



Elisabeth Haub School of Law

ELISABETH HAUB SCHOOL OF LAW AT PACE UNIVERSITY NEWS WEEK OF 2/15/2021

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

Message from Dean Horace Anderson



On Wednesday, the Environmental Law program kicked off the first official day of the Jeffrey G. Miller National Environmental Moot Court Competition 2021, held virtually for the first time. Preliminary, quarterfinal and semifinal arguments are being held from February 17-19. I want to wish good luck to all teams, coaches, and judges as we kick off this historic, low carbon event.

Be sure to tune in to the virtual final round of the competition, to be held via Zoom on Saturday, March 6, from 1:30 to 3:30 pm EST. Three finalist teams will present their oral arguments then. To register,

https://pace.zoom.us/webinar/register/WN_uV9hhz0PSaW6mYgy1dsULw

Also, I would like to congratulate Professor Bennett Gershman for winning the Sanford D. Levy Professional Ethics Award from the New York State Bar Association's Committee on Professional Ethics. The Award was presented at a virtual ceremony on Wednesday. [Here](#) is a link to the video recording of the Zoom event.

Faculty, Staff, & School News

Professor Bennett Gershman has received the Sanford D. Levy Professional Ethics Award from the New York State Bar Association's Committee on Professional Ethics. The Award was presented at a virtual ceremony on February 17. View the video of the presentation [here](#) and read more [here](#). The NYSBA has also posted additional information [here](#). Professor Bennett Gershman's article "When the Government Speaks, Does the First Amendment Matter?" was published in the New York Law Journal. The article discusses whether the First Amendment is applicable to speech by the government, and specifically to a president's speech. You can read it [here](#). Professor Gershman was quoted in the article *Impeachment is over. These 4 threats now loom over Donald Trump* – read [here](#).

Professor Alexander Greenawalt discussed the impeachment of Donald Trump on [Court TV](#).

Professor Randolph McLaughlin spoke to NBC regarding the Ku Klux Klan Act. The Ku Klux Klan Act remained virtually forgotten for about 100 years until the 1980s, Professor Randolph McLaughlin rediscovered it and used it in a federal civil lawsuit brought by five Black women against the Justice Knights of the Ku Klux Klan. Four of the women were injured when Klansmen drove through a Black neighborhood in Chattanooga, Tennessee, firing shotguns after burning a wooden cross. The fifth was hit by flying glass. Riots broke out as a result, and though the Klansmen were charged, two were acquitted and a third served a brief sentence. In 1982, McLaughlin won an award of \$535,000 for the women. Now, nearly 40 years later, Professor McLaughlin says the act is more valuable than ever. Read more [here](#).

Professor Michael Mushlin's *Rights of Prisoners* was recently cited in [Johnson v. Vannoy, No. 19-12957, 2021 WL 536526 \(E.D. La. Jan. 26, 2021\)](#).

Professor Nicholas Robinson will be speaking at [Planet Over Profit](#), a one-day event being hosted by [HeySummit](#). The goal of the event is "to bring together business leaders, advocates, and policymakers to envision and lay the groundwork for the future of our planet. We want to provoke discussion about climate change, raise awareness, and inspire attendees to make ecological choices." This event is open to all students currently enrolled at a university for free. Students can register [HERE](#) to access this event for free.

Recently on **Professor Leslie Garfield Tenzer's** podcast, Law to Fact, she spoke with Haub Law 3L Nick Santomassimo about securing employment opportunities during and post law school. Listen [here](#). Prior to that she spoke with attorney Marc Misthal on the intersection of intellectual property law and social media. Listen [here](#).

On Monday, February 22, as part of **Enviro Mondays** an **energy law career panel** will be held at 12:50PM. Four alumni will be discussing their career paths and offering advice for current students. We are excited to welcome the following alumni back to Haub Law:

- **Anne Marie Hirschberger**, FERC Detailee, House Committee on Energy and Commerce at U.S. House of Representatives (JD '09, LLM '10);
- **Erik Roth**, Co-Founder, Energy Hawk (JD '15);
- **Radina Valova**, Regulatory Vice President at Interstate Renewable Energy Council (JD '12, LLM '13); and
- **Ian Curry**, Law Clerk, U.S. Nuclear Regulatory Commission (JD '19).

The login information is:

<https://pace.zoom.us/j/98406026672>

Password: 414003

2021 NELMCC UPDATES



The Jeffrey G. Miller National Environmental Law
Moot Court Competition
February 17-19, 2021

NELMCC 2021 Question: Does USEPA have a non-discretionary duty to list GHGs under CAA § 108 as a criteria pollutant subject to the NAAQS?

Best Brief Overall: Team #33, Climate Health and Welfare Now (CHAWN)

Best Brief for the Environmental Protection Agency (EPA): Team #5

Best Brief for Coal, Oil, and Gas Association (COGA): Team #38



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There are 9 teams moving on to the semifinal round today:

- Team 5 representing the USEPA;
- Team 12 representing CHAWN;
- Team 19 representing COGA;
- Team 25 representing COGA;
- Team 28 representing the USEPA;
- Team 29 representing COGA;
- Team 32 representing CHAWN;
- Team 38 representing CHAWN; and
- Team 41 representing the USEPA.