

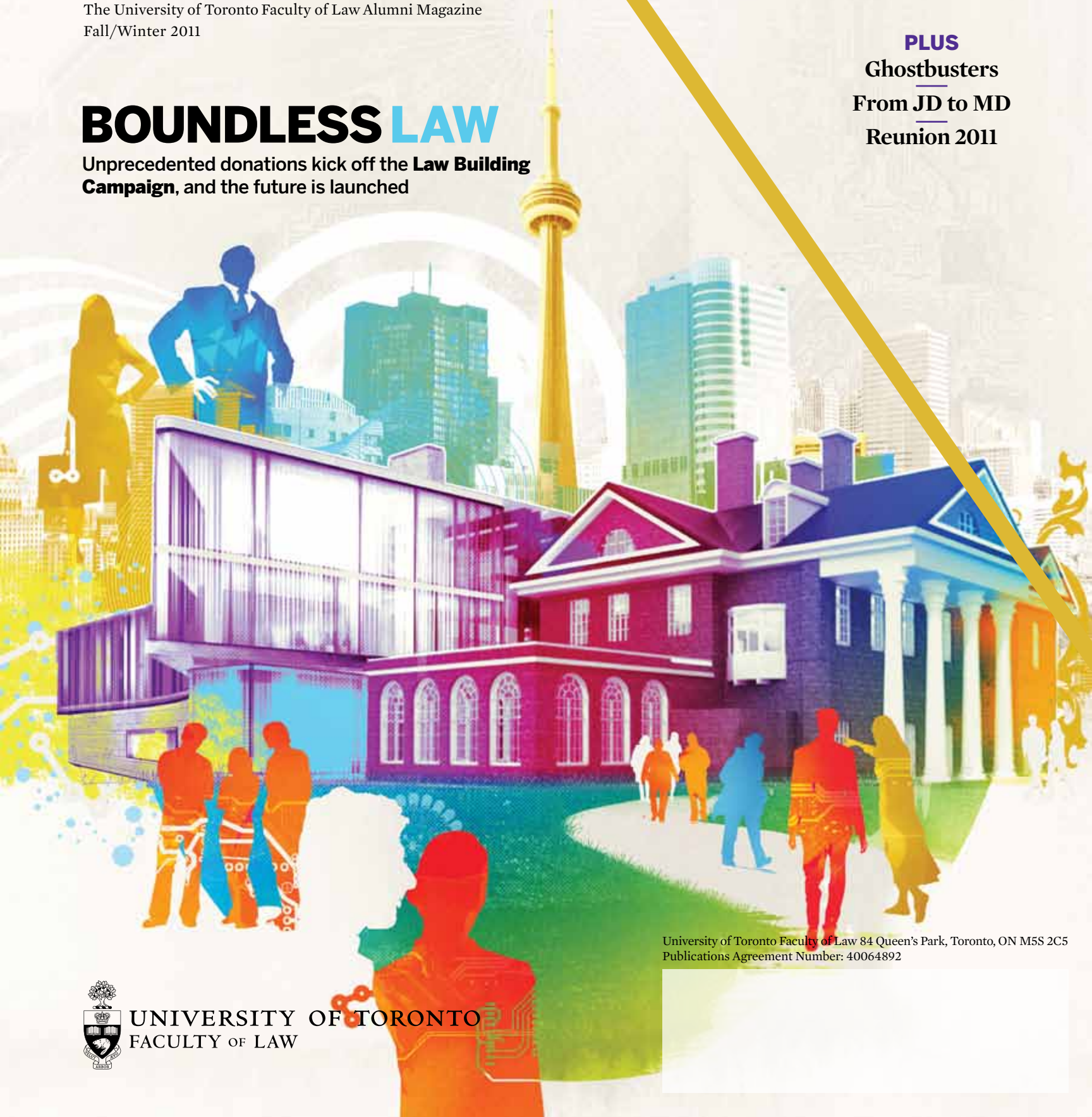
nexus

The University of Toronto Faculty of Law Alumni Magazine
Fall/Winter 2011

PLUS
Ghostbusters
From JD to MD
Reunion 2011

BOUNDLESS LAW

Unprecedented donations kick off the **Law Building Campaign**, and the future is launched



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1098 Yonge Street | 416-944-1098

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Editor in Chief

Kate Hilton, JD 1999

Executive Editor

Lucianna Ciccocioppo

Art Director

Levi Nicholson

Copy Editor

Dylan Reid

Advertising & Production Assistant

Nancy Reid

T/ 416.978.1355

F/ 416.978.7899

alumni.law@utoronto.ca

Editorial Office

T/ 416.946.0334

F/ 416.978.7899

nexus.magazine@utoronto.ca

Letters to the Editor

F/ 416.978.7899

nexus.magazine@utoronto.ca

Visit us online at www.law.utoronto.ca, and find us on:



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Boundless future

It's been an exciting first term at the Faculty of Law. Along with all of our usual activities—introducing a wonderful new cohort of students to the study of law, hosting a dazzling array of lectures and conferences, and welcoming alumni back for Reunion 2011—we celebrated some significant milestones.

After several years of planning, classes for our Global Professional LLM began this September. Our flagship International Human Rights Program is marking its 25th year in the field ["Transformative Human Rights" p. 11]. And we were thrilled to launch the public phase of our building campaign at a marvelous event on November 29th.

As you will see in the following pages, our alumni and friends have been extraordinarily generous in their contributions to our building project. Meet our wonderful Campaign Cabinet, co-chaired by Clay Horner, LLB 1983, and Tom Rahilly, LLB 1969, and read why so many dedicated alumni have become part of this great story of renewal ["Boundless Law" p. 22]. With their enthusiastic support, the future of the new law school is looking exceedingly bright.

We are proud to be a leading centre of critical thought and scholarship. In this issue, we showcase some of the cutting-edge work that our faculty and alumni are doing in the field of health policy. Faculty members Trudo Lemmens and Simon Stern argue for a novel legal remedy to protect consumers from ghostwritten articles in medical research ["Ghostbusters" p. 12]. And alumnus Neil Seeman's think tank at Massey College is devising innovative ways to save healthcare costs—not just in Canada, but around the world—using social media tools ["The medium is the medical message" p. 8].

These are just some of the great stories we'd like to share with you in this issue of *Nexus*, as we begin another action-packed term. It's going to be a wonderful 2012! ↗

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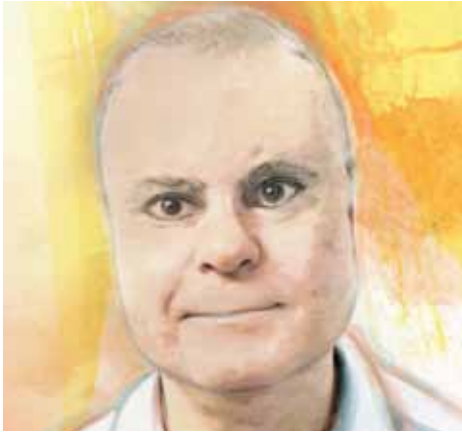
“*The Globe and Mail* editorial seems to suggest ghost-writing was a good form of knowledge translation, which we think is just bogus.”

—Prof. Trudo Lemmens



Michael Ignatieff's Reunion
Lecture drew a packed Bennett
Lecture Hall in October.

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Sheldon Gordon

Sheldon Gordon is a freelance writer in Toronto who specializes in legal and financial issues. He writes for *Canadian Capital* magazine, *Morningstar.ca*, *Lawyers Weekly* and various university publications across Canada. He has held positions as a parliamentary reporter for the *Toronto Star*, an editorial writer for the *Globe and Mail* and a producer for CBC-TV. He was a Journalism Fellow at Massey College in 1987. He enjoys Creemore, curling, social media and historical fiction, but not necessarily in that order. In his first piece for *Nexus*, he wrote “The medium is the medical message,” p. 8.



Anthony Niblett

Our opinion piece this issue is by Anthony Niblett, an assistant professor at the Faculty of Law. He holds degrees with first class honours in both law and commerce from the University of Melbourne, and a PhD in economics from Harvard University. Before joining the Faculty of Law in 2011, Niblett was a Bigelow Fellow and Lecturer-in-Law at the University of Chicago Law School. His research focuses on law and economics, contract law and judicial behaviour. His research has appeared in the *Journal of Legal Studies*, *Maryland Law Review* and the *Australian Business Law Review*. In addition to his appointment at the Faculty of Law, Niblett has a courtesy appointment with the Department of Economics. You can read “Too many whistleblowers may spoil the information” on p. 30.



Nigel Dickson

Nigel Dickson left his native UK in 1974, landed in Canada as a “luminosity engineer,” and has been taking photographs since 1979. He has shot for Mastercard, Goodyear, Apple, various banks and also *Toronto Life*, the *Globe and Mail*, *Esquire*, *Fast Company* and *Rolling Stone*, among numerous other advertising and editorial clients in Canada and abroad. His work has been recognized with a myriad of awards, including a Lifetime Achievement award from the Art Directors and Designers Club of Canada and 18 National Magazine honours, plus a handful from the USA. “Stand Still” published by Key Porter Books in September 2007, is his first book of portraits, and the Royal Ontario Museum held his first exhibit last year, “Canadian Content—Portraits by Nigel Dickson.” When he’s not shooting for *Nexus* (“Boundless Law,” p. 21), he’s taking portraits of classic car owners and their cars.

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THE MEDIUM AS MEDICAL MESSAGE

In a ‘post-partisan’ 2.0 world, Neil Seeman, JD 1995, wants to shake up how Canadians—and everybody else—think about health-policy innovations

Story by Sheldon Gordon / Illustrations by Patrick Ledger

Neil Seeman, JD 1995, could be the University of Toronto’s latest ‘McLuhanesque’ savant. You can almost sense the neurons firing as the law school alumnus applies his rigorous intellect to issues of public health policy.

Researcher, lawyer, entrepreneur, consultant and essayist, Seeman, 41, is a prolific idea-monger who insists that free markets and open minds can bring a “bottom-up Reformation” to Canada’s emblematic Medicare system.

Seeman is the founder and CEO of the Health Strategy Innovation Cell, a think tank based at the U of T’s Massey College where he oversees a staff of 20 researchers. A contract research outfit, it is funded by clients, philanthropists and healthcare NGOs.

His mission is to foster Health 2.0 innovation in the country’s—indeed, the world’s—healthcare systems. This means patient-accessible electronic health records. It also means medical institutions tapping into the online discussions of healthcare consumers and providers for insights on quality improvement. And it means a new, patient-led antidote to the obesity epidemic.

“He’s a Renaissance man,” says Dr. Steven Marc Friedman, associate professor in the Faculty of Medicine and assistant director (research) of emergency medicine at the University Health Network. “The breadth of what he does is incredible. I could see him becoming a deputy minister of health—or better. But at heart, he’s an intellectual. I see him wanting to think and move in academic circles. It’s his ability as a supreme listener that makes him such an effective thinker.”

Increasingly, his free-market ideas for improving healthcare are finding disciples. The Cell’s clients include the Health Council of Canada, Healthy Minds Canada (formerly the Canadian Psychiatric Research Foundation), Centre for Addiction and Mental Health, Providence Healthcare, The Change Foundation and parts of the Ontario Ministry of Health and Long-Term Care.

In June, Seeman’s Cell and The Change Foundation (another health-policy think tank) co-published *Using Social Media to Improve Healthcare Quality*. The paper urged hospitals and other medical institutions to “crowd source” the online comments of both patients and medical caregivers on how to upgrade the delivery of services.

Two groups of e-patients will drive this change, Seeman says. The baby boomers are demanding better quality in health care as they retire. And the under 35s “don’t understand why it isn’t possible to get an email or text message from their clinician that explains to them what the meaning of the lab results are, instead of having to visit the clinic.”

Among his major concerns is that patients in Canada don’t “own” their medical records. He is a keen supporter of a more “transparent” system of maintaining the history of a patient’s diagnostic care and medications. Despite a 1992 Supreme Court of Canada ruling (*McInerney v. MacDonald*) that held patients were entitled to reasonable access to their medical information, “the amount of information accessible to the typical patient is limited by a [largely] paper-based record system,” says Seeman. It’s an especially inefficient system for those who are chronically ill, and have multiple providers needing to share information on a regular basis.

As a model of innovation, he cites Denmark’s medical system, which has 98 percent of doctors connected online with their patients. “Patients have access to their personal health information. They can schedule [appointments] in real time with their physicians, and they can access their test results and medications in real time. All of that information is shared between patient and healthcare provider, and between providers.”

Ironically, he says, Canada’s healthcare organizations are using social media to fundraise, to disseminate new research to stakeholders, and to share information internally, yet “we found an early-stage trepidation to dip into the waters of quality improvement using social media.”

(An exception is a “small subset” of Canadian MDs who are using Twitter and Facebook to communicate with patients, though even Seeman warns that the use of these social media “potentially frays the trust relationship” between doctor and patient.)

While it’s difficult to oppose the principle of greater “patient engagement,” some public health analysts offer cautions. For young, healthy patients, e-contact with the healthcare system could be a positive development, says Raisa Deber, professor, health policy, management and evaluation at U of T’s Faculty of Medicine.

But relying on social media users for input means “it’s going to be a skewed sample,” she says. “If you’re a caregiver for someone who’s

really sick, how much time are you going to be spending on social media?" And, she notes, it is the very ill who consume the major share of health care services, much of it associated with end-of-life care.

Seeman also advocates a bottom-up approach to battling obesity, in an effort to tackle its economic and health burdens. In 2005, according to the Public Health Agency of Canada, obesity-related chronic illnesses accounted for \$1.8-billion in direct healthcare costs and another \$2.5-billion in costs to the economy through loss of productivity. Last March, he co-authored (with Patrick Luciani) a book called *XXL: Obesity and the Limits of Shame*, which argued government advertising was failing to shame the overweight into healthier lifestyles.

Instead, the authors urged governments to provide Healthy Living Vouchers (HLVs) to everyone 16 years or older, obese or not, allowing them to buy the service or product most likely to help them get fit, e.g., a



“The under 35s don’t understand why it isn’t possible to get an email or text message from their clinician about lab results, instead of having to visit the clinic.”

—Neil Seeman

gym membership, a bicycle, nutrition counselling, a diet regime, etc.

He modeled the HLV proposal on the American experience with school vouchers, but Prof. Deber says the analogy is false. “If you’re a child, you have to go to school. The issue that vouchers address is *where* you will go to school. No one is forced to eat healthy or go on the treadmill.”

To Seeman’s dismay, even some “self-declared libertarians” who like school vouchers trashed his HLV proposal in the *National Post*. (Columnist Barbara Kay slammed the plan as “breathhtakingly naïve and unworkable.”) “They’ve fallen into an ideological trap,” Seeman says of his right-wing critics.

Seeman, true to the mantra on his LinkedIn profile, is “not letting the obstructors get me down.” Instead, he’s working on a modeling research experiment to estimate the return on investment for the healthcare system of enrolling 2,000 Canadians in a Healthy Living Voucher system. If funded, he’s interested in running a pilot project of about 200 low-income families, each with \$1,600 in vouchers to spend on any of several accredited providers.

The emphasis on low-income families is because they have fewer choices, whether in food or in sports activities. “And we know they’re receptive to vouchers in education,” Seeman adds, citing Children First: School Choice Fund, a Fraser Institute initiative that fosters parent choice by providing low-income families with funds for their children to attend an independent elementary school of choice.

Participants would receive counselling from a family health team and support from religious leaders. The accreditation of providers, by a “team of experts from various fields” is “to address the challenge of quackery as it relates to obesity interventions,” he says.

The bottom line in tackling obesity is “we’ve got to deal with individuals on an individual level, as they each confront their obesity challenges differently. And we need to offer them meaningful choice.”

(Seeman has fought his own battle with obesity, shedding 80 lbs. with the help of boxing at local gyms, distance running and a healthier diet.)

Developing ideas and tools for Health 2.0 and advocating for the Healthy Living Vouchers are only two of the items on Seeman’s sprawl-

ing-to-do list. He is a consultant to various non-profits, foundations and healthcare companies. He advises RecapHealth Ventures, a new private equity firm that invests in privately-held healthcare companies.

In his first job, as an editorial writer for the *National Post*, Seeman “was frustrated by the junk thrown at me by the legacy polling companies, often using small samples and presenting the data as if it were sacred.” Last March, he started up The RIWI (Real-Time Interactive Worldwide Intelligence) Corporation, an opinion polling firm that gathers global responses online, in real time and which claims to do more accurate and reliable polling.

Today’s polling industry, contends the new firm, increasingly depends upon online and in-person panels comprising an ever shrinking group of survey respondents who are compliant due to participation incentives, and biased due to time availability.

In contrast, RIWI deploys patented software called TimeTrender to elicit survey responses from a “widely distributed, non-biased sample frame of Internet users.” RIWI surveys can collect data from 50,000 or more Internet users from every jurisdiction in the world. Everyone with access to the Internet (whether by computer or mobile device) “has an equal random probability of being exposed to the polling question,” says Seeman.

When pressed, he concedes that RIWI “cannot capture people who are not web-enabled”—an estimated two billion of the world’s seven billion inhabitants—“but we are not claiming to eliminate all biases.”

RIWI plans to publish its first North American Healthcare Confidence Index in the journal *Electronic Healthcare*, a survey comparing the confidence levels of more than 81,000 Canadians and Americans in their respective healthcare systems. The findings were somewhat counter-intuitive. “This is a good news story for Canada, and a bad news story for the U.S.,” says Seeman. The Index revealed that “every reporting Canadian province surpassed every reporting American state in perceptions of the quality of their healthcare systems.”

Healthcare has always interested Seeman. His parents are both MDs and neuro-scientists. Having seen the profession’s bureaucratic toll on their personal lives, however, he decided against becoming a physician. “I didn’t see it as a cultural fit for me,” he says.

He did, however, earn a master’s degree at Harvard’s School of Public Health following his JD. While the Harvard studies equipped him with the scholarly tools to generate new ideas in public health policy, Seeman says his legal training sensitized him to the importance of assessing issues with an open mind.

His recreational boxing reinforces that outlook, he says. “There’s nothing like being in the ring, with the possibility of being hit, to strip away the cognitive biases.”

So, without disavowing his faith in free-market solutions, he advocates a “post-partisan” emphasis on approaches that are evidence-based rather than purely ideological. “We’ve got to enable the collection of data at the individual level to know what works and what doesn’t in public policy.” ↩

Transformative Human Rights: 25 Years in the Field

In 1987, the first intifada exploded in the Gaza Strip and West Bank, Canadian premiers and Prime Minister Mulroney were immersed in the Meech Lake Accord talks, and Costa Rican President Oscar Arias Sanchez landed the Nobel Peace Prize.

Here at the Faculty of Law, Prof. Rebecca Cook was busy creating an internship program for aspiring international human rights lawyers. With the addition of a clinical program in 2002, under then-Dean Ron Daniels, the International Human Rights Program grew to become the most robust initiative of its kind at any Canadian law school. More than 300 interns have travelled around the world to advocate for international human rights. They have also intervened in cases at the Supreme Court of Canada and taken claims to the United Nations. Many have gone on to remarkable careers that have made an impact on global human rights.

A quarter of a century later, we're celebrating.

Transformative Human Rights is an exhibition showcasing the achievements of the IHRP "through the lens of its students." A collaborative and interdisciplinary effort with University of Toronto graduate

students in museum studies, the interactive web and photo exhibit aims to capture these internship experiences of a lifetime, while showcasing the students' very real impact on human rights issues, says IHRP director Renu Mandhane, JD 2001. Focus areas include refugee rights, international criminal law, gender-based violence, corporate accountability, and "the next 25 years."

"I hope exhibit visitors will be mobilized to work to realize human rights both within Canada and around the world," says Mandhane.

Visitors will see "a series of spaces that emulate the physical realms inhabited by human rights advocates in the field, such as offices, domestic spaces and refugee camps," says Jennifer Carter, assistant professor of museum studies.

Sponsored by the photography company Blacks, the exhibit runs February 9-23, 2012 at the University of Toronto Art Centre, 15 King's College Circle.

For further information, view: www.utorontoihrp.com/index.php/events/anniversary-event.





GHOSTBUSTERS

In a publish-or-perish culture, two law professors have come up with a legal remedy against academics who ‘author’ ghostwritten medical articles: Charge them with fraud.

Story by Alec Scott, LLB 1993 / Photography by Michelle Yee

Professor Trudo Lemmens on pharmaceuticals:
“You have the potential for harm and the potential
for immense good tied together.”

What I worry about is that companies and academic authors may become more calculated and cautious in documenting the practice.

—Prof. Trudo Lemmens

Turn on the TV, and there are unusually happy aging men and their even more jubilant wives, swanning about Our Town—while scrolling on the screen is a list of the possible side-effects, some grievous, of the sexual enhancer that’s otherwise got them both so pleased. In the recent romantic comedy *Love and Other Drugs*, its of-the-moment version of a happy ending has a brash, competitive drug rep (Jake Gyllenhaal) getting earnest and leaving his job to go back to med school, to learn how best to combat the Parkinson’s his girlfriend (Anne Hathaway) has. He’s perhaps hoping that he can harness the considerable resources of the modern medical-industrial complex to help find a cure for his beloved’s soon-to-be-debilitating illness.

Ours is a Pharmaceutical Age—and whether you see the big multinationals as the greatest relievers of pain and suffering in human history or as relentless pursuers of maximum profit, or some complicated mingling of the two—there’s no avoiding them.

“Basically, you have the potential for harm and the potential for immense good tied together,” says Trudo Lemmens, the William M. Scholl Chair in Health Law and Policy at the Faculty of Law. He’s a long-time academic observer of Pharma’s Big Leap Forward and has been awarded a grant from the Social Sciences and Humanities Research Council to study integrity in biomedical research. In a recent paper, “Leopards in the Temple: Restoring Scientific Integrity to the Commercialized Research Scene,” he succinctly summarizes the moral hazards in this charged field. “With profits have come power, and the incentive to influence the market,” he writes. “The pharmaceutical industry has extended its tentacles particularly to those involved in the process of creating and regulating scientific knowledge.”

One of the key ways the industry has lately exerted an influence on the process of “creating” scientific knowledge has been to retain scientifically trained writers to draft papers based on clinical research regarding a particular drug or group of drugs. A draft is then forwarded to an esteemed academic scientist, who perhaps proposes revisions, perhaps not, and ultimately signs it. The paper gets published in a peer-reviewed journal, very often with minimal or no acknowledgement of the medical writers’ input; the real-life equivalents of Gyllenhaal’s hustling drug rep character get reprints of the article from the journal and hit the road, sales targets in their heads. Ghostwriting—as it’s called in the industry—has its defenders: they say the ghostwriter merely helps translate the abstruse (and “legitimate”) science to the page.

Others say it does a lot more than that. Its critics include Lemmens

and his law colleague, assistant professor Simon Stern, who have recently proposed an innovative way of attacking the practice: suing the scientists who sign the papers for fraud.

But, as everyone learns early on in law school, it’s easy (and dangerous) to allege fraud, but hard to prove it to a court’s satisfaction. The clever solution Stern and Lemmens have proposed has been getting lots of attention locally and abroad—the Guardian, CBC Radio, CTV, the *Globe and Mail* and *Maclean’s* are among the media outlets to have publicized the professors’ proposal—but as yet no one in the practice has seen fit to make use of the suggested course of action. This is the story of a small quest to stretch the law to cover a novel situation, a quest with a few ‘aha’ moments along the way. If their proposal eventually reaches a court and persuades a judge, it will make available a new move in a complex, immensely high-stakes game.

First, the rules of the game and the players.

Until the 1980s, most drug-related research was conducted in university labs, often at a stately pace, by scientists whose prime allegiance was to the institution that employed them. In the 1980s, many pharmaceutical companies decided that the rate of completion of these studies was too slow, as they raced against their competitors to bring potentially big sellers to market, and that the outcomes were too unpredictable, too open to disparate interpretations. There was a need for quickly produced, objective, peer-reviewed science to support the claims of drug companies: Ghostwriting arose as a solution.

The medical writing industry has its centre in suburban New Jersey, and allows underemployed science PhDs to earn good money writing papers on specific instruction from the drug company, or an ad agency, handling the product roll-out. Linda Logdberg, an anatomy PhD, remembers her more than a decade as a high-end ghostwriter. “At first it was fine ... I got to work with top scientists—and the money was good, really good. Traveling, eating in high-end restaurants, wearing fashionable clothes, and rushing to meet important deadlines—what’s not to like?”

A fair bit, it turned out. She gradually became more and more distanced from the scientists—a layer of marketing people developed between her and her paper’s named author, and the requirement that she stay on message became paramount. “It was like a recipe. They gave you certain key terms to use, and you crafted the piece around those, and the science.” She remembers being in a conference room at an ad agency, and someone rushed in excitedly with tickets for the doctors

“for only \$1,000.” Logdberg thought these were airline tickets for the doctors to attend a workshop at a medical meeting, but was upset to learn they were prime tickets for a pop concert. Her final dispute before she left the field (to become a science teacher) came over a paper about the benefits of an Attention Deficit Disorder drug that worked for most of a day, but gave out in the early evening. “I had two kids with ADHD, and I just couldn’t write a paper saying that a drug that stops working at dinnertime is okay. I just couldn’t.”

A 1998 study published in the *Journal of the American Medical Association (JAMA)* estimated that 11 percent of papers published in six top medical journals had ghostwriting. Other credible estimates run as low as six or eight percent. Everyone agrees, though, that the practice, if relatively rare, goes right to the top. Ironically—but not surprisingly—it’s particularly the most influential journals, such as *The Lancet*, *Science*, *Nature*, *JAMA* and *The New England Journal of Medicine*, that are commonly targeted—often successfully.

“We get it up here in Canada, but not as frequently,” says Paul Hébert, who has just left his post as editor of the *Canadian Medical Association Journal*, our most prestigious journal. During his tenure, he estimates that he turned down five to 10 articles per year when he or his staff figured out it had been ghostwritten. The journal’s policy is not to publish ghostwritten work. “A few things probably slip past. But when they’re really well written, or when it’s regarding a new product that’s about to come out, then you start to ask questions.”

The *CMAJ* follows the International Committee of Medical Journal Editors’ guidelines, which require named authors to sign statements detailing their contribution to the paper and the conception and execution of the underlying research. “This helps,” Hébert says, “but you still do see instances. It’s an honour system.”

A study published in 2000 found that there were many ways that research funded by drug companies can be biased, from the subtle to the overt: the research design may tend in one direction; what gets put in is accurate, yes, but often relevant findings get left out. “When we know it’s research done by a drug company—as much good research is—we account for this,” Hébert says. “It’s when we don’t know ...”

The pre-trial disclosure in many of the most celebrated actions against drug companies of the last 20 years revealed ghostwritten articles: in Vioxx, the anti-arthritis blockbuster drug that was pulled from shelves for its propensity to raise heart attack rates; the antidepressants which, when prescribed to teens, may increase suicidal ideation; the Fen-Phen diet drug combination which also allegedly compromised the health of some patients’ hearts; the hormone replacement therapy which, according to the U.S. National Institutes of Health, also pushed up the risks of breast cancer, heart attacks and embolisms. Ghostwritten articles arguably contributed to a perception that these drugs were acceptably safe.

“It’s not,” Lemmens says, “as if this is a little bit of marketing on the side. These are practices with a huge impact on the public’s health.”

Ghostwriting has a particularly legal aspect also. In class actions and individual lawsuits against drug companies, the court often has to weigh the scientific literature to determine whether the plaintiffs’ complaints can be dismissed as anecdotal or are borne out by solid research. Sarah Jones (JD 2011), a former summer research assistant to Lemmens and currently articling at Borden Ladner Gervais LLP, comments: “In my research I saw that the courts look at the quantity and quality of the papers—and with quality, they obviously put a lot of weight on the credentials of the person whose name is on it.”



Fraud is fraud: Prof. Simon Stern published a paper on the litigation and controversy around false memoirs, such as Oprah’s book club pick *A Million Little Pieces*—totally made up by author James Frey.

The term “bulldog” gets applied to Paul Thacker a lot. Over the years, he has worked as an investigative journalist and helped a U.S. senator crack down on the drug-company practice of paying big consulting fees, and offering other expensive perks, to influential academic physicians. In part as a result of his efforts, a federal Sunshine Law has been passed in the States, requiring drug companies to disclose payments to physicians. “Unfortunately, as they’re written, these laws don’t seem to catch ghostwriting,” Thacker says. “I mean, it’s a big benefit. All that research and writing they don’t have to do.”

He’s incensed at how seldom universities have disciplined staff members when it comes to light they’ve signed a ghostwritten paper. “If a student tried to put a name on a paper that wasn’t theirs, one they’d done hardly any work on, they’d get shown the door,” he says heatedly. “But tenured professors, especially ones bringing in lucrative research grants to the university, they get away with it.” (By a recent tally, 13 of the top 50 American medical schools have policies against professors publishing ghostwritten articles; no comparable figures have yet been

The publicity around the issue has probably deterred some academic scientists from being guest authors—but the problem is not about to go away.

—Prof. Simon Stern

compiled in Canada, but allegations of it have surfaced with respect to professors at Dalhousie, McGill and U of T.)

Enter professors Lemmens and Stern with their modest proposal. They had to wrestle with the classical definition of fraud, which is said to occur when a person makes a knowingly false representation in order to acquire something of value, and harm occurs as a result.

In a nutshell, what they've proposed is that the readers of medical journals—at least journals complying with the ICMJE guidelines—file a class action when they discover that a given piece has been ghostwritten. The reader would have relied on statements that the author had contributed in the ways specified under the guidelines (the knowingly false representation). The author would have received something of value (the benefit to career in the publication). And the harm to readers would be that they received an article that was worth palpably less than one actually researched and written by the author in question. They've also proposed that knowingly putting into evidence a ghostwritten article fits within the traditional parameters of fraud on the court.

The proposed solutions—articulated in a piece in a recent issue of *PLoS Medicine*—came to the authors in a series of 'aha' moments.

They came across an old case decided by no less an authority than the U.S. Supreme Court—one that wasn't reported as a ghostwriting case, but that had facts (and, more importantly, a decision) that seemed right on point. In the 1944 case, *Hazel-Atlas Glass Co. v. Hartford-Empire Co.*, one glass-making company, Hartford, had sued another, Hazel-Atlas, for infringing a patent regarding a certain technique of molding glass. It eventually came out that Hartford had gained the original patent in a roundabout fashion. Company employees had written an article extolling the innovation embodied in this glass-molding process, then convinced an independent expert, the president of a glassworkers' union, to sign and publish the article in a trade journal. Because of this background, the Supreme Court vacated the original judgement, rejecting the argument that the article hadn't played a material role in the original patent application. "Hartford's officials and lawyers thought the article material. They ... went to considerable trouble and expense to get it published."

Stern particularly liked this line. "You could see a drug company raising the same argument in a ghostwriting case."

In addition, Stern had followed—and published a paper on—the recent litigation and controversy around false memoirs, most notably, the suit and brouhaha following the revelation that much of James Frey's Oprah-praised recovery memoir *A Million Little Pieces* was

made up. "In these cases, you have a problem with standing—for that you needed to show reliance," Stern says. For Stern and Lemmens, in this instance, the warranty provided by the authors under the ICMJE guidelines solved that problem.

"And the other problem," Stern adds, "was you needed to weld standing to damages." The authors proposed that a group of subscribers could band together to sue for the loss in value of their subscription to the publishing medical journal—similar to Frey's readers getting a refund of the cover price.

The authors put their proposed solution before a conference on ghostwriting they scheduled at U of T earlier this year. Attendees included people like Thacker, Logdberg, medical journal editors, bioethicists, doctors at teaching hospitals, and lawyers with pharma-heavy practices. There was some to and fro over whether the action would fly, and after the conference, the debate continued in the media. After publishing an article mentioning the possible cause of action, the *Globe* took the unusual step of weighing in against the proposal in a house editorial. "Ghostwriting is not immoral," the paper's editorial board argued, "and scientific researchers could well benefit if professional writers rendered their often impenetrable prose more readable."

Lemmens scoffs: "They seem to suggest that ghostwriting was a good form of knowledge translation, which we think is just bogus."

A 1998 Faculty of Law graduate who has a science-heavy intellectual property practice at Gilbert's LLP, Alexander Stack is uncertain if the novel action might find some traction in a courtroom. "I've never seen an example of ghostwriting in my practice, and I don't know of any reported Canadian case where it's come up," he says. "But it would certainly be a big issue if it came up." And he's particularly alive to the arguments that presenting a ghostwritten article as evidence in a case might constitute fraud on the court. "If you as the lawyer know, you would never allow it to be put before the court, but how are you going to know?"

Both Stern and Lemmens think the publicity around the issue probably has already deterred some academic scientists from being guest authors, but that the problem's not going away. As Lemmens says: "People may think twice already now, but at the same time the pressures to engage in the practice are significant from the pharmaceutical industry and also from the academic side. After all, these people operate in a publish-or-perish culture. ... What I worry about is that companies and academic authors may become more calculated and cautious in documenting the practice." ↵



From JD to MD

It's enough to make any parent erupt with pride: a son or daughter going on to medical school after law school. Yes, it does happen, probably more frequently than one might think. Are these people super A-type personalities or simply devoted to new knowledge? We've heard from three of these alumni, and we'll let you readers be the judge. ⇒

Stories by Karen Gross / Photography by Jeff Kirk



“I heard about the health law and policy LLM at U of T, and thought it would be an amazing bridge between law and medicine.”

The many sides of Rami

When he's not studying, working, or sleeping, Rami Shoucri can usually be spotted sprinting across an outdoor playing field, in hot pursuit of a flying disk. Shoucri is passionate about Ultimate Frisbee, and plays the game at least once a week, but preferably every chance he gets—which isn't that often. The 31 year old, now in his fourth year of medical school, has spent most of his young adult life in classrooms, libraries, court-rooms, hospitals, or educational internships. “I see myself as a lifelong learner,” he says. “And the school phase is coming to an end, but it's been great.”

It's also been lengthy and intense. Shoucri—who says he was always interested in medicine—initially pursued a law degree, thinking it would broaden his background and provide him with critical knowledge and skills that he could use in whatever profession he ultimately chose to practice. But he didn't stop at a JD, even though by the end of law school in 2007 at Osgoode Hall, he was certain he wanted to be a doctor.

“I didn't want to waste all of that legal education,” he says. “I'd heard about the health law and policy LLM at U of T, and thought it would be an amazing bridge between law and medicine.”

His thesis focused on the legal governance of the financing and delivery of healthcare services to Aboriginal peoples in Canada. Shoucri saw a disconnect between frontline medical services and government health policy—and the need for a functional relationship between the two.

“It's not just about health,” he says. “It's about government and control, and you can't just implement programs to improve a community's health. The community has to be involved in directing the programs.”

His thesis supervisor, Prof. Colleen Flood, was duly impressed. “Rami is very driven, but in a quiet, understated way,” says Flood, who holds the Canada Research Chair in Health Law and Policy. “He'll be a strong leader and I think he'll work to reform medicine so it truly serves those who are most vulnerable.”

Shoucri is planning to train as a family practitioner after he graduates in 2012, and while he hasn't quite figured out how he will effect change on a larger scale, he's already put his legal and policy training to use as a med student. Two years ago, he ran for election as president of U of T's Medical Society and won, serving in the position during the 2009-2010 academic year. It was a challenge he simply couldn't pass up, he says, “a way to put the privileged legal education I had into practice for my classmates and for the school.”

And that's typical of Shoucri, according to his longtime friend and Ultimate Frisbee teammate, Toronto lawyer Ian Aversa, who predicts he'll make the most of what he's accomplished. “I can't see Rami doing just one thing,” he laughs. “He's always been someone who likes to take a multifaceted approach with everything in his life.”



“I always had medicine in the back of my mind...You get one chance and I feel really satisfied.”

The DNA factor

Back when Susan MacKenzie was an undergraduate majoring in immunology and English, and was still known as Susan Scarrow, the path to her future seemed almost predictable. The daughter and granddaughter of physicians, she would likely go to medical school and become a doctor. She decided, however, to take another, less familiar road. MacKenzie wasn't sure she wanted to be a lawyer, but she did know she wanted to learn more about social and political issues—topics her science-focused education hadn't addressed to her satisfaction.

“I always had medicine in the back of my mind,” MacKenzie says, explaining why her three years at U of T's Faculty of Law were dominated by courses dealing with women's reproductive health law and international human rights, and then capped by an international human rights fellowship the year after she graduated. MacKenzie worked at the World Health Organization in Geneva, eventually co-authoring the report *Advancing Safe Motherhood Through Human Rights*, with the renowned U of T law professors Rebecca Cook and Bernard Dickens.

Cook, co-director of the International Reproductive and Sexual Health Law Programme, had worked with MacKenzie during law school, and says her attitude, interest, and dedication could easily have led to a glittering legal career. “I could have seen her working on legal and policy issues relating to women's health.”

By the time she'd finished her LLB in 1999, she knew definitively

where she wanted to go. And it wasn't a courtroom.

MacKenzie earned her MD in 2004 at the University of Western Ontario, and then returned to Toronto to train as a psychiatrist specializing in children and adolescents. Dr. Daniel Gorman, who supervised her at the Hospital for Sick Children, says he was impressed with her maturity and insight.

“I anticipated, and it turned out to be the case,” Gorman says, “that she would be a very clear thinker, and would be able to think through an argument in a very tight way. I suspect those are skills that her legal training helped her develop.”

MacKenzie believes that's true. She currently treats teens and young adults at Toronto's Centre for Addiction and Mental Health, and says law school has made her a better psychiatrist, in the ways she approaches and interviews her patients, assesses their needs, and helps to guide each individual she sees through a lumbering bureaucracy that's often hard to navigate. A lecturer at the U of T Faculty of Medicine, she also serves as a psychiatric consultant to Canada's National Ballet School.

Now 37, married and the mother of two young boys, MacKenzie is content. The long, sometimes exhausting road, with its forks and detours, was worth every twist and turn.

“I have a really happy life,” she says. “You get one chance, and I feel very satisfied.”



“I thought, if anything, my law school experience would really help me to be a better doctor.”

Curious Dr. Chris

Curiosity has taken Chris Fortin, JD 2004, on a long journey, far from his roots on the shores of Georgian Bay, where he was raised an only child in a single-parent home.

“There wasn’t really a huge pressure on me to perform academically,” recalls Fortin, now 33, and one of the few people in his extended family to attend university. Instead of deterring him, Fortin’s upbringing actually seemed to propel him forward, sparking an innate curiosity about almost everything he encountered. “I had a hard time settling,” he says. “It’s kind of an ongoing joke. What am I going to pick next?”

Faced with what seemed like a grand buffet of options, Fortin dug in with gusto and sampled a host of offerings. As an undergraduate, he studied physiology and psychology, and when he wasn’t accepted to medical school, he happily attended law school at U of T. While there, Fortin traveled to Budapest as an exchange student and devoured courses covering comparative constitutional law, as well as health law and policy. He also summered and articulated at Miller Thomson in Toronto, and found a fulfilling niche there, where he actually envisioned a future. But not quite.

“I would have been really happy to stay there, to practice law,” Fortin says. “But at the same time, there was still a lot of curiosity about medical school. It was overwhelming and I thought if anything, my law school experience would really help me to be a better doctor.”

After acquiring his legal license, Fortin returned to the University of Western Ontario, where he’d done his bachelor’s degree, and attended medical school, his roots in the law never far from the surface. He co-chaired a medical-legal lecture series covering ethics and malpractice, among other issues. He also arranged a unique elective with the College of Physicians and Surgeons of Ontario, where he observed regulatory committee meetings, and researched the development of regulatory policy for physicians infected with blood-borne pathogens.

Dr. Rocco Gerace, the College registrar who helped facilitate the elective, saw promise in his legal background, and opportunity in his future. “I think what Chris has now is a perspective on regulation and what goes on behind closed doors. He’ll be able to share that with peers and colleagues.”

Fortin’s friend and medical school classmate, Dr. Danyaal Raza, agrees. “He’ll be looked at as an ambassador from medicine to law, and law to medicine. I think he’s going to do some really interesting things.”

Finally done with medical school in 2009, Fortin is now in the midst of a residency in physical medicine and rehabilitation, also known as physiatry. This year, he is co-leading a seminar on medical-legal ethics for medical students at U of T, and says he is taking things day by day.

“My first goal is to finish my residency,” Fortin says with a chuckle. “Somewhere down the road, I’ll look at what options are open to me. ↩️”

BOUNDLESS LAW

Unprecedented donations kick off the Law Building Campaign, and the future is launched

Stories by Karen Gross + Lucianna Ciccocioppo / Photography by Nigel Dickson

Thanks to incredible alumni support, the Law Building Campaign is well on its way to making a new, state-of-the-art building a reality for future law students. At an exciting event on November 29, 2011, Dean Mayo Moran publicly launched the campaign, which has raised \$21 million to date in private gifts. Along with the University of Toronto's \$18 million contribution, we have now reached more than 70 percent of our goal.

"Nothing is as important to the future of this incredible institution as physical renewal," says Moran. "We are so grateful for the extraordinary

generosity of the law firms and individuals who came forward so early in the campaign to support our aspirations."

Clay Horner, LLB 1983, and Tom Rahilly, LLB 1969, were happy to accept Moran's invitation to co-chair the campaign. "The Faculty of Law was a very important educational experience for me. I welcomed a chance to help the law school," says Rahilly. "I hope that we can persuade our alumni and friends of the great value of the school as a centre of excellence in a rapidly changing and expanding world."

Read more about why our alumni gave back to where it all began. [↔](#)

From left: Tom Rahilly, LLB 1969, Dean Mayo Moran, SJD 1999, Clay Horner, LLB 1983



Osler, Hoskin & Harcourt LLP

Clay Horner, LLB 1983, was only too eager to be a part of the Law Building Campaign, and volunteered as co-chair. It was an easy decision to make, says Olsers' partner and chair.

"The contributions of U of T law school to the legal and broader community are fantastic. And on a personal note, the law school had an incredible impact on my life, in terms of the relationships I made while I was a student, and with prior and subsequent classes of students, and with top faculty. So I wanted to be able to be part of the leadership team and return a little bit of what the law school gave to me."

Horner says he'd like to engage as many alumni as possible to think back on their law school days, and consider carefully the relationship they have with the Faculty of Law. "It's a special relationship. I think alumni will recognize we need a new facility to ensure the incredible richness of our programs, not only for our unbelievably talented student body but also for our renowned faculty. And also to ensure we continue to have a vibrant forum so the Faculty of Law remains at the forefront

of legal scholarship and relevance in the broader policy community."

And while many alumni have a fondness for the traditional ivy-and-brick law buildings, there's definitely no love lost over the lack of communal space or abundance of dark space. It was time, says Horner, for modernity. "The building will create the environment and a facility to allow us to take advantage of the richness in digital teaching technology and other methods to engage with the community."

And that's why his partners and colleagues at Osler came through for the Faculty of Law. Osler matched individual gifts from its lawyers, and the resulting gift set a new benchmark in Canadian law firm giving.

"It was time for us to step up again and renew our commitment to the importance of legal education. Nobody is in a position to see the value of a great legal education—and be able to finance it better—than the people who directly benefited from the talents and learning of the students who come from the U of T law school."



Torys LLP

There's a strong and historical bond between the law firm Torys and the Faculty of Law, says partner **Peter Jewett**, LLB 1972. "It's a family-like feeling of community," he says with a warm laugh.

"Our founder JSD Tory very much supported the modern law school, when a group of professors broke away from the Law Society of Upper Canada's education program. His twin sons Jim and John Tory Sr. graduated at the top of the first class, landing first and second. And Caesar Wright, the first dean, became counsel to the firm."

Over the years, many more alumni launched their careers at Torys, and today, more than one third of the partners have Faculty of Law pedigrees. In addition, four out of the last five deans have either been members of the firm [Ron Daniels, Mayo Moran] or are current members [Robert Prichard, Frank Iacobucci].

So when new building plans were announced, Torys listened.

Jewett says, while the law school has many needs, there comes a time when rejuvenating the physical facilities trumps all other needs. "It will allow the school to continue to attract renowned faculty, and provide the space it needs to conduct research projects that it probably

cannot currently house. These two factors have an immediate impact on the quality of education for students."

Says Jewett: "I think alumni are persuaded about that need now."

Aaron Emes, partner, LLB 1998, agrees. He says the response from Torys partners was overwhelming. "Our alumni were eager to support this building campaign, recognizing its importance to an institution to which they feel an incredibly strong connection."

Torys' gift translated into a new era of generosity in Canadian law firm giving. And that's a good feeling, adds Jewett. "It's the kind of thing a firm like ours should do. We're full of alumni who have benefited dramatically from going to this law school. And it's right and appropriate that we shoulder a major load in giving back, and invite the people who come behind us to share in the same opportunity."

After all, that's what family is for.

From left: John Cameron, LLB 1991, Cornell Wright, JD/MBA 2000, Miriam Levin, JD 2009, John Laskin, LLB 1976, Karrin Powys-Libbe, LLB 1994



Blake, Cassels & Graydon LLP

Blake, Cassels and Graydon LLP has a long and proud tradition of funding promising law students at schools across Canada. But the firm doesn't often contribute to building campaigns. This one, says managing partner **Robert Granatstein**, is different. "It came down to the need. The current building is a long way past its useful life and there's no question that can be a drag on a school's ability to do what it needs to do."

It didn't hurt that the majority of lawyers at the international firm are graduates of the Faculty of Law, and that its biggest office is in Toronto, where Granatstein says the firm feels a genuine sense of responsibility to the institutions that share the city's space. There's also a broader mission, which involves promoting and protecting legal education across the country.

"Law firms ought to be concerned about the reputation of Canadian law schools and their graduates," he says. "It's in our interest that our students and our schools be highly regarded."

Blakes recently relocated its own offices—moving up a few floors in the same Bay Street tower—and Granatstein says he's seen what a positive effect that's had on the firm's employees and how they approach their work. He expects the same will happen at U of T, once the new building is a reality.

"I think it just changes the atmosphere," he says. "There's no question that it affects people's outlook."

From left: Eric Moncik, LLB/MBA 1998, Jeffrey Lloyd, LLB 1989, Pam Huff, LLB 1985, and Jim Christie, LLB 1976



The Hon. Henry N. R. Jackman, LLB 1956

The Honourable **Henry N.R. Jackman** and the University of Toronto have been intertwined for more than half a century. Jackman—commonly known as Hal—is a former Lieutenant-Governor of Ontario, and a former chancellor of U of T. But he also grew up on the school’s venerable campus, completing high school and earning his BA (1953), and LLB (1956), within its grand and historic walls. Jackman went on to build a very successful business, but he never strayed far from the institution that helped to raise him.

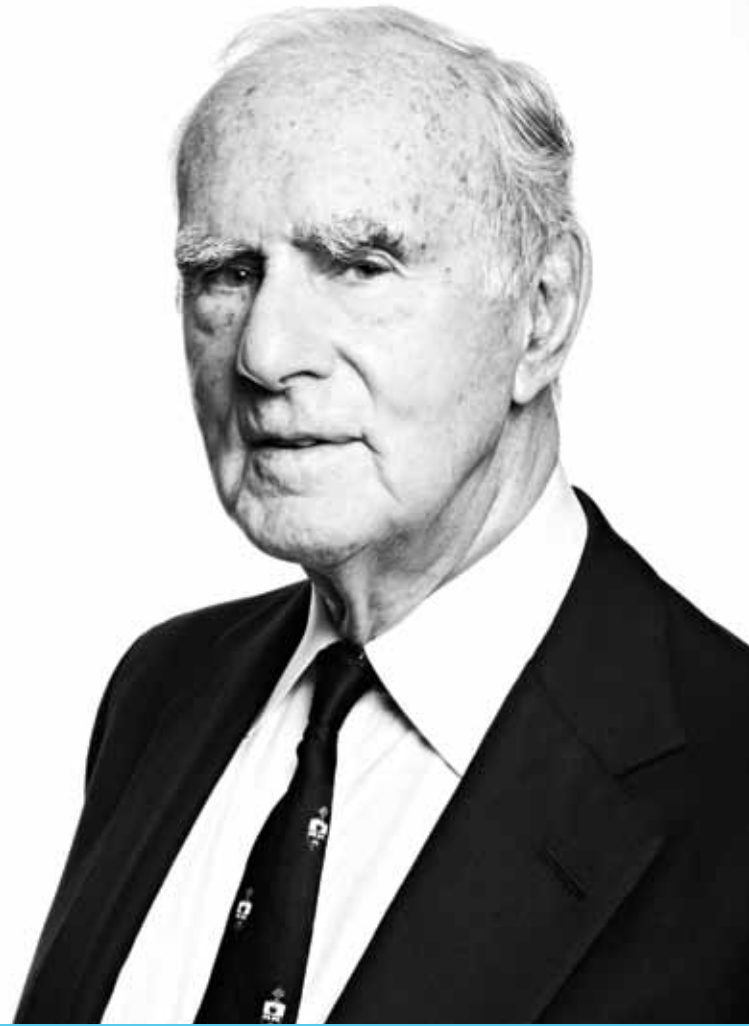
“It’s the best university in Canada,” he declares, firmly. “A great city deserves a great university. And we have it.”

Now 79 and officially retired, Jackman is also known as U of T’s biggest single benefactor, donating millions to the university and its various schools and faculties over his lifetime. He still counts some former law school classmates among his good friends, and recently attended a reunion of his 1956 graduating class.

“It was a very good education, and we had very good professors,” Jackman remembers. “It was a very intellectually stimulating experience.”

Among the missions he hopes the school takes on in the future: an effort to reduce the climbing costs of litigation and other legal services. If any law school is up to that challenge, Jackman says, this one is.

“We have better people than the other people,” he says. “I’m a big admirer of (Dean Mayo Moran). I think she’s taking things in the right direction.”



The Hon. William C. Graham, LLB 1964

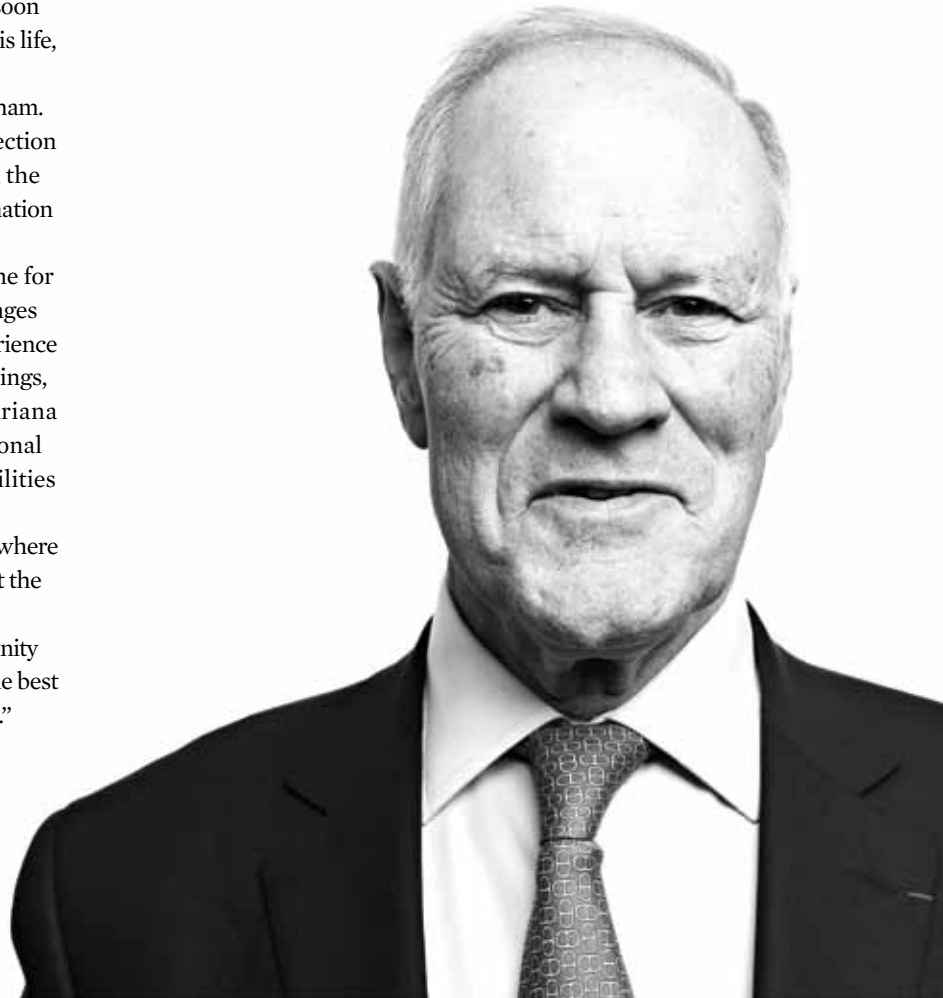
Bill Graham, LLB 1964, is excited about the big changes coming soon at the Faculty of Law. The law school played a significant role in his life, both as a student and as a faculty member.

“Law school was a very formative experience for me,” says Graham. “It had a remarkable influence on my career, the subsequent direction that I took, and my interest in international law, particularly in the nexus between the formation of social responsibility and the formation of law.”

While Graham was involved in Canada’s federal political scene for about three decades, he was still very cognizant of the vast changes occurring at the law school. “The whole teaching and library experience has changed. There are enormous complexities in the course offerings, such as the law and development course offered by Prof. Mariana Mota Prado. When I went to law school, we had two international law courses: public and private.” And, he says, it’s time the facilities matched the curriculum changes.

“While I have a certain romantic attachment to Flavelle House, where I had my office for 12 years, I also have a good understanding about the need for new facilities with more space and modern technology.”

Adds Graham: “It’s a change that’s so important. The legal community will continue to get law graduates at the top of their game, with the best legal education possible. And the country as a whole benefits as well.”



Cassels Brock & Blackwell LLP

For the partners at Cassels Brock & Blackwell LLP, contributing to the Faculty of Law's building campaign was a logical step in what's been a historic and mutually beneficial relationship between the University of Toronto and the law firm. "It's a longstanding relationship, and it's a very special relationship," says **Mark Young**, the firm's managing partner. "We also have a long history of supporting the law school."

The current, most obvious connection between Cassels Brock and U of T is the university's chancellor, former Ontario premier David Peterson. He happens to be a senior partner at the firm. But the ties go beyond that. For many years, Cassels Brock has acted as counsel to U of T, and the two entities have run several joint ventures together. "This is one way to return the university's loyalty," says Young.

He believes the new building will breathe new life into the way things are done at the law school, and its architecture will likely inspire students to think differently as well. "The glass is going to let people see what's going on outside the building, even as they're slaving away inside," Young says. "It will be a very different atmosphere from what they've ever had."

Beyond that, Young predicts the overall impact of having a modern, open, welcoming environment will be immeasurable. "If students are able to work in that environment, they're more likely to spend time at the school," he says. "If they're spending more time in school, they're going to build different connections with classmates and the faculty."



Borden Ladner Gervais

BLG wants to be a part of the future of the law school, says partner **Victoria Prince**, LLB 1984, and it's about so much more than a new building. "As a law firm, we want to ensure an ongoing future for an institution such as the U of T law school, so that it continues to have top-notch graduates—and facilities to match for a better learning environment."

The physical space is an important aspect of law school life, says Prince, given the intense three years required for a JD.

"Speaking as someone who has a sibling who's an academic, and who seems to live at his university, I have to believe that facilities matter. It's important that faculty and students are comfortable with their physical learning space. And today, it's incumbent upon us to ensure these structures are environmentally sensitive, energy efficient and adapted to how people sit and study in today's world. Even 10 years ago, people spent a lot more time looking at books, rather than conducting electronic research. But nowadays, you really need to have state-of-the-art technology."

Prince says alumni at her firm wanted to help the Faculty of Law solidify its position as a leader in legal education and scholarship, as it moves forward in a very competitive and technology-driven environment.

"Our clients are looking for law practitioners to be much more efficient in terms of how we can deliver services to them. It's critical students are prepared to face this new environment."



Davies Ward Phillips & Vineberg LLP

Patrick Barry, LLB 1991, says when the new building plan was announced, Davies Ward Phillips & Vineberg was only too happy to step up and support it. “It was an easy sell for us,” says Barry. “The new building will provide an exponentially better environment for students, and will match the world-class status of the faculty and administration.”

He does, however, empathize with incoming students who will have to live through the construction. “When I was in law school, the Bora Laskin Law Library was being built; it was very much a transitional time. And our classes were elsewhere on campus, so we didn’t have a lot of that community feel.”

But he’s quick to highlight the stunning end result will far outweigh the cost to get there. “Collaborative space is extraordinarily important. The more students can collaborate, the better. And once the new building provides the badly needed community space, those critical relationships cemented at law school will prove immensely invaluable in the future.”

Says Barry: “Ultimately, I hope the new facility provides a much more pleasant and richer learning environment for a community of world-class scholars and students.”



Fraser Milner Casgrain LLP

David Spiro, LLB 1987, still meets with Prof. Arnold Weinrib over lunch to talk tax, 20 years after he took his course at the Faculty of Law. His favourite class at law school, its impact continues to reverberate today. “It really gave me a solid tax education—very solid. And Prof. Weinrib and I continue to discuss issues.”

Spiro warmly remembers the camaraderie of law school, and the strong interpersonal relationships among students and faculty. But he also remembers the basement at Falconer Hall. “There was a lot to be desired in the facility...it was less than an ideal learning environment,” he says.

Other alumni at FMC couldn’t agree more. Giving to the Faculty of Law’s building campaign therefore was an opportunity not to be missed. “Where would we be without the tremendous education we received at the law school?” says Spiro. “It opened up incredible opportunities for us in our careers, well beyond law school. So this gift is an expression of our appreciation.”

And a new building is exactly what Canada’s top law school needs, he explains. “Every objective measure has shown that the Faculty of Law is a first-class law school, in terms of the quality of students and the quality of its faculty. The only element that’s not up to standard is the learning environment.”

Adds Spiro: “It’s about time we have the law school firing on all cylinders.”



Gilbert's LLP

Tim Gilbert, LLB 1988, founder and one of just five partners at Toronto-based Gilbert's LLP, retains a very distinct memory of his student years at the Faculty of Law.

"What I remember most is Prof. Stephen Waddams—sitting in his contracts class, and being asked to think like a lawyer. It isn't intuitive at first. But he trained me to think in terms that I always go back to."

It's a grounding, Gilbert says, that has served him consistently throughout his successful career. And it's something he sees repeatedly in the lawyers his firm hires straight out of U of T.

"The general student population at the school is very impressive," Gilbert says. "They want to be challenged, and they want to, as much as possible, change the world."

Those qualities are attractive to Gilbert's boutique firm, given its relatively small size and sometimes complicated caseload. Among the characteristics that make it unique: all of the partners are U of T alumni, which means they have a self-confessed soft spot for the law school and tend to hire at least one of its graduates every year. The firm's sizable contribution to the building campaign is its biggest single donation ever. And Gilbert has no doubt that the money is well-spent.

"The University of Toronto is so highly regarded," he says, adding its graduates are not only smart, they're humble, too. "I think it will play an enduring role not only in training lawyers, but in groundbreaking legal research. That will ultimately improve the quality of life for citizens around the world."



McMillan LLP

As CEO of Toronto-based McMillan LLP, **Andrew Kent**, LLB 1976, likes to joke that he's very popular among law school deans. The University of Toronto is no exception.

"They'd been talking about the need to improve their facilities for a long time," says Kent, who attended the Faculty of Law in the 1970s, and has very fond memories of his time there. "We were pleased to help."

Beyond Kent's own very personal connection, the firm and the law school are intertwined at many levels. Law students and graduates flow through McMillan's doors, often finding a permanent home in the company fold. They populate every department—from legal client services, to recruitment, training, and knowledge management. Conversely, McMillan's lawyers frequently teach and give talks at the Faculty of Law, exchanging their practical know-how with students and professors familiar with a more theoretical perspective.

Kent has happy memories of attending classes in historic Falconer Hall, where he says professors would play ping-pong in the attic, while students tackled pinball in the basement. Those were magical times of learning and living. But like the city it calls home, the law school has evolved. Investing in its future, Kent says, is an investment in the grand social experiment that is Toronto.

"More than half of the people who live in Toronto were not born in the city," he observes. "You've got this remarkable diversity of personal histories trying to meld together. The law school has become a very diverse institution. It's important to have that in the heart of the city."



Norton Rose Canada LLP

When the Faculty of Law came calling, Norton Rose Canada LLP was only too happy to help.

“The Faculty of Law is an important part of the legal community in Toronto, not just as a centre for legal and scholarly thought and discussion, but also as the fondly remembered alma mater for so many of our partners and associates,” says the firm’s managing partner, **John West**. “It behooves Norton Rose to be part of this exciting expansion plan.”

Michelle Gage, national director of legal talent at the firm, agrees. “From my perspective, it’s really important to give back to the community from which you draw so much,” says Gage, who scouts the country for top legal talent from various law schools. “It was a pretty easy pitch for me to make.”

Based in Toronto, Norton Rose works with U of T in a variety of ways and many of its young associates and more seasoned veterans are graduates of the law school.

Looking beyond the university’s immediate boundaries, Faculty of Law graduates take their education and knowledge in a host of different directions, adds Gage, all of which will ultimately enrich and improve the lives of Canadians “be it government or public policy, poverty law, criminal law or family law.”

By supporting the building campaign with a generous gift, Norton Rose is helping to give back so much more, says Gage. “It’s a contribution to the future of the country.”



Donald Crawshaw, LLB 1982

A graduate of the Class of 1982, **Donald Crawshaw** left Toronto a few months after graduation to pursue an LLM at New York’s Columbia University, never anticipating that he would be leaving for good. But almost three decades later, Crawshaw concedes he’s a New Yorker now. He’s a partner at the international firm, Sullivan & Cromwell LLP and its chief recruiter for Canada.

“I definitely think U of T is one of the top law schools in North America,” he says, adding that last year, the school sent a record six summer associates to Sullivan & Cromwell’s New York offices, where they worked alongside law students and graduates from Harvard, Yale and Columbia, to name just a few. “I know that my education there was a very important part of my training.”

Crawshaw is one of three partners at Sullivan & Cromwell to have graduated from U of T—a testament, he says, to the law school’s excellence and stellar reputation in the international legal community. His ties to the school still run deep. Many friends and colleagues are former classmates. Some current faculty members taught him 30 years ago.

“We had a very motivated student body, and excellent professors,” he recalls.

Crawshaw’s education took him a long way, both literally and figuratively. His ongoing contributions, he says, are his way of keeping involved.

“The size of the school has expanded quite a bit since I was there,” he says. “I was happy to support the Laskin Library when I was an associate, and I’m happy to be able to help in a more substantial way with the current building campaign.”



Lenczner Slaght Royce Smith Griffin LLP

When **William McDowell**, LLB 1986, attended law school in the mid-1980s, the classrooms were either incredibly cold, or, if they were near the boiler room, unbearably hot. “It’s part of the common experience for generations of students at U of T,” says McDowell, a partner at Lenczner Slaght. “When you get together for class reunions, people talk about this.”

That may be a fun topic of conversation among old classmates and friends, but McDowell says for current students and professors, it’s hardly pleasant. Charming they may be, but Falconer Hall and Flavelle House aren’t very practical. “For one thing, the place needs more light,” McDowell says. “Studying law is incredibly stressful and absorbing, and if you can do it with more light, and a sense of air, that’s definitely a good thing.”

McDowell and his colleagues at the firm have a personal stake in the new building as well. Many of them lecture at the school and participate in other events on the law campus. Graduates populate Lenczner Slaght at every point—from entry-level articling students to senior partners.

“At U of T it’s hard to find a weak law student in any given class,” McDowell says. “It’s just an amazing centre for legal thought. And we’re the beneficiaries.”

Practicalities aside, McDowell predicts the new building will be a definite architectural draw, blending in with the old heritage houses, but standing out at the same time.

“One of the gateways to the university is on that curve at Queen’s Park Circle,” he says. “To have this jewel of a building sitting there will be wonderful.”



Paliare Roland Rosenberg Rothstein LLP

Linda Rothstein, LLB 1980, remembers very well what it was like to study in Flavelle House when she was a law student. “It was no fun to be in a basement without any light. Even then, the facilities were completely substandard. It really wasn’t very pleasant.”

When her firm Paliare Roland heard about the new building plans, it didn’t think twice about supporting the Faculty of Law with a donation. “We have very long term ties to the law school, and the University of Toronto, our client for more than 20 years.” But the relationship goes much deeper than this, adds Rothstein. “We have long deep ties with faculty and many alumni. Many of our firm lawyers teach at the law school, so the Faculty of Law holds a special position for us. We really believe in giving to our local community, and we see U of T as part of our community.”

And since other Canadian law schools have recently undergone upgrades, she’s pleased to see “it’s finally U of T’s turn.”

Says Rothstein: “This new building is going to be fantastic, with such a superb location on the university campus, and a more inviting entrance for the larger community. As a forum for discussions, the law school definitely has a role to play. It’s an exciting time.”



Stikeman Elliott LLP

When **Eliot Kolers** entered law school in 1991, the brand new Bora Laskin Law Library had just opened. Its anchor—historic Flavelle House—had been updated and renovated. And Kolers and his classmates were duly impressed. “I remember going to law school on that first day and just being blown away by how beautiful the facilities were,” he says.

Those facilities served Kolers well. He excelled at law school, found mentors and friends, and met his future wife. Students would often gather in the common room beneath the library to watch sporting events on television. That part of the building hadn’t been updated—and it showed. “It was all very cramped student space,” recalls Kolers, who watched the Toronto Blue Jays compete in two World Series from that spot. “Even twenty years ago, that needed improvement.”

Now a partner at Stikeman Elliot LLP, Kolers is doing his part to improve the law school experience for future generations of students. He and many fellow U of T alumni at the firm have made individual contributions to the building campaign, and Stikeman Elliot is matching their total.

The project, Kolers says, is essential. Students and faculty will get better office and classroom space, a more efficient library, and that elusive common room space that he and his classmates didn’t really have back when they were in law school.

“You need that common room,” Kolers says. “It enhances student life and helps with the camaraderie that you should have when you’re in university.”



Brent Belzberg and George Grossman

Brent Belzberg, LLB 1975, and **George Grossman**, LLB 1975, were buddies at law school, and are great friends still today. So when the building project was announced, they decided to donate together, as they have done previously with other charities in the past.

“I’ve seen how necessary the improvements to the physical facilities really are,” says Belzberg, “as my daughter is an alumna. She never complained because she loved the law school. But I thought it was tired in 1975. And my goodness, it’s really tired now.”

Of course, it helps to have a dynamic dean as well, says Grossman. “Dean Mayo Moran helped re-ignite in me the passion for the Faculty of Law. Her enthusiasm for students, faculty and even alumni is infectious. It was with pleasure that Brent Belzberg and I shared our friendship as classmates to help impact the renewed vision for the Faculty of Law.”

Adds Belzberg: “I’m so proud to be an alumnus. I feel the law school gave me a lot more than I can ever give back.”

George Grossman, LLB 1975, and Brent Belzberg, LLB 1975



Lerners LLP

As the saying goes, “Ask, and you shall receive.” So when Dean Mayo Moran, SJD 1999, asked for support for the building campaign, Lerners LLP said “Yes.”

“It was an easy call to make. We want to support the continued growth and prosperity of the Faculty of Law,” says managing partner **Brian Grant**, LLB 1992.

He remembers all too well living through the Bora Laskin Library renovations, but speaks enthusiastically about the impact. “It made such a difference for the learning environment, not only because of increased air and light, but in terms of collegiality for the students, and opportunities to meet at the law school to work on things, as opposed to going to another space on campus. So making enough space—and making better space—actually encourages the learning experience.”

So too do more opportunities for conferences, symposia and workshops. “These all add value to the whole JD experience as well,” says Grant.

Brian Grant, LLB 1992 with Anne Spafford, LLM 2000



Young Alumni Campaign

It’s hard to convey the sense of boundless enthusiasm that **Rob Centa**, JD 1999, exudes—whether speaking about his work as a lawyer, his pro-bono contributions to the Faculty of Law and the legal community at large, or his years as a law student in the late 1990’s.

“It was an incredibly important period in my life,” says Centa, a partner at Paliare Roland Rosenberg Rothstein LLP. “The opportunities I was given at the law school changed my life profoundly. I feel like I owe it an enormous debt that I will never be able to repay.”

In fact, Centa has been making good on that debt for years, with professional and personal ties that keep him closely bound to the University of Toronto. As an adjunct professor, he co-teaches a trial advocacy course without reimbursement. He mentors students, takes on pro-bono legal cases and acts as a counsel to the university. His wife, Kate Hilton, is the law school’s assistant dean for advancement. The two met while they were law students.

Now, as chair of the Young Alumni Campaign, Centa is helping to raise contributions among former classmates and current colleagues for a new building that he believes will fill a desperate need at the school’s physical plant.

“I think that we all need to reflect on how important the law school was to each of us,” Centa says. “And I think when we do that, the case for giving is self-evident.”



Lax O'Sullivan Scott Lisus LLP

Here's what **Clifford Lax**, LLB 1968, recalls about his years at the University of Toronto Faculty of Law. "The closeness of the class," he says. "The accessibility of the faculty."

One faculty member, in particular, Lax remembers for his unique approach to learning Canada's other official language. Prof. Albert Abel would host weekly lunches at Hart House, where those at his table were only allowed to speak French.

"His French was terrible," Lax chuckles. "He was an American, born in Iowa. But he wanted to practice, and the rules of the table were, you had to speak it."

Memories like that one, along with many enduring friendships and professional relationships, have given Lax a lifelong connection to the law school. A founding partner at the Toronto firm Lax O'Sullivan Scott Lisus LLP, he and his colleagues have been consistent supporters, financially and otherwise. Some of the firm's lawyers teach at the school, and several partners and associates are alumni. Lax's wife, Ontario Superior Court Justice Joan Lax, is a former assistant dean and director of admissions. So when the current capital campaign was launched, the firm was happy to help.

Architecturally, Lax says, the new building is lovely, and will add to Toronto's beauty. But more important is the effect it will have the students and faculty. "The school is clearly in need of new facilities," he says. "It's outgrown them. There are new technological demands. I believe this building will help the Faculty of Law maintain its reputation as one of the top law schools in North America."



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2012 Recipients of the Ann Wilson and Robert Prichard Award for Community and Professional Service

Sarah Corman '03 and Benjamin Perrin '05 are two accomplished young law alumni from the University of Toronto who have dedicated themselves to helping other people.

John B. Laskin, President of the Law Alumni Association Council, has announced that Sarah and Benjamin are this year's recipients of the Ann Wilson-Robert Prichard Award for Community and Professional Service.

Sarah, a litigator with McCarthy Tétrault, and the recent author of *The New Landscape for Competition Private Actions*, is a mentor whose extensive pro bono work and dedicated service to the YWCA has earned her the respect and high regard of her peers.

Benjamin, an assistant professor at UBC's Faculty of Law, has been called a "hero acting to end modern-day slavery" by the U.S. State Department after his book, *Invisible Chains: Canada's Underground World of Human Trafficking*, was published.



Sarah Corman '03 and Benjamin Perrin '05

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Pick a passport, any passport

The countdown to the Summer Olympics is on, and national pride will start to swell around the globe. But which flag will be hoisted as athletes collect their medals? Prof. Ayelet Shachar explores the use of citizenship as an Olympic recruiting tool in her article "Picking Winners: Olympic Winners and the Global Race for Talent," published in the prestigious *Yale Law Journal*. *Nexus* delves into this issue, as the race to the podium begins.

Boundless generosity

We are grateful for such an outstanding launch of the Law Building Campaign, and the generosity continues. We'll bring you the stories of dedicated alumni, faculty and staff who are pleased to be a part of the bright future at the Faculty of Law.

Story call

We're looking for your suggestions for alumni to profile in our regular departments, such as *Nota Bene* and *On the Stand*. Stay in touch and let us know where you and your former classmates have landed after law school. Email us at nexus.magazine@utoronto.ca.

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Taking flight

Trailblazing alumna and mentor extraordinaire, Audrey Ho is ready to check off items on her ‘one day’ list

Story by **Lucianna Ciccocioppo** / Photography by **Larry Goldstein**

Audrey Ho, LLB 1982, has a game plan now that the former SVP, chief general counsel and corporate secretary—the first female senior VP at Telus—has retired. “The game plan is to do nothing and plan nothing for about a year,” she says with a laugh. Not an easy task for a woman transitioning from a high-powered and stellar law career with an equally passionate drive for community volunteering and mentoring. “The easiest thing for me to do now is to dive into various activities and commitments. But traveling and doing all those things I wanted to do ‘one day’ will take priority,” says Ho.

Like a Panama cruise, from which she just returned, something she could never do because of her work schedule. And getting back into a three-times-a-week exercise schedule. But Ho knows for certain there’s one passion she’ll continue to pursue: “The advancement of women in management and boards, because I hope to use my own experiences to help.”

The Women’s Executive Network is hoping for this too. The national mentoring organization inducted Ho, a multiple award-winner, into its prestigious WXN Hall of Fame—its highest honour—on December 1, 2011.

Prior to joining Telus, Ho left private practice at Bull, Houser

and Tupper in Vancouver to accept a two-year appointment to the Immigration and Refugee Board (appeal division), where many cases made her wrestle with her tough decisions. “Unlike working on a corporate or commercial file, these cases were affecting people’s lives, and the safety of our country.”

In 1998, at a time when a phone company was basically a phone company in Canada, Ho joined BC Tel, now Telus, as senior counsel. But over the course of the telecommunications explosion—and many mergers later—Ho became the Telus leader in growing and streamlining a legal team, spread out across the country, into a cohesive unit, one more responsive to fast-paced changes. She created the company’s first mergers and acquisitions legal team (“we kept the most interesting work in house”), revamped the legal service delivery model (“it was a radical, cultural shift”), and oversaw the selection of a small team of law firms to gain further efficiencies (“the model still exists today”).

But as she was climbing her corporate ladder, she was looking out for those coming up behind her. She was one of the first regional champions of Connections, the Telus women’s network. “I became very energized talking to younger people at the sessions. They reminded me how much I loved my work, because I got to talk about it all the time. So I came out of these sessions pumped.”

She’s heading into her transitional phase (“I hate calling it retirement!”) equally pumped.

“I’m not going to project manage my time this year, like I do everything else. I just want to rest, find a routine, and spend the year getting reacquainted with the non-lawyer Audrey.”

Something we should all put in our calendar. ↩

Too many whistleblowers may spoil the information

By Anthony Niblett, Assistant Professor, Faculty of Law

The structure of Canada’s securities regulatory regime is currently under consideration by the Supreme Court of Canada. But before we look south for inspiration, we should ask how effective recent regulatory changes in the United States are likely to be. The new rules offering financial rewards to whistleblowers under the Dodd-Frank Wall Street Reform and Consumer Protection Act (“Dodd-Frank Act”), for example, may have adverse consequences. These rules may incentivize too many individuals with poor information to blow the whistle.

Under these rules, an individual who alerts government authorities to violations of securities and commodities laws is entitled to a sizable financial reward—between 10 per cent and 30 per cent of any recovery in excess of US\$1 million that the government may receive in damages.

Take the following hypothetical example: Annie is an employee of a public company, Badd Company. Annie is aware of persistent fraudulent reporting of accounting information by Badd Company to its shareholders. She provides information about the fraudulent reporting to the Securities and Exchange Commission. The SEC, previously unaware of the fraud, launches a successful suit against Badd Company and recovers \$50 million. Under the whistleblowing provisions of the Dodd-Frank Act, Annie would be entitled to recover between \$5 million and \$15 million, depending on the significance of her information, the degree of assistance she provided, and whether she reported the fraudulent behaviour internally within the company.

The proponents of these rules argue that these financial rewards are required to incentivize potential whistleblowers with valuable information, such as Annie, to divulge the information. These incentives may be counter-productive, however. What happens if the new rules incentivize potential whistleblowers with poor or misleading information to come forward to the SEC?

On the surface, the financial rewards offered under the Dodd-Frank Act appear to be very similar to those under the United States False Claims Act (“FCA”). Under the FCA, a whistleblower is entitled to recover between 15 per cent and 30 per cent of any damages awarded that the government receives, if the government has been a victim of fraud. The whistleblowing provisions under the FCA have generally been deemed a success. Since 1986, the government has recovered more than \$22 billion in damages. Whistleblowers have claimed a significant portion of this.

There are, however, some key differences between the whistleblowing provisions of the Dodd-Frank Act and those of the FCA. Perhaps most importantly, under the FCA, individuals file their own legal claims against the violators, rather than just reporting the information to the government. That is, they bring suit against the defendant on behalf

of the government in what is known as a “*qui tam*” suit. This *qui tam* provision achieves an important objective when incentivizing whistleblowers.

The importance of requiring the individual to file the legal action is a key component of the FCA that has been overlooked in the transfer to Dodd-Frank. Anthony Casey (University of Chicago Law School) and I are currently researching how *qui tam* suits operate as a means of screening the value of a whistleblower’s information. Our initial research suggests that, by requiring the individual to file the legal action, the government receives a strong signal about how valuable the whistleblower’s information is. This initial screen helps to separate whistleblowers with “good” information (where the whistleblower knows with high probability that the defendant has committed fraud) from whistleblowers with “poor” information (where the whistleblower is unsure as to whether the defendant’s conduct is fraudulent).

There are significant monetary and reputational costs to a whistleblower in bringing a failed suit. Only individuals sufficiently confident of victory will be incentivized to file a *qui tam* suit.

The new whistleblowing rules under the Dodd-Frank Act do not contain a *qui tam* provision. Increasing the rewards for whistleblowing without also increasing the costs to the individual of providing low-quality information may merely encourage disgruntled employees with poor information to report their information to the SEC in the hope of hitting the jackpot.

So now back to the situation in Canada. When asking how best to incentivize individuals with private information about fraudulent behaviour to provide that information to the regulator, it is important to consider the quality of information, as well as the quantity. In the United States, the Dodd-Frank Act will provide sizable financial incentives to potential whistleblowers. The benefits of such a scheme, however, may be severely dampened unless there are sufficient disincentives for providing weak information. Transplanting only the financial rewards to Canada would be insufficient. ↩

Anthony Niblett holds degrees with first class honours in both law and commerce from the University of Melbourne, and a PhD in economics from Harvard University. His research focuses on law and economics, contract law, and judicial behaviour. Before joining the Faculty of Law in 2011, Niblett was a Bigelow Fellow and Lecturer-in-Law at the University of Chicago Law School. His research has appeared in the Journal of Legal Studies, Maryland Law Review, and the Australian Business Law Review.





Q

A

with John Schumacher, JD 1980

East Coast Fund Management
co-founder talks about luck,
entrepreneurship, and making
the world—and law school—
a better place

Nexus: How's business these days?

John Schumacher: We've been operating for about two years. We launched our first fund in April 2010. Two weeks later, Greece started to wobble, and ever since we've just been dealing with same shaky fiscal European situation. So that's made investors nervous, and raising money is tricky. But having said that, everything's settling quite well.

Nexus: Is it a tough time to be a hedge fund manager in a post-Madoff world?

John Schumacher: The post-Madoff effect has a lot to do with regulatory oversight and surveillance, which is verging on oppressive for a smaller business like ours. It really does take a tremendous amount of time to get all the regulatory, supervisory and audit requirements, especially to the extent you do business in the US. It's actually quite onerous. It's not that I have trouble with new regulations, but they never seem to take away any of the old ones. It's just a continuous layering of new ones.

Nexus: How do you think your company stands out from others in the industry?

John Schumacher: I think we stand out because of our 50 years of [combined] experience that [co-founder] Mike McBain and I have had in managing trading rooms. The main part of the business is certainly making money through prudent investments, but the context within which that takes place is a very risky market. So risk management is a very strong number 2 to the number 1 of making money. Mike and I are very, very experienced risk managers. That's what sets us apart.

Nexus: Is entrepreneurship everything you'd thought it would be?

John Schumacher: It's harder, but also a lot more satisfying than I thought it would be. Harder because you have to do everything yourself. When you have thousands of people working for you, a new packet of Post-It notes shows up on your desk. When you're running your own business, you have to actually go down to Business Depot to buy them. Managing the business is quite extensive. But on the other hand, the thing that's great about entrepreneurship is that everything is

yours, and you're not working for a bunch of shareholders. You're actually creating value for the company. And that has a good feeling to it.

Nexus: Making a \$1 million gift to the Faculty of Law must be a good feeling too. What do you hope that will accomplish?

John Schumacher: I had the benefit of having a successful career, and I chose to give back to my two graduate schools, Ivey School of Business and the U of T Faculty of Law. If I had to direct it, I would buy new windows for Falconer Hall. In case you haven't noticed, they need to be painted...there's a lot of tired stuff at the law school. I hope my gift makes a bit of difference in a big budget.

Nexus: What other causes do you support?

John Schumacher: My wife started up a charity called the Attachment Association of Canada. Attachment disorder is a very common disorder affecting children raised in orphanages, separated from their mothers... It's becoming more well-known and understood, and we have set up the national organization in Canada for raising awareness, identifying, training and then accrediting therapists. The other charity is called Orphan's Hope, which focuses on financially assisting parents who wish to adopt. We have four children and our youngest is adopted.

Nexus: If you had to do it all over again, would you change anything?

John Schumacher: No. I was fantastically lucky to get involved on a trading floor, which, at that time, was not a very common job for a JD/MBA to take. But I was always curious about the markets and it was just a very, very good stroke of good luck. I had a fantastic career and I wouldn't change that for the world.

Nexus: Desert island album?

John Schumacher: Led Zeppelin 2.

Nexus: Favourite junk food?

John Schumacher: St. Louis Chicken wings. It's really the only junk food I ever eat. One hour later I regret it, but while I'm eating it's fantastic. ↩



Web Extra: Read the Q & A in its entirety at www.law.utoronto.ca/nexus/schumacher.html

Reunion 2011

Photography by Jeff Kirk

More than 300 alumni attended Reunion at the Faculty of Law on October 28-29, 2011, which kicked off with a lecture by Michael Ignatieff, former Leader of the Opposition, now based at U of T's Massey College. Ignatieff gave a talk called "Standing in Law, Standing in Politics" (webcast: <http://uoft.me/milecture>). A handful of law school "originals" from the Class of 1956, see photo below, (Prof. Edmund Alexander, Prof. William Angus, Dr. Alan Borovoy, The Hon. Henry N.R. Jackman, The Rev. Donald Landon, Dr. Lionel Schipper, Mr. Robert Shirriff, Mr. C. Stanton Stevenson, and Mr. Allan Sutherland) enjoyed a dinner in the Faculty Lounge, while other classes headed off to restaurants across Toronto to reconnect and catch up with friends. Enjoy our photo gallery online: <http://uoft.me/re2011>.



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- 1987 – Lionel H. Schipper, Q.C. ('56) and James M. Tory, Q.C. ('52)
- 1985 – The Honourable G. Arthur Martin ('35)
- 1982 – The Right Honourable Bora Laskin ('33)



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1971

Kent Bilton, LLB: Since my call to the Bar of Ontario in 1973, my career has been somewhat varied. The first part was passed in London, Ontario where I was in private practice with several firms as well as a stint as a sole practitioner. Subsequently, I practiced as an in-house counsel with Canada Mortgage and Housing Corporation (CMHC) in Toronto, Saskatoon and Ottawa. I am no longer actively practicing law; rather I am now an instructor of English as a second language (ESL) at the college level in Ottawa and Gatineau.

1976

Victor Goldberg, LLB: After 30 years in a small firm, in 2010 I joined Cox & Palmer, which is a regional firm with offices across Atlantic Canada. U of T is experiencing a second generation of Halifax Goldbergs. My son, Eric will be graduating in 2012 from the combined JD/MBA program. E-mail: vgoldberg@coxandpalmer.com

Vicki Trerise, LLB: My work has been primarily mediation in the public and non-profit sectors for the past several years; bread-and-butter has been mediation at the BC Human Rights Tribunal and Child Protection Mediation. However, I cut back on that work in 2005 in order to free up time to work with the Law Foundation of B.C. as a consultant on their Child Welfare Initiative. Between September 2008 and Summer 2011 I returned to law school (much to my surprise!) to complete an LLM at UBC on issues related to Aboriginal rights and 'over-representation' of Aboriginal children in the child protection system.

1979

Kevin P. McGuinness, LL.M., SJD 1983 and (Master) Linda S. Abrams, JD 1986: Are the authors of *The Practitioner's Evidence Law Sourcebook* (LexisNexis, 2011, ISBN 9780433461296). This is the second litigation text that we co-authored. The first was *Canadian Civil Procedure Law* (LexisNexis, 2010, ISBN 9780433464457), now in its second edition.

1981

Janice Lehrer-Stein, LLB: I was appointed by President Barak Obama, and this was confirmed by the United States Senate, to the National Council on Disability last June. Subsequently, I was appointed vice-chair of the National Council on Disability in September 2011. The NCD is an independent federal agency that advises the president, Congress, the federal, state and tribal governments on disability issues, policies, laws and practices. I studied for a year at the Harvard Law school, practiced employment discrimination law in Washington, D.C. and San Francisco, before retiring in the 1980s. Since that time, I have served on national boards, including Medical Research Charities and Disability Rights Advocates, as well as serving as a national trustee of the Foundation Fighting Blindness. I live in San Francisco, am married to Leonard Stein, and have three children. Progressively blinded from retinitis pigmentosa, I have been focusing on medical research and disability rights advocacy for many years.

1983

Rosalind Conway, LLB: I was certified as a specialist in criminal law, and I am the author of the monthly column "A Criminal Mind" in *Law Times*.

Neil Sacks, LLB: Founding partner Neil Sacks, managing partner Adam Wagman, LLB 1994, and associate D. Joel Dick, JD 2001, are proud to announce that Howie, Sacks & Henry was selected one of the Top 5 Personal Injury Law firms in Canada by Canadian Lawyer Magazine. Full article details: www.canadianlawyermag.com/a-cut-above.html

1989

David Duff, LLB: After several years at the University of Toronto Faculty of Law, I moved to the Faculty of Law at the University of British Columbia in July 2009, where I continue to teach and write in the field of tax law and policy. I was appointed associate dean in January 2010 and also serve as co-director of the faculty's National Centre for Business Law. I recently received the Canadian Association for Law Teachers annual prize for academic excellence.

1990

Jeff Kirsh, JD: After moving to Atlanta, Georgia many years ago, and then being stationed in London, England since 2008, I have found myself on another international assignment with The Coca-Cola Company—in Toronto, of all places! My wife and I and our three boys are having a great time being back, getting familiar again with the city and spending more time with our friends and family. We are also enjoying getting reacquainted with Hockey Night in Canada, Canadian Content radio, and Ketchup Chips.

1991



Isaac Becker, JD: I recently became assistant to the legal adviser of the State Comptroller of Israel, after receiving a doctorate in laws from the Hebrew University of Jerusalem. When I'm not enjoying quality time with my wife and three teenage kids, you can likely find me running or clowning around as a medical clown in a Jerusalem hospital. Best wishes to the entire Class of 1991. Sorry I couldn't make the reunion.

1994

Carolynn Coburn, LLB: After I was called to the bar in 1996, I moved back to Haliburton County and started my own law practice. I live (and work) on a county road 30 km north of Minden, on the Gull River—no street lights and good for star-gazing. We share the land with deer and the occasional bear, rarely a moose. I've learned to split wood! I am a founding director of Environment Haliburton! and the Haliburton County Community Co-operative and I'm active in Minden United

Church. I am on the roster of per diem duty counsel in criminal and youth court (City of Kawartha Lakes and Haliburton) and am a member of the local Human Services and Justice Coordinating Committee. My latest interest is in the Transition Movement, which seems to be the most reasonable response to climate change, peak oil and the global financial crisis. When I think of my time at law school, I remember and sorely miss our classmate, Marg Manktelow, who was a dear friend who died too young.

1996



Emi Bossio, LLB, and Rich Bell, LLB 1997: Have recently welcomed their second child, David Joseph William Bell. Mom, Dad and very excited big sister Lauren are all doing well.

1997

Andrew Spence, JD: I have returned to Toronto to join the law group at Royal Bank of Canada. My role at RBC currently focuses on lending products for small and medium-sized businesses in RBC's Canadian banking business. Prior to RBC, I spent several years abroad at Hogan Lovells in London and Clifford Chance in Amsterdam. While abroad, I practiced in syndicated lending, leveraged buy-out financing, debt capital markets, structured finance and debt restructuring, typically in multinational and highly structured transactions. You can reach me at andrewspence@hotmail.com.

1998

Alex Stack, JD: I would like to announce the publication of my book, *International Patent Law: Cooperation, Harmonization and an Institutional Analysis of WIPO and the WTO* by Edward Elgar Publishers. <http://amzn.to/sUNyji>

1999

David Collins, JD: I was a visiting scholar at Columbia Law School last fall. I am currently a senior lecturer at the City Law School of City University London, where I teach international trade and investment law. My research at Columbia will focus on the regulation of foreign direct investment in services from emerging markets and is partly supported by a grant from the UK Society of Legal Scholars.

Jason Leung, JD: I recently passed the project management professional (PMP) examination to become a certified PMP. I am still practicing IP law at the firm of Ridout & Maybee LLP in Toronto. My wife Jennifer and I recently celebrated the birth of our second daughter, Abigail Wai-Kay Leung.

2002

Mike Ross, JD: I recently graduated from the MBA program at McGill University and I'm currently working at McKinsey & Company in Montreal as a management consultant, having spent a year at Sprott doing private equity investing in natural resources companies. Prior to my MBA, I lived in Bracebridge, Ontario, caring for my mother while she was ill, spent 6 months in Curitiba in Southern Brazil and half a year working as an actor in New York, starring in various pilots, short films and advertisements. Before returning to Canada, I lived in Ramallah, where I ran a development project focused on international law and Israeli-Palestinian peace negotiations. Prior to that, I was a lawyer at Bingham McCutchen in Boston, London and New York.

2003

Evan Smith, JD: I'm a corporate attorney with Latham & Watkins LLP in Boston, and I advise on emerging company matters, including formation, venture capital financings, mergers and acquisitions, employment matters, corporate governance, securities law compliance and public offerings. My work covers industries that include medical technology, life sciences, high technology, software and Internet services. I joined the firm when Latham & Watkins opened its Boston office in 2011, and I have been elected to counsel, effective January 1, 2012.

2004

Michael Lee, JD: After practicing at Davies and McCarthy's in Toronto and White & Case in London, UK, I recently formed SkyLaw LLP (www.skylaw.ca) with Kevin West, focusing on providing legal and strategic advice to public and private companies involved in sophisticated corporate transactions.

2006

Jennifer L. Schulz, SJD: I am associate professor and associate dean (research & graduate studies) at Robson Hall Faculty of Law, University of Manitoba. I'm also executive director of Manitoba's Legal Research Institute and a faculty associate in Canada's first PhD program in peace and conflict studies at the Arthur V. Mauro Centre for Peace & Justice at the University of Manitoba. ↩

Information

For more information on upcoming Faculty of Law events, view: www.law.utoronto.ca/programs/calendar.html

Building a cover

Story by Andy Potts, Illustrator

I like the Faculty of Law building illustration because the contrast of the old and new building is interesting to me, visually and architecturally, and it was exciting to convey that with the energy of the law school and the city of Toronto.

I love it when clients have a good idea of what they are looking for, let me do my thing—and also like the results, of course.

I scratch my head when clients don't know what they are looking

for but will know it when they see it...maybe...one day.

The difference between a good illustration and a great one is a great illustration works well as an answer to a particular brief and as a wonderful piece of visual art in itself.

I knew I wanted to be an illustrator when they couldn't surgically remove the pencil from my hand at a young age. ↩



LEADERSHIP



PAUL MARTIN '61, '64
Canada's 21st Prime Minister

POTENTIAL

"THE LAW SCHOOL HAS THE REPUTATION TO HELP ME ESTABLISH RELATIONSHIPS AND DEVELOP PROFESSIONALLY SO I CAN ACHIEVE MY GOALS."



DIEGO BELTRAN
Class of 2013

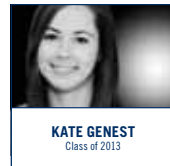
"IT IS MORE URGENT THAN EVER THAT WE REFORM THE OLD INSTITUTIONS OF GLOBAL GOVERNANCE AND THAT WHERE NECESSARY, WE BUILD NEW ONES. EVEN MORE TO THE POINT, WHEN WE DO SO, IT IS LAWYERS WHO MUST SET THE CONTEXT."

THINKING

"I BELIEVE WE MUST FURTHER OUR COLLECTIVE UNDERSTANDING OF EFFECTIVE FINANCIAL REGULATION TO UNDERSTAND HOW BEST TO PROTECT CONSUMERS IN TURBULENT FINANCIAL TIMES."



PROF. ANITA ANAND '96
Associate Professor
Financial Markets Regulation



KATE GENEST
Class of 2013

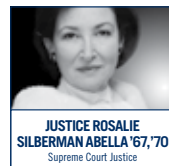
COMMUNITY

"I CAME TO U OF T BECAUSE OF ITS REPUTATION FOR OFFERING A HIGH LEVEL OF INTELLECTUAL CHALLENGE. WHAT I DIDN'T EXPECT TO FIND, THOUGH, WAS INSTANT MEMBERSHIP IN A SUPPORTIVE AND INSPIRING COMMUNITY THAT EXTENDS BEYOND THE WALLS OF THE SCHOOL."

VISION

"WE ARE DEDICATED TO PROVIDING THE BEST EDUCATION FOR LEADERSHIP IN CANADA AND AROUND THE WORLD."

INTEGRITY



JUSTICE ROSALIE SILBERMAN ABELLA '67, '70
Supreme Court Justice

"MY LIFE STARTED IN A COUNTRY WHERE THERE HAD BEEN NO DEMOCRACY, NO RIGHTS, NO JUSTICE. IT CREATED AN UNQUENCHABLE THIRST IN ME FOR ALL THREE."



PROF. MAYO MORAN '99
Dean of the Faculty of Law

BOUNDLESS



PROF. MICHAEL TREBILCOCK
Global authority on law and economics, trade and international development

DEVELOPMENT

"THE ROLE OF LAW AND LEGAL INSTITUTIONS IN PROMOTING DEVELOPMENT IN THE WORLD'S POOREST COUNTRIES IS ONE OF THE GREATEST CHALLENGES THAT LAWYERS EVERYWHERE MUST GRAPPLE WITH AS OUR PROFESSION'S CONTRIBUTION TO MAKING TOMORROW'S WORLD A BETTER PLACE."

COUNSEL

"THE LAW SCHOOL HELPS STUDENTS FROM ALL WALKS OF LIFE RECOGNIZE THEIR POTENTIAL TO PARTICIPATE AND CONTRIBUTE BY CONNECTING THEM TO LAWYERS WHO DEMONSTRATE LEADERSHIP IN PUBLIC LIFE."

IDEAS

"THE U OF T EDUCATION FORCES YOU TO THINK ABOUT THINGS HARDER AND PUSH YOURSELF. I LEARNED HOW TO THINK CRITICALLY, WHICH IS REALLY IMPORTANT AS A WRITER."



CORNELL WRIGHT '00
Corporate Lawyer



DAVID SHORE '82
Creator of House

PERSPECTIVE

"AT U OF T LAW, WE SEE THE BIGGER PICTURE."

OPPORTUNITY

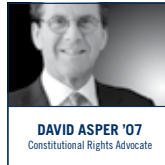
"FROM ACADEMIC EXCELLENCE TO PROFESSIONAL DEVELOPMENT, THE LAW SCHOOL OFFERS UNRIVALED EXPOSURE TO THE ENDLESS OPPORTUNITIES WITHIN THE STUDY OF LAW."



ALBERT LIN
Class of 2013

ENERGY

"CHARTER RIGHTS, FREEDOMS AND THE RULE OF LAW ARE EVERYTHING IF WE ARE TO ACHIEVE ENDURING SUCCESS AS A CIVILIZATION. THIS GOAL DOES NOT HAPPEN WITH THE FLICK OF A SWITCH. IT TAKES DEEP COMMITMENT TO TEST, STUDY AND EVALUATE OUR STATE OF FREEDOM ON AN ONGOING BASIS."



DAVID ASPER '07
Constitutional Rights Advocate



KARL BJURSTROM
Class of 2013

SINCE 1887, THE FACULTY OF LAW HAS EDUCATED LEADERS OF BOUNDLESS VISION. THROUGH A MAJOR EXPANSION OF OUR FACILITIES, WE WILL STRENGTHEN THIS GREAT TRADITION AND BUILD A WORLD-CLASS ENVIRONMENT FOR CANADA'S PRE-EMINENT LAW SCHOOL. YOU CAN BE PART OF IT.

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UNIVERSITY OF TORONTO
FACULTY OF LAW



TWENTY-FIFTH
CELEBRATION



We're celebrating 25 years in Canada.
But you get the gift.

When we first arrived on Canadian roads, it signaled a new approach. Outstanding engineering, class-leading technology and exceptional reliability could coexist in a luxury vehicle. And that commitment to excellence can be found to this day. When you take the wheel of a 305-hp TL SH-AWD® – or any Acura vehicle – 25 years of innovation comes to life. You experience it in every moment of every drive. And that is something to celebrate.

Experience Acura innovation for yourself with a limited time 25-month lease and 25 months of complimentary maintenance on all 2012 vehicles.*



*Complimentary scheduled maintenance available on all 2012 Acura Models sold between September 1, 2011 and February 29, 2012 for 25 months from date of purchase or 50,000 km, whichever occurs first. See your Acura retailer for a complete list of exclusions and maintenance items.