurgood Marshall, who later became a Supreme Court Justice.

Houston became part-time counsel to the NAACP in 1934, serving as special counsel from 1935 until 1938. He was one of the main legal and social architects of the NAACP's campaign to end segregation. Houston died on April 22, 1950, in Washington D.C. He is buried in Lincoln Memorial Cemetery; five U.S. Supreme Court justices attended his funeral. The success of *Brown v. Board of Education* came after Houston's death, and his contributions toward ending racial segregation were largely unrecognized until after his death. Nonetheless, he was posthumously awarded the NAACP's prestigious Spingarn Medal in 1950, and several schools and awards are named in his honor.

CHARLES HAMILTON HOUSTON

CASES AND PUBLICATIONS

I. CASES BEFORE THE SUPREME COURT OF THE UNITED STATES

- New York Central Railroad v. Chisholm, 268 U.S. 29 (1925).
Bountiful Brick v. Giles, 276 U.S. 154 (1928).
Nixon v. Condon, 286 U.S. 73 (1932).
Hollins v. Oklahoma, 295 U.S. 394 (1935).
Hale v. Kentucky, 303 U.S. 613 (1938).
Missouri ex rel. Gaines v. Canada, 305 U.S. 337 (1938).
Steele v. Louisville & Nashville Railroad Company, 323 U.S. 192 (1944).
Tunstall v. Brotherhood of Locomotive Firemen and Enginemen, Ocean Lodge No. 76, 323 U.S. 210 (1944).
Fisher v. United States, 328 U.S. 463 (1946).
Hurd v. Hodge, 334 U.S. 24 (1948).
Shelley v. Kraemer, 334 U.S. 1 (1948).

II. CASES IN OTHER COURTS

- Murray v. Hurst, 163 A. 183 (Md. 1933).
Pearson v. Murray, 182 A. 590 (Md. 1936).
Williams v. Zimmerman, 192 A. 353 (Md. 1937).
State ex rel. Gaines v. Canada, 131 S.W.2d 217 (Mo. 1939).
Bluford v. Canada, 119 F.2d 779 (8th Cir. 1941).
Carter v. Provident Insurance, 122 F.2d 960 (D.C. Cir. 1941).
State ex rel. Bluford v. Canada, 153 S.W.2d 12 (Mo. 1941).
Bailey v. Zlotnick, 133 F.2d 35 (D.C. Cir. 1942).
Hundley v. Gorewitz, 132 F.2d 23 (D.C. Cir. 1942).
Teague v. Brotherhood of Locomotive Firemen & Enginemen, 127 F.2d 53 (6th Cir. 1942).
Durkee v. Murphy, 29 A.2d 253 (Md. 1943).
Legions v. Commonwealth, 23 S.E.2d 764 (Va. 1943).
Ross v. Hartman, 139 F.2d 14 (D.C. Cir. 1943).
Gibson v. Industrial Bank of Washington, 36 A.2d 62 (D.C. 1944).
Hamburger v. Bailey, 36 A.2d 720 (D.C. 1944).
Klein v. Miles, 35 A.2d 243 (D.C. 1944).
Steele v. Louisville & Nashville Railroad Company, 16 So.2d 416 (Ala. 1944).
Tunstall v. Brotherhood of Locomotive Firemen & Enginemen, 140 F.2d 35 (4th Cir. 1944).
Bailey v. Zlotnick, 149 F.2d 505 (D.C. Cir. 1945).
Fisher v. United States, 149 F.2d 28 (D.C. Cir. 1945).
Hurd v. Letts, 152 F.2d 121 (D.C. Cir. 1945).
Kerr v. Enoch Pratt Free Library, 149 F.2d 212 (4th Cir. 1945).
Tunstall v. Brotherhood of Locomotive Firemen & Enginemen, 148 F.2d 403 (4th Cir. 1945).
Urciolo v. O'Connor, 149 F.2d 386 (D.C. Cir. 1945).
Hurd v. Hodge, 162 F.2d 233 (D.C. Cir. 1946).
Tunstall v. Brotherhood of Locomotive Firemen & Enginemen, 69 F. Supp. 826 (E.D. Va. 1946).
Brotherhood of Locomotive Firemen & Enginemen v. Tunstall, 163 F.2d 289 (4th Cir. 1947).
Gilmer v. Brown, 44 S.E.2d 16 (Va. 1947).
Howard v. Thompson, 72 F. Supp. 695 (E.D. Mo. 1947).
Jones v. State, 52 A.2d 484 (Md. 1947).
Goetz v. Smith, 62 A.2d 602 (Md. 1948).
Hampton v. Thompson, 171 F.2d 535 (5th Cir. 1948).
Hinton v. Seaboard Air Line Railroad, 170 F.2d 892 (4th Cir. 1948).
Law v. Baltimore, 78 F. Supp. 346 (D. Md. 1948).
Norris v. Baltimore, 78 F. Supp. 451 (D. Md. 1948).
Brotherhood of Locomotive Firemen & Enginemen v. Palmer, 178 F.2d 722 (D.C. Cir. 1949).

RACE, CITIZENSHIP & JUSTICE

Chissell v. Mayor of Baltimore, 69 A.2d 53 (Md. 1949).
Griffin v. Illinois Central Railroad, 88 F. Supp. 552
(N.D. Ill. 1949).
James v. State, 65 A.2d 888 (Md. 1949).
Lawson v. United States, 176 F.2d 49 (D.C. Cir. 1949).
Salvant v. Louisville & Nashville Railroad, 83 F. Supp.
391 (W.D. Ky. 1949).

State ex rel. St. Louis-San Francisco Railway v. Rus-
sell, 219 S.W.2d 340 (Mo. 1949).
McCready v. Byrd, 73 A.2d 8 (Md. 1950).
Rolax v. Atlantic Coast Line Railroad, 91 F. Supp. 585
(E.D. Va. 1950).
Howard v. St. Louis-San Francisco Railway, 191 F.2d
442 (8th Cir. 1951).

III. PUBLICATIONS

“Commonwealth v. William Brown.” *Opportunity* 11
(April 1933): 109.
“The George Crawford Case: An Experiment in So-
cial Statesmanship.” *Nation* (July 4, 1934): 17 (with
Leon A. Ransom).
“TVA: Lily White Reconstruction.” *Crisis* 41 (Octo-
ber 1934): 209 (with John P. Davis).
“The Need for Negro Lawyers.” *Journal of Negro*
Education 4 (January 1935): 49.
“Educational Inequalities Must Go.” *Crisis* 42 (Octo-
ber 1935): 300.
“Cracking Closed University Doors.” *Crisis* 42 (De-
cember 1935): 364.
“Glass Aided School Inequalities.” *Crisis* 43 (January
1936): 15.
“How to Fight for Better Schools.” *Crisis* 43 (Febru-
ary 1936): 52.

“Don’t Shout Too Soon.” *Crisis* 43 (March 1936): 79.
“A Challenge to Negro College Youth.” *Crisis* 45
(January 1938): 14.
“Future Policies and Practices Which Should Govern
the Relationship of the Federal Government to
Negro Separate Schools.” *Journal of Negro Educa-*
tion 7 (July 1938): 460.
“Saving the World for Democracy.” *Pittsburgh Cou-*
rier, July 20, 27, August 2, 17, 24, 31, September 7, 14,
21, 28, & October 5, 12, 1940.
“Critical Summary: The Negro in the U.S. Armed
Forces in World War I and II.” *Journal of Negro*
Education 12 (Summer 1943): 364.
“Foul Employment Practice on the Rails.” *Crisis* 56
(October 1949): 269.

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RACE, CITIZENSHIP
& JUSTICE

CHARLES HAMILTON HOUSTON
INSTITUTE FOR RACE & JUSTICE
(CHHIRJ)

RACE, CITIZENSHIP & JUSTICE

CHHIRJ MISSION

The Charles Hamilton Houston Institute for Race and Justice (CHHIRJ), established in the fall of 2005 at Harvard Law School, seeks to honor the extraordinary contributions of one of the great lawyers of the 20th century. Charles Hamilton Houston dedicated his life to using the law as a tool to reverse the unjust consequences of racial discrimination.

CHHIRJ is committed to marshalling the resources of Harvard and beyond to continue his unfinished work. After much initial progress following the Brown decision and the civil rights movement of the 1960's, people of color still lag behind their white peers on many key indicators of educational and economic opportunity and social mobility. African Americans and Latinos, especially, are underrepresented in our nation's universities, board rooms, halls of government and law firms. They are overrepresented among high school dropouts, the unemployed, and incarcerated.

The initial focus of CHHIRJ's work will be on addressing the huge roadblocks that still stand in the way of full, equal citizenship for far too many people of color in this country. In particular, we work in partnership with other organizations and individuals to improve the educational opportunities available to children of color, to improve public safety and economic vitality within communities of color, and to reduce discrimination and bias within the criminal justice system.

CHHIRJ DIRECTOR AND STAFF

The Charles Hamilton Houston Institute for Race & Justice was founded, and is led by, Charles J. Ogletree, Jr., Jesse Climenko Professor of Law at Harvard Law School. Professor Ogletree is an internationally prominent legal theorist and litigator who has committed his career to securing the rights guaranteed by the Constitution for everyone under the law. He has examined issues of racial and economic equality in the classroom, in prestigious law journals and on the op-ed pages of newspapers, in the courtroom, and in public forums. He has argued cases before state and federal courts, including the Supreme Court, and has trained practicing lawyers in litigation strategies and techniques.

In addition to Professor Charles J. Ogletree, Jr., the Institute currently employs six staff members:

David J. Harris, Managing Director

Susan Eaton, Research Director

Johanna Wald, Director of Strategic Planning

Colin Ovitsky, Events and Communications Coordinator

Sheryl Jackson-Holliday, Staff Assistant

Nichele McClendon, Executive Assistant to Professor Charles J. Ogletree, Jr.

The Institute and Professor Ogletree enjoy the enthusiastic endorsement of Harvard Law School Dean Elena Kagan and key leadership within Harvard University. However, like all institutes affiliated with Harvard, it is responsible for raising independently the funds necessary for its operations and success.

CHHIRJ RESEARCH AND POLICY INITIATIVES

THE O’CONNOR PROJECT: ADDRESSING THE RACIAL OPPORTUNITY AND ACHIEVEMENT GAP

The O’Connor Project confronts the challenge issued by Supreme Court Justice Sandra Day O’Connor in her majority opinion affirming the constitutionality of diversity admissions policies in higher education. Its goal is to advance research-based policies and practices that will help to improve educational outcomes for children of color during the next decade. In particular, we will measure and raise awareness of the social inequalities within and outside of schools—or the “opportunity gap”—that create barriers to academic achievement for many children of color.

REDIRECTING THE SCHOOL TO PRISON PIPELINE

The School to Prison Pipeline describes the tragic journey that begins in segregated, impoverished schools and ends in juvenile halls and adults prisons for far too many children of color. Youths traveling through this pipeline are frequently taught by unqualified teachers in overcrowded, dilapidated facilities, removed to isolated special education programs, repeatedly suspended, expelled and even arrested for relatively minor offenses, held back in grade, and banished to alternative schools, before they finally drop or are pushed out of school, thus tripling the likelihood that they will spend time in prison. The focus of our initiative will be on: (1) more fully understanding and documenting the trajectory of the pipeline as it unfolds in various communities; and (2) identifying and widely disseminating research-based solutions for reducing dropout and juvenile delinquency rates.

RACE, CITIZENSHIP & JUSTICE

FORGING NEW PARTNERSHIPS IN PRISONER RE-ENTRY

This initiative helps formerly incarcerated individuals clear a path toward stable employment. We plan to link CEOs or business executives with (1) minority leaders of the clergy who are helping to reintegrate ex-prisoners within their communities, and (2) directors of training and employment programs. Our goal is to create a “win/win” situation where formerly incarcerated individuals have opportunities to develop industry-specific skills, employers gain a steady flow of trained workers, recidivism rates are reduced, and communities become safer and more economically viable.

RACE AND THE DEATH PENALTY

There is a long and direct connection between racial politics in the U.S. and the state-sanctioned executions of African Americans. From the racial profiling that occurs before arrest, to a prosecutor’s decision about whether to seek the death penalty, to the racially-tinged selection of jurors, to the decision about whether to impose the death penalty, opportunities for prejudice to infect the system abound. Through research, legal analysis and training, and consensus-building, the Houston Institute is:

- *bolstering death penalty repeal and moratorium efforts at the state-level.* We generate state-level data and place it within a national context, identify and recruit national experts to participate in briefings, conferences and other events, and reach out to the media, state and community leaders.
- *developing and piloting new models, curriculum and training programs for capital defense lawyers.* We plan to design and pilot new trainings and curriculum, at Harvard and at other law schools, aimed at improving the training available both to law students interested in becoming capital defense lawyers, and to lawyers already litigating death penalty cases.

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& JUSTICE

ACKNOWLEDGMENTS

RACE, CITIZENSHIP & JUSTICE

The Charles Hamilton Houston Institute for Race and Justice would like to express its profound gratitude to the many people who assisted in making this conference possible. Given the magnitude of this undertaking, we apologize in advance for anyone who may have been inadvertently omitted from this list. The Charles Hamilton Houston Institute for Race and Justice wishes to acknowledge the following individuals and institutions for their exemplary efforts in support of the “150th Anniversary of Dred Scott v. Sandford: Race, Citizenship & Justice” Conference:

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PORTRAIT OF CHARLES HAMILTON HOUSTON

- *Page 50*—C. Gregory Stapko, 1977

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PUBLICATIONS BY
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Many of these titles are available for purchase during the conference at the book sales table in the lobby of Austin Hall

Professor Akhil Reed Amar

- America's Constitution: A Biography (2005).
- The Bill of Rights: Creation and Reconstruction (1998).

Christopher Arriola, Esq.

- "Knocking on the Schoolhouse Door: Mendez v. Westminster, Equal Protection, Public Education, and Mexican Americans in the 1940s", 8 La Raza Law Journal 2 (1995).

Professor Derrick Bell

- Silent Covenants: Brown v. Board of Education and the Unfulfilled Hopes for Racial Reform (2004).
- The Derrick Bell Reader (2005, edited by Richard Delgado and Jean Stefancic).

Professor Stephen Best

- The Fugitive's Properties: Law and the Poetics of Possession (2004).

The Honorable Stephen Breyer

- Active Liberty: Interpreting Our Democratic Constitution (2005).
- Judges in Contemporary Democracy: An International Conversation (2004, with Robert Badinter).
- Breaking the Vicious Circle: Toward Effective Risk Regulation (1993).

Professor Erwin Chemerinsky

- Constitutional Law: Principles And Policies, 3rd Edition (2006).
- Federal Jurisdiction, 4th Edition (2003).

Professor Sarah H. Cleveland

- "Our International Constitution", 31 Yale Journal of International Law 1 (2006).
- "International Decisions: Legal Status and Rights of Undocumented Workers", 99 American Journal of International Law 460 (2005).

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- Race, Citizenship, and Law in American Literature (2003).

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- North Carolina Appellate Advocacy (Unknown Binding).

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- "Presidential Administration," 114 *Harvard Law Review* 2245 (2001).
- "For Justice Marshall," 71 *Texas Law Review* 1125 (1993).

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- "The Louisiana Purchase and South Carolina's Reopening of the Slave Trade in 1803," 22 *Journal of the Early Republic* 263 (2002).
- "Marbury and Judicial Deference: The Shadow of *Whittington v. Polk* and the Maryland Judiciary Battle," 5 *University of Pennsylvania Journal of Constitutional Law* 58 (2002).

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- *Not Just Race, Not Just Gender: Black Feminist Readings* (1998).
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- The Black Hearts of Men: Radical Abolitionists and the Transformation of Race (2002).

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- The New Constitutional Order (2003).
- Making Civil Rights Law: Thurgood Marshall and the Supreme Court, 1936–1961 (2001).
- The American Law of Slavery, 1810–1860: Considerations of Humanity and Interest (1992).

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- Slaves on the Frontier: The Background Story of the Dred Scott Case (Forthcoming).
- Redemption Songs: How Slaves Sued for Freedom in St. Louis Courts (Forthcoming).

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- The Bondsman's Burden: An Economic Analysis of the Common Law of Southern Slavery (2002).

Gregory J. Wallace, Esq.

- Two Men Before the Storm: Arba Crane's Recollection of Dred Scott And the Supreme Court Case That Started the Civil War (2005).

150th Anniversary of
Dred Scott v. Sandford

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INTERNET LINKS, BOOKS & OTHER RESOURCES

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For Further Exploration of Dred Scott v. Sandford

INTERNET LINKS

www.sos.mo.gov/archives/resources/africanamerican/scott/scott.asp

“Missouri’s Dred Scott Case, 1846–1857”

Information from the Missouri Secretary of State

library.wustl.edu/vlib/dredscott/index.html

“Dred Scott Case Collection”

Information from the University Libraries of Washington University in St. Louis-St. Louis, Missouri

www.gilderlehrman.org/collection/online/scott/index.html

“The Dred Scott Decision and its Bitter Legacy”

An online exhibit presented by the Gilder Lehrman Institute of American History

www.pbs.org/wgbh/aia/part4/4p2932.html

“Dred Scott’s Fight for Freedom”

Information from PBS’s “Africans in America” series’ website

housedivided.dickinson.edu/dredscott/

“The Dred Scott Case: 150 Years Later”

Information from a teacher’s workshop held at The House Divided Project at Dickinson College in Carlisle, Pennsylvania

www.nps.gov/archive/jeff/scott_case_trials.html

“Dred Scott Case Trials”

Information from National Park Service, U.S. Dept. of the Interior

en.wikipedia.org/wiki/Dred_Scott

“Dred Scott”

Information from Wikipedia

caselaw.lp.findlaw.com/scripts/getcase.pl?court=US&vol=60&invol=393

A place to read the entire text of the Supreme Court opinion;

Dred Scott v. Sandford, 60 U.S. 393 (1856)

history.furman.edu/~benson/docs/dsmenu.htm

Access to some newspaper editorials printed following the decision

teachingamericanhistory.org/library/index.asp?document=772

Frederick Douglass’ Speech following the Decision

Books

- **Origins of the Dred Scott Case: Jacksonian Jurisprudence and the Supreme Court, 1837–1857 (2006)**
Author: Austin Allen
- **Democracy Reborn: The Fourteenth Amendment and the Fight for Equal Rights in Post-Civil War America (2006)**
Author: Garrett Epps
- **The Dred Scott Case: It's Significance in American Law and Politics (2001)**
Author: Don E. Fehrenbacher
- **Dred Scott v. Sandford: A Brief History with Documents (1997)**
Author: **Paul Finkelman (Conference Participant)**
- **Dred Scott and the Problem of Constitutional Evil (2006)**
Author: **Mark A. Graber (Conference Participant)**
- **Dred Scott and the Politics of Slavery (2007)**
Author: Earl M. Maltz
- **Lincoln and Chief Justice Taney: Slavery, Secession, and the President's War Powers (2006).**
Author: James F. Simon
- **Two Men Before the Storm: Arba Crane's Recollection of Dred Scott and the Supreme Court Case That Started the Civil War (2005)**
Author: **Gregory J. Wallace, Esq. (Conference Participant)**

CHILDREN'S BOOK

- **Dred and Harriet Scott: A Family's Struggle for Freedom (2004)**
Author: Gwenyth Swain

OTHER MATERIALS

- **The Dred Scott Case: 150 Years Later—Supplement for Teachers**
Text by: Matthew Pinsker, Brian Pohanka Chair for Civil War History
Dickinson College, Carlisle, PA
Produced by: The Gilder Lehrman Institute of American History.
www.gilderlehrman.org
New York, 2007
646-366-9666

The Charles Hamilton Houston Institute for Race and Justice is pleased to announce that it will follow up on this year's Dred Scott Conference by embarking upon a year-long look at questions of race, citizenship, and justice—past, present and future.

We will convene a national conference in the spring of 2008 to release the findings of this study.

Wednesday, April 25, 2007

SUPREME DISCOMFORT: THE DIVIDED SOUL OF CLARENCE THOMAS

Kevin Merida, Associate Editor, *The Washington Post* and

Michael Fletcher, Staff Writer, *The Washington Post*

5:30 p.m.

Austin Hall North

Book Signing to Follow

Friday & Saturday, April 27 & 28, 2007

SOLVING THE CRIMES OF THE CIVIL RIGHTS ERA

Friday events at Harvard Law School featuring The Honorable Bennie G. Thompson, U.S. Representative (Mississippi's 2nd Congressional District), William Fleming, Special Agent—FBI (Birmingham Alabama Field Office), Michael W. Jackson, Attorney General (Perry County, Alabama), G. Douglas Jones, Attorney (Whatley Drake & Kallas), Terry F. Lenzner, Attorney/Chairman (Investigative Group International, Inc.), The Honorable Gordon A. Martin (Ret.), Jerry Mitchell, Investigative Reporter (The Clarion-Ledger), Dr. Andrew Sheldon, Jury Consultant (Sheldon & Associates)

Saturday events at Northeastern University School of Law

Co-Sponsored by Northeastern University School of Law

For more information, and a complete listing of upcoming events, please visit our website at

www.charleshamiltonhouston.org



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