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# Indiana Law Annotated

*Vol. 19 No. 7*  
*October 6, 2000*

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## THE AUSTRALIAN AMBASSADOR TO THE US VISITS MONDAY

The Australian Ambassador to the US, Michael Thawley, will give a talk entitled "Australia and the US in Asia" on Monday, Oct. 9, 5:00 p.m. in the Moot Court Room. This talk is sponsored by the International Law Society and the Office of International Programs at IU, and is open to all interested students.

Michael Thawley has been Ambassador of Australia in Washington DC since February 2000. He joined Australia's foreign service in 1972 and currently holds the rank of Deputy Secretary in the Department of Foreign Affairs and Trade.

From April 1996 until his most recent appointment as Ambassador, he served as the National Security Advisor to the Prime Minister of Australia, the Hon. John Howard, and was responsible for advising the Prime Minister on foreign policy, trade, defense, intelligence and security.

Prior to that, he served as First Assistant Secretary, where he was responsible for international issues in the Prime Minister's department under the previous Prime Minister, Mr. Paul Keating.

In addition, Mr. Thawley has served in Rome, Moscow and Tokyo. Apart from

serving in a variety of positions in the Department of Foreign Affairs and Trade, he has also worked in the Office of National Assessments, Australia's peak intelligence assessment and coordination agency.

Ambassador Thawley is fluent in Russian, and was educated in both Australia and the UK. He is a well known and well respected diplomat, and was most instrumental in brokering the recent peace deal in East Timor.

## MOOT COURT LECTURE SERIES CONTINUES

### **PROFESSOR STEVE JOHNSON WILL TALK WEDNESDAY, 7:00 P.M.**

Professor Steve Johnson received his J.D. in 1981 from New York University where he was the Senior Managing Editor of the New York University Law Review. Following law school, Professor Johnson was an associate for Willkie, Farr & Gallagher, New York, New York. Later, Professor Johnson took his talents to the public sector with the IRS Chief Counsel Office. He was also Special Assistant, U.S. Attorney, and Instructor, IRS Chief Counsel Tax Litigation School. For eight years Professor Johnson was a senior attorney at the IRS Chief Counsel Office in Jacksonville, Florida, where he

both litigated and acted as case coordinator and technical advisor.

Professor Johnson joined the faculty at IU Law School in 1994. He teaches courses in Income Tax, Taxation of International Transactions, Taxation of Business Entities, Tax Crimes, and Tax Procedure.

Because of the depth of his experience and his lively and literate humor, students credit him with the ability to make presentations not only intelligible but entertaining. He has written many articles on procedure and tax and is a popular speaker at conferences around the country.

## NEWS FROM THE FACULTY

**Professor Fred Cate** spoke on privacy at the annual meetings of the Republican Attorneys General Association in Williamsburg, VA, and of the American Newspaper Association in Louisville, KY. He also testified before the Idaho Legislature's Interim Committee on Transfers of Personal Information in Boise, ID. His review of the book, *Liberating Cyberspace*, appears in the current issue of *Jurimetrics*.

**Professor Ken Dau-Schmidt's** article, "Labor Law and Industrial Peace: A Comparative Analysis of the United States, the United Kingdom, Germany and Japan Under the Bargaining Model," applies a model on bargaining theory to the labor laws of various countries in an attempt to explain varying strike rates among those countries. It was recently published in *The Tulane Journal of International and Comparative Law*.

A second article, "Department of Justice Antitrust Enforcement, 1955-1997: An Empirical Study," was published in the *Review of Industrial Organization*. It examines all DOJ antitrust prosecutions over the examined dates to document a variety of statistics including who is pursued as defendants, what they are charged with, and the success of the DOJ in prosecution and the resulting penalties.

Professor Dau-Schmidt also had an intriguing comment entitled "Family Gatherings and a Dirty Little Secret of the Law and Society Association" published in the *Law & Society Review*. Interested parties will have to look up the comment to find out what is the dirty little secret.

## **NEWS FROM STUDENT AFFAIRS**

### **GOLF OUTING RESULTS**

The official results of the annual alumni/student/faculty golf outing this Fall are now ready for promulgation. Several complaints regarding rules and interpretations had to be decided. Foremost among them, however, was a request for a ruling regarding whether relief could be granted when a golf cart got in the way of a shot. It turned out that the tough Eagle Pointe course was no match for the winning third year group of students.

CONGRATULATIONS go out to David Bayt, David Jordan, Todd Richardson, and Pete Snow!!! Somehow they managed to go 11 under in the best ball scramble format. Even more impressive is that they are willing to testify that they have still been attending classes faithfully and did not practice for this event.

At 8 under, another outstanding score, was the business group, composed of Paul Glaser, Quinn Kiley, Jody Shear (MBA student), and Professor Hannah Buxbaum. Contrary to rumor, it has been confirmed that there was no discussion of International Business Transaction matters during the outing by this group.

The longest putt was stroked by Jody Shear, the closest to the pin was dropped by David Jordan, and the longest drive was tagged by alum Jim Pinto, who said that he simply brought his high altitude driving focus from his Denver home base.

After careful consideration by a special panel, the worse shot of the day award goes to our president of our alumni board, Rapheal Prevot. It seems that President Prevot may have been thinking of less important matters when he hit a shot. As told by Jim Carr, former president of the alumni board, and a playing partner, here is what transpired: "Rapeal Prevot stepped up with his usually lethal sand/lob wedge and his teammates anticipated that he would stick it tight against the flag; instead upon contact Raph's ball shot backwards (i.e. at a 90 degree angle to the intended flight) through his legs coming to rest 10 feet behind Raph and no closer to the hole than before he struck his mighty blow."

Runner-up in this category goes to Derek Kaczmarek, who shanked his shot, which then hit his golf cart and ended up far behind him.

## **NEWS FROM STUDENT ORGANIZATIONS**

### **CALL FOR BAILIFFS**

The 2000-2001 Sherman Minton Moot Court Competition Oral Arguments are just around the corner! Each argument requires an individual to act as a bailiff. The bailiff announces that the Court is in session and keeps time for the participants.

Acting as a bailiff is an extremely valuable experience. Particularly, it is an excellent opportunity for 1Ls interested in Appellate Advocacy and who are contemplating participation in next year's

Moot Court Competition. Also, it is a great way for 2Ls that are not able to compete in this year's competition to have a chance to be involved and see appellate advocacy in action.

You may sign up for as many NON CONFLICTING times as you like. The relevant details for bailiffs in the fall semester rounds are as follows:

1. Bailiffs are needed for each round of the competition. There will be three rounds, and each round runs from a Monday to a Friday.

Round 1 - Oct. 23-27

Round 2 - Oct. 30-Nov.3

Round 3 - Nov. 6-10

2. Arguments for each of the above dates are scheduled at 6:00 p.m. and 8:00 p.m. Bailiffs serving at 6:00 p.m. are required to be at the law school by 5:30 p.m. Bailiffs serving at 8:00 p.m. must be present at 7:30 p.m.

3. Sign-up to serve as a bailiff during the Fall rounds will begin at 9:00 a.m. Friday, Oct. 13. The sign-up sheet will be posted on the moot court bulletin board in the basement. Volunteers should provide both their name and email address. You do not need to be a law student to volunteer.

4. A mandatory meeting for bailiffs will be held at the law school (probably in the Moot Court Room) on Wednesday, Oct. 18 at 7:00 p.m. This meeting is important because details of bailiff responsibilities during the competition will be addressed.

Sign-up as a bailiff to get valuable insight into appellate advocacy and to support your participating classmates in this exciting event. Thanks!

### **ATTENTION: ALL ANIMAL LOVING LAW STUDENTS**

Come join the brand new IU Law School student chapter of the Animal Legal Defense Fund (SALDF). Similar student chapters exist at other law schools (Harvard, Northwestern, Georgetown, etc.) The Animal Legal Defense Fund is the country's leading animal rights law organization working nationally to defend animals from abuse and exploitation. ALDF's network of over 750 attorneys is dedicated to protecting and promoting animal rights. ALDF has proven itself to be a tough, tenacious advocate for the animals, with the vision, the legal expertise, and the professional acumen to acquire lasting, important improvements in animals' lives. Please check out the national web site at [www.aldf.org](http://www.aldf.org). Our next meeting will be held on Thursday, Oct. 26, at Noon in Room 124. We hope to see you then.

### **BLSA GONG SHOW SOON**

The Black Law Students Association (BLSA) will be having its annual Gong Show at Axis nightclub on Friday, Nov. 3, from 6:00 p.m. until 9:00 p.m. The Gong Show is a talent/variety show, and the Show gives law students the opportunity to showcase whatever talents they aren't afraid to display before their peers. Singers, dancers, musicians, comedians, poets... everyone is

welcome. There will be cash prizes and unlimited entertainment. If you are interested in participating in the Show, email Rakuya Trice (rtrice@indiana.edu). Tickets will be sold in the near future. Come show your talents!

## **s ANNOUNCEMENTS**

### **SPEA JOINT DEGREE INFORMATIONAL MEETING**

Anyone interested in pursuing a joint degree at the School of Public and Environmental Administration should attend an informational meeting at 4:00 p.m. on Tuesday, Oct. 17 in the faculty conference room. A reception will follow at 5:00 p.m. in the faculty lounge. The meeting will cover both the environmental and the public administration masters degrees. A joint degree permits students to obtain both a JD and an MSES or MPA in four years, instead of the five years that would be required to take them separately. If you have any questions about the joint degree program in advance of the meeting, please contact Prof. John Applegate.

### **SAVE YOPLAIT YOGURT TOPS**

BLSA and the Intellect are holding a Yoplait Yogurt top drive in order to support Breast Cancer research. If you, your friends, or your family eat Yoplait Yogurt, please keep the tops. We will have a drop box outside of the BLSA office on the ground level of the law school (across from the SLA Bookstore). Please aid us in our efforts to support Breast Cancer by bringing in your Yoplait Yogurt lids and dropping them in the collection box.

### **EVENTS CALENDAR / ROOM SCHEDULING**

To schedule classrooms in the law building, send email to bl-law-events (for Outlook users) or bl-events-law@exchange.indiana.edu (for non-Outlook users). Please include date and time of event, length of time room will be needed, classroom requested and number of people attending event. Requests should be sent at least one week prior to event and include name of person requesting, organization planning the event and an email address. Confirmations will be sent by reply email.

### **AUDIO - VIDEO SERVICES**

Requests for AV services may be sent to Beth at av@exchange.indiana.edu. Please include the name of your group and the e-mail address of the contact person, a description of what you want to do, and the date, location, starting time and duration of the event. Requests must be made at least 48 hours in advance and will be confirmed by email.

## **CALENDAR**

Monday, Oct. 9, Ambassador Thawley, Moot Court Room, 5:00 p.m.

Tuesday, Oct. 10, CLS Bible Study, Room 214, 6:30 p.m.

Wednesday, Oct. 11, Professor Steve Johnson, Moot Court Room, 7:00 p.m.

Friday, Oct. 13, Moot Court Bailiff Sign-Up, Moot Court Office, 9:00 a.m.

Tuesday, Oct. 17, SPEA Joint Degree Informational Meeting, Faculty Conference Room, 4:00 p.m.

Wednesday, Oct. 18, Moot Court Bailiff Meeting, Moot Court Room, 7:00 p.m.

Thursday, Oct. 26, Animal Legal Defense Fund Meeting, Room 124, Noon.

Friday, Nov. 3, BLSA Gong Show, Axis, 6:00 p.m.

Wednesday, Nov. 15, Indiana State Bar Applications due.

**ILA:** To be included on the email distribution list, please send your address to [ila@indiana.edu](mailto:ila@indiana.edu). Paper copies are available upon request or in the student area of the law school. Information is also posted at <http://www.law.indiana.edu/pubs/ila/ilacurrent.html>. The School of Law also appreciates the assistance TIS in the weekly reproduction of the newsletter.

**Submissions:** Information and articles for the ILA should be submitted by **Thursday at 10 a.m.** for inclusion in Monday's edition. Please email all submissions to [ila@indiana.edu](mailto:ila@indiana.edu).

**Letters to the Editor:** Letters should be submitted **Wednesday at 5 p.m.** for possible inclusion in Monday's issue.

**Updated:** 6 October 2000