



ELISABETH HAUB
SCHOOL OF LAW

ELISABETH HAUB SCHOOL OF LAW AT PACE UNIVERSITY NEWS WEEK OF 1/4/2021

If you have content that you would like included please email it to Jessica Dubuss at jdubuss2@law.pace.edu. Thank you!

Dean Anderson's message to the Haub Law community about the events of January 6

Please note that this message was originally sent to the Haub Law Community on the morning of Thursday, January 7, 2021.



Dear Haub Law Community,

Yesterday we witnessed a dark day in our nation's history. A mob, incited by the U.S. president's unfounded denial of the validity of the 2020 election, stormed the U.S. Capitol building and disrupted Congress as it was in the process of certifying the election results.

The mob's action disrupted the normally routine action by Congress of affirming the count of electors for the 50 states, which is mandated by the U.S. Constitution.

No one who witnessed the mob assault on the Capitol can see this as anything but an assault on the rule of law, our national honor, and our very democracy. As lawyers and law students, we are the standard-bearers of democracy and the rule of law, and we must always condemn and resist efforts to replace the will of the people as expressed at the ballot box with the narrow desires of any individual, or with the chaos of mob rule.

The events of last night were remarkable in their own right and should serve as a lesson for us all. After the Capitol was secured, the Electoral College ballot boxes, which had been saved by Senate staffers just before rioters broke into the Senate chamber, were returned to the chamber. The House and the Senate resumed their joint session and returned to the people's work, governed by Title 3 of the United States Code and the procedural rules of Congress (including the ability for House Members and Senators to challenge electoral counts in an orderly manner). In the early hours of this morning, Congress certified the states' electoral vote counts. Our representatives did their jobs, upheld their oaths of office, and affirmed that we are a nation of laws.

The American people have spoken, and the U.S. Congress has respected their voice. We have elected Joe Biden as president and Kamala Harris as vice president by 74 electoral votes and more than seven

million popular votes. The election results were upheld in more than 60 lawsuits in courts nationwide. Efforts over the past two months to taint this result with phony conspiracy theories and lies about widespread voter fraud severely tested our system, coming to a head on January 6, 2021. Let us not forget the distressing images of yesterday afternoon, or the hopeful ones of last night.

The peaceful transition of power is the hallmark of a successful democracy and has been a cornerstone of our system for over 200 years. At the end of the day, it is up to us to continue that streak. Let us reaffirm today the importance of the rule of law and our responsibility in upholding it. Regardless of our political party or affiliation, we must all commit to doing the work of keeping our nation strong, and condemning actions that would weaken it.

Best regards,

Dean Anderson

Faculty, Staff, & School News

Jessica Bacher, Executive Director, Land Use Law Center, had her article, *Haub Law's Response to COVID-19*, featured in Westchester Lawyer Magazine. Read it on page 12 [here](#). In the article, she discusses Haub Law's revamped Advanced Certificate in Health Law and Policy.

Professor Emeritus Jay Carlisle was an invited guest and participant in the NYS Court of Claims Zoom retirement ceremony for Court of Claims judges. One, Judge Sanford Berland, was a former student of Professor Carlisle's at SUNY-BUFFALO Law School. He has lectured on the CPLR for the Court of Claims several times. Professor Emeritus Jay Carlisle will present at the NYC Bar CLE Bridge the Gap in January. He will present the *NY CPLR Update*. See more [here](#).

Professor Emeritus Jim Fishman will present at the NYC Bar CLE Bridge the Gap in January. He will present the *Introduction to Non-Profit Organizations Law*. See more [here](#).

Professor Bennett Gershman's article *Indict Him* was published in the NYLJ – read [here](#). He was also quoted in the article *What Criminal Charges May Await the Capitol Mob – and the Politicians Who Incited It* – read [here](#). Professor Gershman was featured in the article *President Trump pardons Paul Manafort, Roger Stone, father of Jared Kushner, more* – read [here](#). Professor Gershman's article [Litigating Brady v. Maryland: Games Prosecutors Pay](#), 50 Case W. Res. L. Rev. 531 (2007) was cited in: [People v. Rosario, No. 6-9363, 2020 WL 7653924 \(Cty. Ct. Albany Cty. Dec. 23, 2020\)](#).

Deborah L. Heller's article was published in the Law Library Journal: *To Cite or Not To Cite: Is That Still a Question?*, 112 L. Libr. J. 393 (2020).

Professor Margot Pollans will serve on the executive committee of the AALS Section on Environmental Law.

Distinguished Criminal Justice Fellow Mimi Rocah was recently sworn in as the new Westchester County District Attorney. Read [here](#).

Judge Walter Rivera is moderating the CLE *Best Practices for Virtual Trials* on January 28. Learn more [here](#).

Professor Darren Rosenblum was elected as a new member of The American Law Institute.

The law review article by **Professor Emily Waldman** and **Professor Bridget Crawford** arguing for the expanded availability of menstrual products in public schools, [Title IX and Menstruation](#), 43 Harv. J. of Law & Gender 225 (2020), is cited [in this testimony](#) before the Council District of Columbia in support of the [Expanding Student Access to Period Products Act of 2020](#) that would require the installation and maintenance of dispensers for free period products in public and public charter schools in D.C.

Click [here](#) to read the latest **GreenLaw blog by the Land Use Law Center**.

A **Pace Law Review** article was cited by the courts. [Patrick M. Connors, Which Party Pays the Costs of Document Disclosure?](#), 29 Pace L. Rev. 441 (2009).
Cited in: [Allen v. Yertle Operations LLC, No. 59662/2019, 2020 WL 7550327 \(S. Ct. Westchester Cnty. Dec. 17, 2020\)](#).

Students



1L Rebecca Angel is a musician and has been performing and recording for the past ten years. This past summer Rebecca recorded a cover of the Stephen Stills song “For What It’s Worth” which was written in the 60s about the LA Sunset Strip curfew riots. Rebecca has been nominated for three IMN awards (Independent Music Network) for her version of the recording. People can vote with [this](#) link if you scroll down to R (alphabetical by first name). [Here](#) is a link to the song. Congratulations, Rebecca!

Prof. Bacher’s Research Assistant Connor Hilbie, presented to the **Land Use and Local Government Advisory Panel** for Governor Cuomo’s Climate Action Council on December 17th, outlining California’s Regional Greenhouse Gas Emissions Reduction Bill (SB 375) and its potential applicability to New York climate and energy initiatives. Professor Bacher serves on the **Land Use and Local Government Advisory Panel**.

Alumni

Kent Nevins '85 has been elected a co-managing partner at Shipman & Goodwin LLP. He is part of a three-partner leadership team and also serves on the firm's Management Committee. Nevins focuses his practice on the representation of large-scale commercial real estate projects with a national scope. He handles complex transactions for the acquisition, development and financing of a wide variety of properties, including tax-exempt and government-assisted projects, condominiums, hospitality, retail, multifamily, office, industrial, golf courses and mobile home parks.

Jessica Bacher '03 and **Tiffany Zezula '03** are currently featured as our Haub Alumni of the Month. Click [here](#) to read.

David Solimeno '18 has joined Barclay Damon's Regulatory and Project Development Practice Areas and Energy Team as an associate. His primary office location is Albany.

Jeff Deskovic '19 article *Reintegration into Society Is Most Often Difficult*, was featured in a special *Looking Back* section on The Davis Vanguard – read [here](#), as was his article *Some Ideas on Prison Reform* – read [here](#).

Tala DiBenedetto '20 and **Alli Fausner '20** drafted a report that was published on the Farm Bill Law Enterprise website, which Pace is a part of: <http://www.farbillaw.org/wp-content/uploads/2020/12/U.S.-Ethanol-Policy.pdf>. Tala and Alli wrote the first draft of the report as a project for Professor Margot Pollans' Agriculture Law and the Environment course last fall and completed it over the last year working with one of the FBLE staff attorneys at the Harvard Food Law & Policy Clinic.

Samantha L. Mortensen '20 recently joined Feldman, Kleidman, Coffey & Sappe LLP, a Fishkill, NY based law firm. Read more [here](#).

Aaron George Marrero '20 was appointed as a Brooklyn ADA.

Marjeta Papa Nikolovski '20 was appointed as a Brooklyn ADA.