

SCITECH PROFILES

CAREERS AT THE INTERSECTION OF SCIENCE & TECHNOLOGY LAW

WHEN YOU SPECIALIZE IN ADVISING CLIENTS ON MATTERS
RELATING TO SCIENCE AND TECHNOLOGY LAW,

**YOUR PRACTICE RELIES ON YOUR UP-TO-DATE MASTERY OF
EMERGING LEGAL AND SCIENTIFIC ISSUES.**



MEMBERSHIP IN THE **ABA SECTION OF SCIENCE & TECHNOLOGY LAW**
PUTS AT YOUR DISPOSAL A CONTINUOUSLY UPDATED WEALTH
OF FREE REFERENCE MATERIALS, CLE PROGRAMS,
AND NETWORKING OPPORTUNITIES.

Our Section committees frequently lead the way when it comes to emerging legal issues in science and technology, well before they are mainstream. This allows you to gain the edge on opposing counsel and distinguish yourself from other law practices. These benefits are all designed to place and keep you ahead of the law practice curve.

AS A SECTION MEMBER, YOUR BENEFITS WILL INCLUDE:

- Expand your professional network to make contacts for job opportunities.
- Free informational and educational resources through committee member benefits, which include list serves, meetings, teleconferences, and other activities.
- Free, timely, and practice-specific information through the Section's website and free magazine, *The SciTech Lawyer*.
- Discounted pricing for CLE programs, teleconferences, and online sessions, presented by leading experts in the field, on topics that matter to you.
- Discounts on the full range of Section book. To see the latest offerings go to www.abanet.org/scitech/.

ABA membership entitles you to join the **ABA Section of Science & Technology Law** for only \$45.00; students may join for free. Please call (800) 285-2221. You can also register at www.abanet.org/join/.

Section members may join any committee for free! Join a committee today to learn about the full range of legal issues related to E-commerce and IT Law, Life Sciences and the exciting new areas related to online gaming and Robotics.

Please take a look at the Section's homepage: <http://www.abanet.org/scitech/>.

WE LOOK FORWARD TO YOUR PARTICIPATION!

SCITECH PROFILES CAREERS AT THE INTERSECTION OF SCIENCE & TECHNOLOGY LAW

IT WOULD BE HARD TO IDENTIFY any area of law, or life for that matter, that is not affected in some way by science or technology. Every day, another scientific or technological innovation comes along that challenges and changes the way things have traditionally been viewed and done.

The American Bar Association's Section of Science & Technology Law has led the way nationally and globally on emerging issues at the intersection of law, science, and technology by advancing public understanding, shaping the development of law and policy, and enhancing the professional development of the Section's members. The scope of these emerging issues is breathtaking, with topics as diverse as privacy and information management, blogs and user-generated content on the Internet, virtual worlds and multi-user online games, online identity management, Wi-Fi, VoIP, information security, e-commerce, cyber crime, cryptography, electronic evidence and discovery, RFID, nanotechnology, genetic and medical research, biotechnology, scientific evidence, and artificial intelligence and robotics.

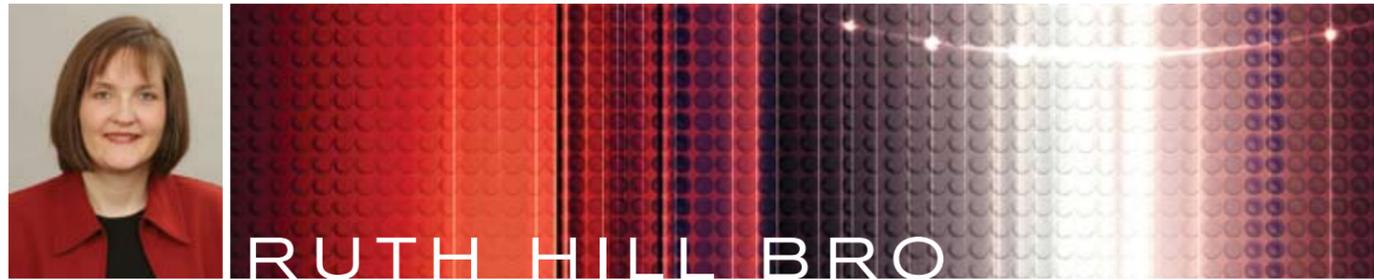
We've designed this publication, *SciTech Profiles: Careers at the Intersection of Science & Technology Law*, to provide a behind-the-scenes look at a cross-section of the diverse array of Section leaders who have come together to break new ground on these issues. They approach these issues in myriad ways, whether it is working on landmark cases, drafting or advising on key legislation, producing must-have publications, speaking on pivotal developments, or developing legal policy. As these pages reveal, Section membership is not limited to those who majored in science or technical areas as undergrads. Instead, the common denominator among all Section members is that they have an interest in exploring legal challenges resulting from the ever-increasing role of science and technology in everything we do.

The profiles included here were inspired by a *SciTech Profiles* column inaugurated by one of our law school members/leaders, Shiv Naimpally, who set out to interview leaders for the Section's quarterly magazine, *The SciTech Lawyer*. Given this and other important contributions Shiv has made to the Section, we've included his profile among those of the Section leaders featured here.

We hope that reading these profiles will inspire law students and young lawyers to become "scitech lawyers," or to at least consider the effect that science and technology law issues will have on their careers. We also hope that everyone reading these profiles, regardless of where they are in their careers, will ask themselves how they might get more involved as a member of the Section of Science & Technology Law. The Section is always on the lookout for our next generation of leaders – those with great ideas and the ability and drive to run with them. Learn more about the Section at <http://www.abanet.org/scitech/>.

RUTH HILL BRO
Chair, Committee for the
Advancement of Science
and Technology Law and
Education (CASTLE)
2008-2009 Section Chair

HEATHER RAFTER
Chair, Membership Committee
2004-2005 Section Chair



RUTH HILL BRO discovered at an early age that she was good at analyzing, writing, and debating—all things she understood that lawyers did. Although Ruth wanted to be a lawyer since she was 12 years old, she did not have any lawyers in her family, nor were many women entering the legal profession at that time.

Ruth earned a Bachelor of Arts degree at Northwestern University, with majors in English and Political Science. In her junior and senior years, she worked at Northwestern's development office. When she graduated, she accepted a job in that office as a research/editorial assistant, and soon was promoted to writer, with responsibility for writing major gifts brochures, campaign case statements, speeches, and proposals to foundations and corporations. She then served for three years as a planned and major gifts officer for Northwestern, where she met with a wide range of individuals, including law school alumni who in various ways encouraged her to go to law school.

Ruth earned her law degree in 1994 at the University of Chicago Law School, through which she participates in the Women's Mentoring Program. After graduation, she joined a small Chicago firm, where she focused on estate planning (influenced by her work in planned giving), and copyright, IT, and e-commerce issues. A Section leader at her firm introduced her to legal issues related to the Internet, which was really taking off at that time. As a young associate, she designed and taught a one-day course throughout the U.S. and co-authored a related book on Internet issues in the workplace for the largest software trade association. She joined Baker & McKenzie in 1999, around the time that online privacy was becoming a hot topic. Today, her practice focuses on advising businesses on privacy strategy and global compliance, and she speaks and writes extensively on these topics. A partner since 2001, she is the founding North American member of both the firm's Global Privacy Steering Committee and its Privacy Newsletter.

Ruth has noted that many of today's legal issues, and particularly privacy issues, are technology driven. Rapid technological advances have made it easy to gather and disseminate information; such advances allow companies to provide more personalized/targeted services, but can raise concerns in individuals about how personal information will be used and protected. Ruth often uses

the example of the sign hung on a hotel room door, which says "privacy" on one side and "service" on the other – the key is to make sure that everyone knows what to expect and to provide individuals with some options. Privacy issues (including those related to technology) can arise in a range of contexts, including in relation to offshoring, outsourcing, websites, extranets, HR functions, customers, third parties, cross-border transfers, security, M&A, hotlines, discovery, and marketing.

Ruth founded and chaired the Section's E-Privacy Law Committee and chaired it for five years and has led several Section CLE sessions on privacy topics. She has served as a Section Council member since 2002 and is the founder and Chair of the Section's new Committee to Advance Science and Technology Law and Education (CASTLE). She serves on the editorial board of the Section's magazine, *The SciTech Lawyer*, for which she writes a quarterly column called CPO Corner (also published on the E-Privacy Law Committee website), featuring interviews with leading chief privacy officers. She served as the editor of the Section's book, *The E-Business Legal Arsenal: Practitioner Agreements and Checklists*. She will be the 2008-2009 Section Chair.

When asked to share her thoughts on diversity in the legal profession, Ruth noted that progress has been made, given that about half of all law students and incoming law firm associates are women. While law firms do a good job in diversity hiring, most recognize there is still room for improvement in promoting and retaining women and minorities, particularly at the senior levels. If law firms perceive no room for improvement, that itself can be a problem and can inhibit real progress. As Ruth noted, "most companies have realized that diversity (not only with respect to gender and ethnicity, but also across a broad spectrum of characteristics) gives them a competitive edge. Diversity means better decision-making because the company gets different perspectives — perspectives that reflect the population at large."

In addition to practicing law and serving as a Section leader, Ruth writes fiction. Several years ago, *Chicago Lawyer* magazine ran a fiction-writing contest for lawyers, and she won second place. She won first place in *New York Law Journal's* 2006 fiction contest. Ruth also has written poetry and a mystery novel.



WILLIAM SLOAN COATS changed undergraduate majors a lot, because he kept finding new and interesting subjects in every class he took. He took a lot of biology and chemistry courses as part of his pre-medicine studies.

After serving in the Army, Bill went to graduate school and researched chemical transmissions in the brain, but found that was not his passion and dropped out without finishing. He fondly recalls the most important purpose graduate school served, "Meeting the woman who is now my beautiful wife," a student in one of the chemistry labs which he taught as a teaching assistant. As he was deciding what to do next, some of his friends were enjoying practicing law, which encouraged him to earn his law degree at UC Hastings where he was a member of the Thurston Society. Immediately after law school, Bill leveraged his chemistry background. He worked on cases for a client which built, among other things, nuclear plant cooling towers and licensed patents for concrete tilt-up construction.

Around the same time Bill began his legal career, the personal computer came out, which he enjoyed using to, among other things, play video games. He actually joined a law firm that represented Atari, which was a console manufacturer, computer maker and the big game publisher at that time. He still has a working Atari 800 and some games to play on it. Over the years, Bill continued to represent many other game publishers, including Accolade, Maxis, and LucasArts as well as other entertainment and entertainment technology companies. He was responsible for creating much of the ground-breaking case law on software and videogames and won a number of cases of first impression. He is especially proud that textbooks on video game law feature many of the cases which he won, helping to shape the industry which began his interest in intellectual property law many years ago. He loves doing patent and copyright litigation which allows him to

keep at the forefront of technology and the law.

Bill looked for a professional association group to help with his technology litigation practice in the early 1990's and focused on the ABA. He wanted a smaller section, where there was an opportunity to get more involved. He discovered a good match in the Section of Science & Technology Law. The "people are fun and interesting, and there are many opportunities to get involved in the Section's activities."

After various leadership positions, Bill served as Section Chair from 2006-2007. He explains, "The Section encompasses a broad range of technology areas. It is an exciting challenge to stay on the cutting edge of the various areas within science and technology law and continue to learn more, as the area constantly changes. The sheer breadth of the Section makes it difficult for one person to know it all. The chair manages in such a way as to ensure that members stay current, relevant, and involved."

Bill stresses the importance of membership growth to help ensure Section projects continue their impact on a larger scale. The Section provides valuable resources, such as publications and committees. He served as a co-editor of the Section's book, *The Practitioners Guide to Biometrics*. Groundbreaking books and substantive committees helped increase membership over the last year.

In addition to Bill's partnership at White & Case and active Section leadership, he still enjoys playing video games. He also jokes that "practicing law is just a day job." He pursues what he describes as a "spectacularly unsuccessful career as a rock star." Bill plays bass guitar, mostly with his firm's band. He performs at charity events several times a year, such as the San Jose Jazz Festival, and this year at the ABA. However, he notes that the only thing more fun than performing music is doing a trial, which is, after all, a performance on another level.



CYNTHIA CWIK received her undergraduate degree from Yale in 1983, and her law degree from Yale in 1987. After graduating from law school, Cynthia clerked for the Honorable Thomas J. Meskill of the United States Court of Appeals for the Second Circuit. In 1988 she joined the firm of Latham & Watkins, and is currently a litigation partner in their San Diego office. Cynthia's experience is in complex litigation, including multi-plaintiff and class actions. Her special expertise is in litigation involving health, science and technology issues, including mass tort and products liability actions.

Cynthia earned the distinction of one of California's "Top Female Litigators" for many years. The YWCA awarded her the "Tribute to Women in Industry" award as a result of her contributions to the legal profession and to her community. She is very active in various community and bar activities. She is the Chair of the Committee on Scientific Evidence of the Section of Science & Technology Law of the ABA. She served as co-editor of the Section's book, *Current Issues at the Crossroads of Science and Law*. She has been an active member of the Section for more than a decade.

Cynthia joined the Section because of its relevance to her practice area and because it gave her opportunities to meet other attorneys from across the country who share similar interests. She also is a current member of the Executive Committee of the Yale Law School Association. She served as President of the San Diego Chapter of the Federal Bar Association, a Lawyer Representative to the Ninth Circuit Judicial Conference and Co-Chair of the San Diego County Bar Association's Children At Risk Committee.

Cynthia speaks about litigation-related issues to various professional and bar organizations. She was a panelist at the 2005 California Judicial Branch Conference regarding scientific and technical evidence in litigation. In August of 2007, she was the moderator for a panel presentation regarding scientific evidence in the courtroom that the Section of Science & Technology Law and the Judicial Division of the ABA cosponsored at the ABA Annual Meeting. Also in 2007, she presented at the Association of General Counsel Spring Meeting.

Cynthia continues to work on many publications. She served as a co-editor of *Scientific Evidence Review*, a publication series of the ABA Section of Science & Technology Law. She publishes numerous articles, including articles that have appeared

in the ABA publication *Litigation*; *The National Law Journal*; *The Environmental Law Reporter*; and *California Law Business*. She has been quoted in both local and national publications, and was featured in *The Trial Lawyer*.

Cynthia played a leading role in several high-profile litigation matters. For example, Cynthia played a key role in the recent defense victory in the mass tort case involving graduates of Beverly Hills High School. In that case, approximately 1,000 plaintiffs recruited by Erin Brockovich claimed they developed cancer and other adverse health conditions from exposure to hydrocarbons and other substances while attending Beverly Hills High. This case received a significant amount of publicity, including stories in *The Wall Street Journal*, *Time*, *CNN*, *Good Morning America* and *Today*. The first trial, involving twelve of the plaintiffs, was scheduled to start in December 2006. Cynthia took the lead on behalf of all the defendants in the case, and was successful in getting the trial court to grant the defense summary judgment motions on all causes of action for all twelve plaintiffs, and exclude the testimony of plaintiffs' medical causation experts. A journalist, who wrote a book about the case, called Cynthia "formidable," and stated her "step-by-step dismantling of [plaintiffs'] medical causation case was a study in discipline and focus." Cynthia is also described as "the mastermind behind the team's savvy attack."

Cynthia was responsible for health and scientific issues in other significant matters, including *Lofgren v. Motorola*, in which plaintiffs alleged that a variety of health complaints, including cancer and birth defects, were caused by exposure to chemicals. After a three-week evidentiary hearing on the science issues, the court granted the motions and dismissed the claims of all plaintiffs. She also played a major role in developing the defense of the plaintiffs' health claims, including successfully excluding from evidence a critical portion of the plaintiffs' scientific case, in *Newman v. Stringfellow*, which involved more than 4,000 plaintiffs, and has been described as the largest non-asbestos toxic tort case in the country's history.

In addition to Cynthia's law firm and civic leadership, she is a soccer and tennis mom to her two daughters, ages 15 and 10. She loves to travel with her family. She performs community service with her daughters, including building homes in Tijuana. She is also learning Mandarin.



RICHARD FIELD always possessed a high technical aptitude. He earned a double major in math and engineering for his undergraduate degree. He took a course in product liability during college, which piqued his interest in the law.

Richard recalls how at that time, most people with math degrees either became actuaries or went to work for the National Security Agency. Neither of those appealed to him, so he chose law. Richard also went into law to become "well rounded" by taking non-science, liberal arts courses. To that end, he took many nontraditional courses in law school, including Roman Law, Native Indian Law, and mining camp law.

At that time, most JDs with science backgrounds went into patents, but that did not interest Richard. He clerked one summer at a firm where he focused on computer law. Because banks offered computer law opportunities, Richard worked after law school in a corporate environment within the banking industry.

Richard served as vice president of Manufacturers' Hanover Trust and later J.P. Morgan. Working in-house was a "tremendous learning opportunity" for him. He dealt with the day-to-day problems the bank encountered. Richard worked in both consumer and business law, two very different areas. He gained a strong sense of banking through payment system and e-commerce work, an emerging field back then. Richard recalls, "e-commerce was very interesting to work in because it needed to be secure but at the same time economical."

Richard currently enjoys practicing as a solo practitioner where he works in business and consumer law, domestic and foreign law, and with large and small businesses. He serves commercial and financial services clients in a variety of capacities. Richard also likes to work in the policy arena and enjoys work for the government and international organizations. Much of his work has global impact, which he finds very rewarding.

One delegation Richard sits on is UNCITRAL, the United Nations Commission on International Trade Law. Its Electronic Commerce Working Group is the focal point of e-commerce work in the UN. The aim is to create a basic vocabulary for e-commerce that every country can understand, regardless of each country's diverse legal system, varying technological capabilities, and differing social concerns.

Richard finds it is the "process of building consensus that allows people to discover and understand other countries' unique perspectives. This work helps members to get a better appreciation of other perspectives. The UN quietly provides many of these valuable functions, which are so clearly in the best interests of the United States."

Richard served as Section Chair from 2005-2006. He is currently Chair of the Section's new Museum Law Committee. Richard says that the Section has wonderful strengths, has many great people, and is highly regarded within the ABA. According to Richard, the "Section is well positioned to be the premiere law-technology organization in the world." He wants to continue to help steer the organization in that direction by making it as strong as possible, both within the legal field and outside of it. Richard points out "there are so many new issues being grappled with, such as the morality of technologies. Society is not sure about what should be done. So the Section can help society with these fundamental, tough issues. It is not just about policy issues either. The practicing lawyers need help as well. The Section must continue to directly assist members with existing, new, and emerging areas of science and technology law." The Section continues to contribute to the legal community as its members guide where there currently is no law.

Despite Richard's career as a technology lawyer, he ironically boasts that he "tries to use as little technology as possible." He does not own or use a VCR, cell phone, or dishwasher. His perspective is that "technology should not run your life because it is not the answer to everything." He uses technology only when necessary because, in his view, every technology has a downside.

Richard's strengths include a broad curiosity about different technology areas and how they fit together. He also has an acute technical understanding of many areas. He wants to continue to make membership in the Section a compelling investment. Joining the Section should be worthwhile to a lawyer's practice and understanding, whether that lawyer uses a technology directly or as an adjunct. Richard feels "lawyers can either pretend a technology does not exist or they can jump in and start learning. And if they want to learn, they can learn the technology correctly from the experts in our Section."



When **ELLEN FLANNERY** started Mount Holyoke College as a chemistry major, a legal career was the last thing on her mind. Her faculty advisor suggested she study pharmacology to conduct research for the development of new drugs. Ellen foresaw that health care costs would become a major issue, so she pursued an independent study project on health care financing issues. When the college refused to allow her to do the independent work under the aegis of the chemistry department, Ellen switched to an economics major with a chemistry minor in order to complete this independent study.

Writing a paper on health care costs immediately opened doors for Ellen after college. The Massachusetts Department of Public Health hired her as special assistant to the commissioner of public health. Ellen worked on health care planning matters and a range of public health issues, including food and drug regulation. She soon realized the importance of the general counsel in that organization, which led her to pursue her law degree.

After graduating cum laude from the Boston University School of Law, Ellen clerked on the federal appeals court in Washington, D.C. She next joined the law firm Covington & Burling as an associate. One of the firm's alumni was a professor at the University of Virginia Law School, where he taught a class on food and drug law. A few years later, Ellen began co-teaching the class on food and drug law with another lawyer from her firm. She taught the class for many years and later taught food and drug law courses at two other law schools.

Another Covington & Burling partner introduced Ellen to the Section of Science & Technology Law. Ellen's hard work ethic stood out in the Section, as she was soon appointed vice chair to a Section committee. She was then appointed chair of the

committee, because the committee leadership realized she did the majority of the work. Ellen became Section Chair in 1992 and was named Section Delegate the next year, the Section's first woman to serve in that capacity. She continues to serve in the role of Section Delegate to the ABA House of Delegates.

Ellen recalls how the Section of Science & Technology Law at one time was very insular and interacted on a limited basis with the rest of the ABA. In the mean time, she served as delegate, the Section has embraced a much more active role working with other sections. The Section's membership simultaneously grew, which broadened the Section's base of expertise.

Ellen attributes the success of the Section to the ability of its members to meet new challenges while simultaneously responding to emerging technologies such as genomics, biotech, e-commerce, and so forth. The Section's leadership encourages their committees to tackle legal issues in these hot areas. Ellen recognizes that the rapid growth of new technologies creates many areas in which the Section needs to be involved. The Section continues to anticipate the legal issues; identify potential leadership with strong initiative and provide them with necessary resources. The Section communicates their expertise to audiences beyond the ABA, so government, private industry, and others can tap into the Section's knowledge base.

Ellen is active in church activities, including outreach to the elderly and homebound, and she enjoys traveling to new places. Ellen is a tremendous asset to the Section and field of science and technology law, because of her professional experience and active involvement in some recent hot topics relating to FDA regulation of drugs and medical devices.



IVAN FONG'S interest in science and engineering led him to MIT, where he earned bachelor's and master's degrees in chemical engineering. While there, he was active in numerous student organizations, including serving as president of his fraternity and editorial chairman of *The Tech*, MIT's student newspaper.

Ivan's interest in law, technology, and policy led him to Stanford Law School, where he co-founded the Stanford Law and Technology Association, was elected president of the *Stanford Law Review*, and graduated with distinction. Although Ivan had accepted a judicial clerkship for the year after graduation, his judge retired before his clerkship began. As a result, Ivan applied for scholarships to study abroad and ended up journeying overseas on a Fulbright Scholarship to Oxford University, where he received a BCL (bachelor of civil laws, which despite its name is a postgraduate law degree) with first-class honors. Ivan subsequently clerked for Judge Abner J. Mikva of the U.S. Court of Appeals for the D.C. Circuit and later Justice Sandra Day O'Connor of the Supreme Court of the United States.

After his judicial clerkships, Ivan decided to get a "real job." Specializing in environmental law, white-collar criminal investigations, appellate litigation, and intellectual property law, Ivan became a partner at the D.C. law firm of Covington & Burling. Having a scientific and technical background, says Ivan, was extremely helpful in his practice, where clients and colleagues appreciated his abilities to understand complex technical matters, to communicate with technical experts, and to help "translate" technical concepts. At the same time, Ivan served as an adjunct professor at Georgetown University's Law Center, co-teaching a seminar in law and new technology.

Ivan then had an opportunity to serve as deputy associate attorney general with the U.S. Department of Justice. Besides overseeing the government's most significant civil litigation, he helped lead the development of government policy in emerging technology areas such as e-commerce, cybercrime, and privacy. It was Ivan's experience in these areas that led him to General Electric, where he became GE's first chief privacy leader and senior counsel for information technology. After several years in that pioneering role, Ivan's boss, GE's general counsel, suggested that he try his hand as general coun-

sel of a GE business. Ivan then became senior vice president and general counsel of GE Vendor Financial Services, a unit of GE Commercial Finance.

Since November 2005, Ivan has served as Chief Legal Officer and Secretary of Cardinal Health, a Fortune 20 company that provides a wide array of products and services to the healthcare industry. In that capacity, he manages the Company's legal and government relations functions, serves as secretary to the board of directors, and serves on the board of the Cardinal Health Foundation.

Ivan has served in various leadership roles, including 2004-2005 Section Chair, for the Section of Science & Technology Law, because he strongly believes in the Section's mission of being a leader on issues at the intersection of law, science, and technology. To quote Ivan, "We face a world today of unprecedented scientific and technological change. Those changes raise legal and policy issues that are not only important, but also important to get right. The Section is uniquely positioned as a leader on such cutting-edge issues and to be a welcoming home for those interested in learning about and addressing them."

Ivan brings several strengths to the Section, such as his energy and enthusiasm. He has had a deep interest in legal and policy issues arising from science and technology for his entire career, having undergraduate and graduate degrees in engineering, founding a student-run law and technology association while in law school, publishing and speaking on such issues, and practicing in areas where such issues are central. Ivan also enjoys working with others and hopes that members will get involved in various Section initiatives for opportunities to meet and get to know what Ivan describes as "the amazing people in the Section." Ivan is passionate about executing on initiatives such as increasing the Section's involvement in ABA policy and legislative issues, continuing the Section's track record of producing great CLE programs and publications (including *The SciTech Lawyer* magazine), and expanding membership.

Ivan's impeccable academic credentials, impressive career in the public and private sectors, and enthusiasm and vision for the Section uniquely position him within the field of science and technology law.



MELISSA INCE

MELISSA INCE chose Geological Engineering as her undergraduate major. “My parents taught me that anything worth doing should be challenging. I picked engineering, because I was not very good in mathematics and so thought it would be a good challenge.” Melissa focused on Geological Engineering, because she wanted to do environmental clean-up and “save the world from toxic waste.” Although Melissa found the classes interesting, the reality of working at an environmental engineering firm was quite different. When she began work, she discovered that entry-level positions did not require creativity and did not ask her to make independent decisions. In addition, Melissa found it difficult being an unmarried woman at a male-dominated engineering company. Melissa thus decided to go to graduate school. However, when her thesis professor abruptly left the University, Melissa re-evaluated her strengths and decided to go to law school instead. “Law is very creative, because you have to find answers to open-ended questions. Someone cares about the answers you give them, and they appreciate it when your answer is an especially good answer.”

Melissa became involved with the Section when she was a second-year associate who was trying to figure out what a privately funded client had to do to get Federal grants. “At that time, there were no legal references. A senior attorney at the firm suggested I look into the ABA, and so I got involved with the Section of Science & Technology Law.” Melissa Co-Chair and the Committee Medical and Genetic Testing in the Life Sciences Division of the Section, in part because her law practice focuses on life sciences. “Life sciences is an interesting area because it encompasses so many facets of an entity’s operations.” Melissa uses the example of a non-profit research facility for spinal deformation. If the research facility wants to collect and catalog samples from different patients, it faces regulatory hurdles because this type of research, though it only involves collecting samples, is still classified as human subject research. Moral and ethical issues arise about how to collect samples. Contractual issues arise when a donor agrees to donate. Intellectual property issues arise about the resulting research. Property issues arise about who owns the samples.

Privacy issues arise regarding how to maintain the catalog, and how to distribute the resulting samples. In addition to these issues, there are also many regulatory requirements. Melissa co-authored the Federal Regulation of Research through Funding Chapter of the Section book *Biotechnology and the Law*, to help other attorneys with similar clients. “An attorney has to meet the business needs of these types of clients by spotting the issues and putting procedures in place to ensure the company addresses all of the legal issues involved.”

Melissa co-chairs the Section’s committee on Public Health, Environmental Law and Preparedness. Food Law, both bioterrorism and basic safety aspects, will be an important area of the law in the next few years. Incidents involving contaminated food products originating within the United States, and imported from foreign countries, is becoming more commonplace. Melissa explains that the regulatory compliance required by the U.S. Food and Drug Administration (FDA) amounts to voluntary compliance. “The FDA only requires that food producers tell the FDA that the food producers are using compliant additives, and to alert the FDA if there are any problems. The FDA assumes everything is fine if these guidelines are met. There is no independent monitoring or testing of the food products themselves.” Melissa attributes the current self-regulating nature of regulatory compliance to the fact that the FDA guidelines were developed before globalization. “We will get legislation within a few years because the public is demanding better procedures to ensure compliance. The nature of our Section is to be at the forefront of such emerging areas of law, which is why I am excited to work with this committee.”

When asked what she likes to do for fun, Melissa jokes “Anything but work!” Melissa enjoys reading books on art, and has been to Europe several times to visit different museums. Melissa also enjoys writing fiction. She also has become involved in collecting art deco pieces. “Art deco is very interesting because there are no reproductions and no guidelines, so I have to do research and scrounge around for pieces. I recently purchased an art deco piece and had it restored, and I enjoy how it looks in my house.”



KIMBERLY KIEFFER PERETTI

KIMBERLY KIEFFER PERETTI received a Bachelor of Arts in behavioral science and the law from the University of Wisconsin, Madison. She created her own major, taking a broad array of courses related to law. Her senior thesis tied law and medicine together, focusing on medical ethics and the law. She enjoyed studying for a semester in Salzburg, Austria, which led to further international studies, particularly in Germany.

She moved to Berlin after college and enrolled in intensive language courses. She continued to remain active in German-American relations at law school in the United States. She was fortunate to obtain a fellowship from the Alexander von Humboldt Foundation to continue her German studies.

After growing up in Wisconsin and studying in Germany, she “wanted to move somewhere warm and sunny!” So, she ended up moving to Palo Alto, where she worked as an intellectual property litigation paralegal at a major law firm before attending law school. Kim received her law degree at Georgetown Law Center in Washington, D.C.

Five days after she took the Illinois State Bar Examination, she packed up her bags and moved to Bonn and then Munich, where she completed an LLM at the University of Munich. Kim wrote her master’s thesis on the conflicts of interests of institutional investors in German stock corporations. While in Germany, she also worked in the international legal department of a German bank.

Kim drew from her international experience as an associate at the law firm Mayer, Brown and Platt in Washington, D.C. She leveraged her German and technology background. Her first assignment involved a German bank client and digital signatures.

Kim sought professional association experience to supplement her practice related to science and technology law. She was aware that the Information Security Committee of the Section had published the *Digital Signature Guidelines*. At her first opportunity, she joined the Committee. After active Committee work and leadership, she served as Committee Co-Chair. From her involvement with the Committee—where she found dedicated experts in the areas of information security and e-commerce—she quickly became very involved in all areas of secure electronic commerce. This area was important for the type of legal work she was inter-

ested in pursuing—working with financial institutions and other companies in the then-new fields of Internet payment systems, transacting business over the Internet, and securing personal information.

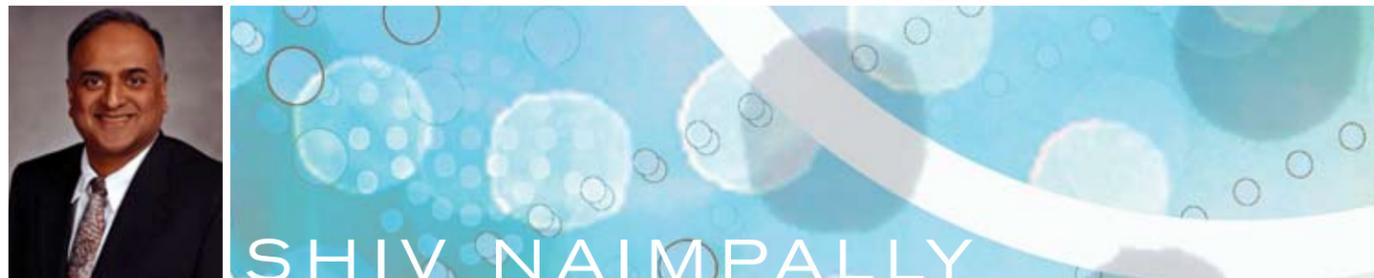
Kim next moved to Brobeck, Phleger, and Harrison to focus her practice more on technology companies, particularly, the dot com companies. Her involvement in the Information Security Committee continued to be important to her practice. During this time, she headed up the Committee’s publication, *Information Security: A Legal, Business, and Technical Handbook*.

After leaving Brobeck, Kim launched a consulting firm focusing on information security law and began studying for the CISSP (Certified Information Systems Security Practitioner) examination. During this time, she met an individual in the Computer Crime Section of the Justice Department, who persuaded her to submit an application. She wanted to understand these criminals better, their motivations, and techniques for hacking into systems and stealing information; she also wanted to put them behind bars.

Kim accepted a position in the Computer Crime and Intellectual Property Section of the U.S. Department of Justice. After spending over two years prosecuting a benchmark investigation (known as Operation Firewall) of an identity theft ring operating a “carding” website (a website that, among other things, allowed criminals to buy and sell stolen credit card information and other personal information), she learned firsthand about the cybercrime scene — who the cybercriminals are, their motivations, how they become involved in cybercrime, and how they obtain the stolen personal information. She understands the challenges of prosecutions through her vast experience with them.

Kim reflects that “the issue of how to secure personal information—especially as new obligations under state and federal law emerge and criminals continue to refine their techniques to dance around evolving security technologies—will be with us over the long term.”

When Kim is not practicing law or serving as the Section’s Budget Officer and a Council member, she enjoys doing anything outside. She hikes, and plays tennis, plays Frisbee with her dogs, and now chases after an active toddler while enjoying her newborn



SHIV NAIMPALLY'S interest in science goes back as far as he can remember. When he was eight years old, a photograph of him conducting a science experiment in school was published on the cover of the *Edmonton Journal* newspaper. "They probably published the photograph because I had a very intense expression on my face, revealing my passion for science. I spent much of my spare time as a child doing projects using various electronics and chemistry sets my parents bought for me." He recalls building a crystal A.M. radio receiver, various direct-current motors using magnets and wire, and batteries (to power various projects) made from a lemon and a copper penny.

In high school, Shiv excelled in physics, chemistry, mathematics, and English, but it was a computer programming class that ultimately hooked him and led him to pursue an undergraduate degree in computer science at Lakehead University in Canada. After graduation, he started work at Bell-Northern Research, the research and development arm of telecommunications equipment manufacturer Northern Telecom, now known as Nortel.

Shiv enjoyed working at Nortel because it gave him the opportunity to learn and grow. "Nortel had several divisions, each with their own technology focus and culture, so you could transfer from one division to another, and it was like moving to a new company." At Nortel, Shiv learned many different technologies, and worked in many different functional areas, including software design, technical training, recruiting, and marketing. He worked for Nortel in Ottawa, Canada for many years, and then was promoted and transferred to Richardson, Texas.

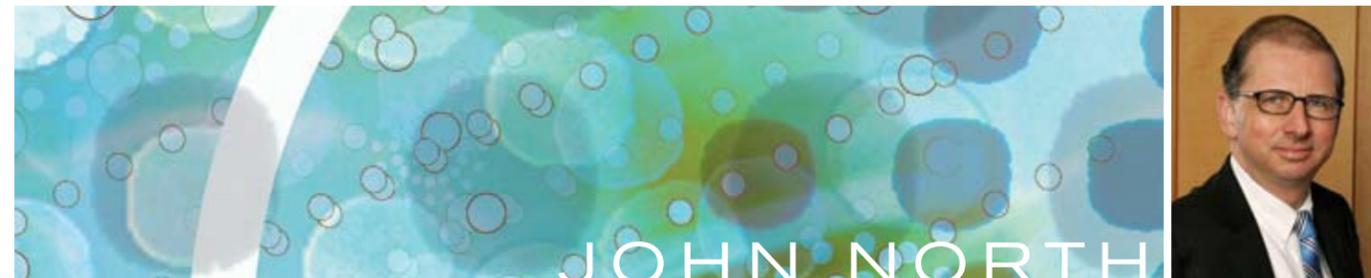
When the technology industry went into a tailspin in 2000, many technology companies began massive layoffs, and Nortel was no exception. When Shiv was laid off in late 2002, he decided to use the opportunity to start a career in patent law,

combining his love of science with the law. Shiv began working for a small intellectual property law boutique writing patent applications. Enjoying the work, Shiv decided to go to law school, and started at Oklahoma City University School of Law in the fall of 2003. Though he acknowledges that law school was a lot of work, Shiv enjoyed it because it gave him an opportunity to learn new things.

Toward the end of his first year of law school, Shiv applied for and was appointed the student liaison for the Section. As student liaison, Shiv represented the interests of rapidly growing numbers of law student members in the Section from 2004 to 2006.

Shiv became actively involved in the Section, including serving as a regular columnist for the Section's magazine, *The SciTech Lawyer*, by writing individual profiles of the Section's leaders. Shiv has continued to write these *SciTech Profiles* since he graduated from law school in 2006 and also is currently vice-chair of the Section's membership committee. "The Section members are amazing. Many are pioneers in various areas of science and technology law, and yet everyone in the Section is very approachable and down-to-earth. There is a wonderful sense of camaraderie and mutual respect in the Section that is very rare among such accomplished people."

In his spare time, Shiv enjoys playing tabla, an East Indian percussion instrument. Shiv is a classically trained tabla player, and has accompanied many classical artists from India visiting North America. Shiv also has performed with the Celtic folk band Imaginary Heaven, both in concert and on several CDs. More recently, Shiv performed on a set of Indian devotional music CDs whose sales raised over \$25,000 for the India Disaster Relief Fund. Shiv practices intellectual property law at Toler Schaffer in Austin, TX.



JOHN NORTH earned a Bachelors of Arts degree in public policy and economics from Duke University, with a minor in philosophy. His original plan was to graduate from Duke and attend business school. That plan changed when the public policy program added a summer clerkship. John accepted a summer clerkship working for a local trial court judge. The clerkship was such an engaging and intellectually-challenging experience that it inspired him to attend law school.

After John completed his clerkship, he attended Emory Law School. While he had grown up in the Northeast, the opportunities in the Southeast pointed John to Emory, located in Atlanta, Georgia. After he graduated cum laude and as a Notes and Comments Editor of the Law Journal, he joined Sutherland, Asbill and Brennan, LLP, a prominent local Atlanta firm, where he still is today.

John began in commercial litigation, including securities and professional liability. In the late 1980s, very few general practice firms focused on intellectual property (IP), much less had separate groups dedicated to the practice of intellectual property law. Beginning in the early 1990s, John started working on trade secret and computer litigation. Fifteen years later, he now has expanded his practice in intellectual property law to include a wide range of matters, with a primary focus on patent litigation and related antitrust issues.

While John was working with one of the partners at the firm on intellectual property litigation matters, he learned about the Section of Science & Technology Law. Initially, John was a member of several other ABA Sections, but over time he found that the Section of Science & Technology Law was the most interesting to him. The Section's focus on cutting-edge issues also was consistent with his

professional goals.

John started his work with the Section collaboratively editing monographs for *The Scientific Evidence Review Monograph Series*. That series of publications quickly became one of the Section's best-sellers. It covered a wide variety of cutting-edge topics, such as the admissibility of expert witnesses' testimony under *Daubert v. Merrell Dow Pharmaceuticals*, 509 U.S. 579 (1993). After working on *Scientific Evidence Review*, Section leadership asked John to take over the *Bulletin of Law in Science Technology* (BLAST), update it, and refine it. He, with a diverse and top-notch board, turned BLAST into *The SciTech Lawyer*. John served as editor-in-chief for the magazine for three years. John also served a term on the Section's Council. John strongly believes that a regular change in leadership is important, and that turnover helps to generate fresh ideas and makes room to reward hard working people at junior levels in the organization.

John is eager to continue helping to transition the Section's many law student members to lawyer members when they graduate from law school, because of the relevance of the Section to almost every practice area. The Section continues to demonstrate to young lawyers that it is hard to practice law and avoid science and technology. Having a technical background can be useful for a science and technology practice, but it isn't necessary. "Practitioners just have to be able to learn the technology and enjoy it."

When John is not practicing law, one of his favorite hobbies is cooking. He enjoys having friends over and making a meal for them. If the food doesn't turn out very well, "we can always order pizza!"



RAYMOND L. OCAMPO JR.

RAYMOND L. OCAMPO JR. was the 2001-2002 Chair of the Section of Science & Technology Law. The turn of the century was a fitting time for Ray to steer the Section, given that his primary involvement with the Section for the preceding four years had been as a moderator of visionary programs predicting the intersection of law, science, and technology as the world entered the new millennium. "Law, Science and Technology in the New Millennium" was a breakthrough program that included the scientist who cloned Dolly the Sheep, the premier nanotechnologist in the world, a leading information technology guru, the general counsel of the company whose browser begat the commercial success of the World Wide Web, and a public policy expert on the implications of genome research on pharmaceutical development.

Ray had been the general counsel of Oracle Corporation for the 1986-1996 decade that ended with the successful commercial launch of the Internet. As the head of the legal department of a company that played a major role in the boom of information technology, Ray was keenly interested in predicting the development of technology and how it would affect the lives of everyone (particularly lawyers), identifying the major areas of stress that technological and scientific developments would place on the legal process, and assessing how law might affect the development of technology and progress in science.

The Section published Ray's keynote addresses about the intersection of law, science, and technology in a book called *Surfing the Law and Technology Tsunami*. This publication revealed that Ray was an eclectic mix of humanist, avid user of information technology, lawyer, athlete, and reader. Although he insists that his current occupation is that of "retiree," he serves on the boards of public technology companies and nonprofit organizations while playing leadership roles in ABA organizations such as the Commission on Women in the Profession and the National Council of Lawyers and Scientists. Ray also was a member of the ABA's Commission on Racial and Ethnic Diversity in the Profession.

Ray's life started as the son of Filipino immigrants. He said his desire to rise out of poverty was

a major driving force in his life. Likewise, his desire to control his own destiny and to help others who felt powerless led him to attend law school. He worked as a plaintiff's antitrust lawyer initially and then focused on complex litigation work at various law firms while teaching at Hastings College of the Law. After 10 years of private practice, which included the co-founding of one of the first all-minority law firms in California, he joined Oracle Corporation. After "retirement," he founded and served as the first Executive Director of the Berkeley Center for Law & Technology, which for the past 10 years has been considered by many as the leading intellectual property program in law schools.

Ray has been an avid athlete all his life. He is still proud of being a member of a state championship basketball team in high school. He ran more than a dozen marathons in the late 70's and early 80's while in private practice. During his tenure at Oracle Corporation, he competed in the luge at the 1988 Olympic Winter Games.

Ray views his work in the Section as a major part of his public service through the ABA legal community. In particular, he admires the non-bureaucratic nature of the Section, which allowed him to put together programs focusing on both the big picture – visionary "millennium / intersection" stuff – and the nuts and bolts of practice, which includes the establishment of the Section's book publishing program. One of the programs he moderated was standing-room-only in Toronto, where the general counsel of leading technology companies talked about what kept them up at night, which has become a recurring theme in Section CLE programs year after year due to the success of Ray's innovative program. Fittingly, his last program as a moderator for the Section was a reprise of his original "millennium" program, this time looking at the intersection of law, science, and technology not just three or four years out, but a thousand years into the future.

Ray encourages Section involvement as part of involvement in life and the law. His speaking, writing, and other participation in the Section have led him to develop numerous professional relationships that have become lifetime personal friendships.



SCOTT PARTRIDGE

SCOTT PARTRIDGE recalls during the mid-1960s, President Kennedy made the commitment to put a man on the moon by the end of the decade, and NASA launched manned rockets into space. That challenge inspired Scott to think he "might be able to make a difference as an electrical engineer."

Scott attended the University of Cincinnati, which had a work-study program. He worked at Texas Instruments while he pursued his electrical engineering degree. Working at Texas Instruments made Scott realize that patents are an important part of technology development. The idea of a career in patents intrigued him.

Scott earned his J.D. at the Georgetown University Law Center. While there, he edited the *Georgetown Law Review* and accepted a position as a barrister. He taught first-year students a course on legal research, writing, and advocacy.

Near the end of the Vietnam War, Scott graduated from law school. His friend, who worked at the Patent Office as an examiner, persuaded him to work there after he graduated from law school. Scott worked as a patent examiner for two years before he accepted a position in the Office of Legislation and International Affairs.

Scott enjoyed the opportunity to work on interesting projects during that time. He served as the executive secretary of Intellectual Property (IP) Working Group for the U.S.-U.S.S.R. Joint Scientific Exchange. He also worked on a variety of treaties relating to technology. He even worked on the bill that changed the name of the Patent Office to the Patent and Trademark Office. Scott worked on a major revision of the patent statute during the Nixon administration. Congress and other agencies extensively reviewed those revisions. Scott recalls, "Unfortunately, President Nixon's political problems helped derail that effort as the administration largely lost its zest for much beyond defending itself." However, many of the proposals Scott worked on were later implemented.

Scott was appointed assistant deputy general counsel to the Presidential Clemency Board. The board determined whether servicemen with less-than-honorable discharges should receive clemency

and also addressed clemency for those convicted of selective service violations. Scott argued many cases before that board. A key case was whether officers were entitled to clemency. He argued that case in the White House in the Teddy Roosevelt Room across the hall from the Oval Office. Clemency was granted. Scott recalls, "It was quite a thrill." Once the board completed its work, he wanted to get back into intellectual property law.

Scott left the government and started his career in private practice. He notes that in IP litigation, "It is tempting to settle into a formula for managing and presenting cases, which risks sacrificing creativity." He likes "to be creative in the strategic and tactical aspects of IP litigation, and then direct the implementation so that it reflects that strategy." He tries to bring something new into every case he litigates. Scott wants to challenge the way he did it before and see if there is a better way to do it. This is the part of the IP litigation business that is most fun to Scott, because he constantly challenges himself.

Before joining Baker Botts in 1992, Scott worked at an IP boutique—the Banner, Birch, McKie & Beckett firm in Washington, D.C. Partners of that firm were very active in the ABA. A partner at that firm introduced Scott to the Section of Science & Technology Law. Scott served various leadership roles in the Section, such as Membership Chair, Budget Officer, and ultimately Section Chair from 1998-1999.

Scott later served as one of the two Section Delegates to the ABA House of Delegates for six years. He explains how the House of Delegates is the policy-making body of the ABA. Delegates debate and negotiate with other ABA groups to adopt policy that is appropriate to the times while furthering the administration of justice. A lot of the negotiation requires building relationships and gaining credibility. He notes, "Despite being a relatively small Section, the Section of Science & Technology Law is very influential and effective. The Section continues to be conscientious about building relationships and credibility with other sections and interest groups." Scott is currently a member of the ABA Board of Governors.



When you meet **HEATHER RAFTER**, indefatigable is one word that springs to mind, especially when it comes to activities about which she is passionate. Her love of writing, for example, began at a young age. In high school, she entered and won *Seventeen* magazine's journalism contest, based on an interview with her neighbor (and fellow high school alumnus), Peter Benchley, author of *Jaws*.

After graduating from Phillips Exeter Academy, Heather's interest in writing and journalism led her to pursue an undergraduate degree at Princeton's Woodrow Wilson School of Public and International Affairs. While attending Princeton, she worked on a student-run, nationally syndicated radio program called "Focus on Youth," where she interviewed various celebrities, including Dan Rather, Edward Albee, Norman Mailer, and Christopher Reeve. She also worked as a summer intern and freelancer for a local public radio station and subsequently National Public Radio (NPR). As part of her NPR freelancing, Heather was paid to visit New York jazz clubs and interview musicians.

After graduation, Heather decided to go to law school. She focused on intellectual property (IP) law because of her interest in journalism and publishing. At Columbia, she took classes on law in the arts, copyrights, trademarks, and trade secrets. She completed her final year of law school at Stanford, where her husband, John, was undertaking an MBA after finishing his engineering degree.

After law school, Heather accepted a job with the law firm of Gibson, Dunn, and Crutcher in the Bay Area. While there, Heather handled both IP work and securities litigation. She also worked on the ground-breaking case of *Sega v. Accolade*, which for the first time addressed the novel issue of whether reverse engineering for the creation of compatible products was legal under U.S. law. Its outcome was crucial to the development of the modern high-tech business model. Although the firm's client Accolade prevailed from a legal perspective, Heather also recognized that the high cost of the case slowed the company's growth. After that experience, she decided she wanted to advise companies early on to help avoid expensive court proceedings.

An ad in the paper led Heather to apply for the

general counsel position at Digidesign, which at the time was a small start-up. Fourteen years later after taking the job at Digidesign, a lawyer came up to Heather after she spoke at a conference and said "Oh, you are Heather Rafter. I can't thank you enough." It turned out that he was the other finalist for the Digidesign GC position. After she got the job, he accepted a position as Yahoo's first general counsel; he did so well that he was able to retire early.

Heather enjoys serving as in-house counsel in the Silicon Valley because of the variety of issues she is able to address. She can be proactive, anticipate issues, and try to solve them early on. She also enjoys working at a company with creative people, who make products to help musicians. As Digidesign's GC, she feels fortunate to have the opportunity to address IP issues involving new technologies. Digidesign is the world-renowned creator of hardware and software for the music and entertainment industry. The company's hardware and software is used worldwide by individuals and companies who create digital audio content, from home music hobbyists to editors of feature films in Hollywood. Digidesign has received numerous industry awards, including a Grammy® award for Outstanding Technical Achievement and, more recently, an Oscar® statuette representing the 2003 Scientific and Technical Award for the design, development, and implementation of the Digidesign Pro Tools digital audio workstation.

Heather joined the Section of Science & Technology Law because a friend of hers said that he had found a fun and interesting ABA Section to join. Shortly after becoming a member, she spoke about topics such as reverse engineering on Section continuing legal education (CLE) programs. Heather's software and entertainment-related Section CLE programs have drawn particularly large audiences, as they have been practical in perspective and have covered high-tech topics that appeal to both inside and outside counsel. Heather served as Section Chair from 2003-2004. She enjoys the opportunity to meet thoughtful and interesting people through the Section. A self-proclaimed nerd, Heather also spends time doing yoga, going to rock concerts, doing volunteer work for her college, and raising her three children.



THOMAS J. SMEDINGHOFF graduated from Knox College with a degree in mathematics and a basic knowledge of computer programming (back when all computers were mainframes). But he always had a strong interest in law, technology, and public policy. So he put his technical background to use by working as a programmer for two years to save the money he needed for law school. He also worked part-time as a programmer while in law school, and graduated from the University of Michigan in 1978.

Tom started his legal career doing litigation, but spent all of his spare time pursuing his passion—building a pioneering practice in what was then called "computer law." At the time, this practice was primarily focused on the legal issues involved in developing, protecting, and licensing software and computer systems. It also included an emphasis on intellectual property law, and he was heavily involved in several major first-of-their-kind criminal and civil software piracy matters.

As the technology developed, it was a natural progression for Tom to become involved in the new legal issues relating to electronic commerce, the Internet, electronic signatures, and data security, and for his practice to take on more of an international scope. In 1997, he became a member of the U.S. Delegation to the United Nations Commission on International Trade Law (UNCITRAL), where he participated in the multi-year negotiation of the 2005 United Nations Convention on the Use of Electronic Communications in International Contracts.

Today, Tom focuses on the legal issues involved in "using" technology, including the law relating to electronic transactions, data security, and privacy. He advises companies, governments, and trade associations on how to address the legal and public policy issues raised by the use of electronic data, the Internet, and new and legally untested forms of electronic transactions and technologies. He also writes and speaks extensively on these subjects.

He describes the subject of his practice as "information law" because the focus has shifted to electronic information and online communications. It involves questions such as when can you legally rely on Internet communications, what obligations do companies have to protect their data, what rights and limitations apply to their use of personal data, how do you structure enforceable electronic trans-

actions, and so on. In 2006, he joined the law firm of Wildman Harrold in Chicago, which attracted him because of its unique commitment to building a major practice focused on addressing these developing information law issues.

What has characterized Tom's practice throughout the years has been a focus on new and developing law as it relates to technology. Unlike most traditional legal practices, he regularly deals with issues for which there is little or no existing law. In fact, he actively participates in developing the law and public policy in the e-commerce area. This has included work on drafting e-commerce laws and regulations in Illinois (including chairing the commission that wrote the Illinois Electronic Commerce Security Act), at the U.S. Federal level, and internationally as a member of the U.S. Delegation to UNCITRAL.

According to Tom, participating in the ABA Section of Science & Technology Law has been critical to his practice. For example, years ago he was working on an electronic data interchange (EDI) project for a client that involved electronic payments, when almost no one knew anything about the legal issues relating to EDI, much less the particular problem he was facing. At a conference, he came across someone from the Section who chaired a committee that was exploring that very topic, and Tom quickly signed on. As Tom noted, "The committee was developing law where there was none, and that is what is so great about the Section as a whole. It offers people an opportunity to identify others who are also grappling with new technology-related legal issues, and provides them with a forum for exchanging ideas and sharing information not available elsewhere. The Section often becomes a vehicle for helping to develop the law in those emerging areas."

That committee later evolved into the E-Commerce Division of the Section, and Tom became Vice-Chair and later Chair of that Division. In 1999-2000, he served as Section Chair. Today, his leadership in the Section continues in a variety of areas, including his current role as Chair of the International Policy Coordinating Committee, which serves as the primary link between the Section and international policymakers and legal groups addressing developing legal issues that affect science and technology.



LUCY THOMSON graduated from Connecticut College with a B.A. in political science and economics. She earned her J.D. degree from Georgetown University Law Center. Lucy later received an M.S. degree from Rensselaer Polytechnic Institute (RPI) in 2001 with a focus on information technology and law. In addition, Lucy is a Certified Information Privacy Professional (CIPP/G) with expertise in commercial privacy issues and an advanced certification in government privacy, and has earned a certificate in Network Security.

During college, Lucy was drawn to public interest activities. She worked as an intern in a HUD Model Cities Program, and during the summer in a social services internship in the inner city of Cleveland, Ohio. During junior year of college, she served as an intern in the then-HEW Office for Civil Rights in Washington, D.C., where she assisted Leon Panetta and J. Stanley Pottinger in developing high-profile public school desegregation cases. These opportunities piqued her interest in law and social policy, and she decided to apply to law school. Washington, D.C. seemed like the perfect place to make a difference.

Following law school, Lucy began her legal career as a civil rights lawyer, litigating significant federal civil rights cases that resulted in several landmark decisions. From 1977-2000, Lucy served as an attorney in the Criminal and Civil Rights Divisions of the U.S. Department of Justice. She prosecuted complex white-collar crime cases as a member of the Fraud Section's South Florida Task Force on White Collar Crime. In the Criminal Division Office of Legislation and Policy, she drafted federal legislation, Congressional testimony, and law enforcement policy to strengthen the government's ability to combat white collar and violent crime. As Chief of the Task Force on the FBI Laboratory, she addressed problems with forensic evidence in the FBI laboratory in thousands of major explosives, terrorism, and violent crime cases.

Lucy's extensive experience is not only as a litigator in complex federal civil and criminal cases, but also as a privacy and information security expert. Two U.S. Bankruptcy Courts recently appointed her Consumer Privacy Ombudsman to oversee the sale of personally identifiable consumer records in bankruptcy cases. Lucy is responsible for legal, technical, and policy issues related to privacy and information security at Computer Sciences Corporation (CSC), a global IT company. In addition, she

developed privacy and security solutions for major IT and information sharing programs at the Departments of Homeland Security, Justice, State, and the Internal Revenue Service (IRS). She developed and oversaw the privacy programs for the IRS modernization program, and Customs and Border Protection (CBP), to safeguard sensitive information and combat terrorism through ensuring the security of cargo entering the nation's ports.

During the years when her two daughters were growing up, Lucy worked part-time at the Justice Department. The flexibility afforded by her three-day-a-week schedule enabled her to balance work and family and pursue the professional activities she enjoyed most. The year her second daughter was born, she was elected President of the Women's Bar Association, one of the oldest and most active women's bar associations in the country. She considers one of her best accomplishments publication by the WBA of *Alternative Work Schedules and Family and Medical Leave*, a highly-acclaimed guide that has been used by law firm, government, and corporate employers to develop flexible work schedules for attorneys and staff members.

After serving two terms on the D.C. Bar Board of Governors and as Bar Secretary, she became active in the American Bar Association. She was elected by the D.C. Bar to the ABA House of Delegates and was recently selected as a Fellow of the ABA Foundation. Lucy serves on the Council of the Section of Science & Technology Law and Chairs their Homeland Security Committee. She is a member of the National Conference of Lawyers and Scientists. She finds the Section of Science & Technology Law to be an exciting and friendly place where attorneys and experts explore issues on the cutting edge of science and technology. SciTech activities are not only collegial and fun, but inspiring and professionally important — challenging current thinking and developing new paths for the future.

In recognition of long-time public service, she received the Heroines in Technology Award from the March of Dimes and Women in Technology. An avid sailor, Lucy is a former National Women's Intercollegiate Sailing Champion. For fun, she sails her 33-foot performance sailboat, an X-332 from Denmark, in Annapolis. On spring and fall weekends when the wind is brisk, she races with a crew of eight in races sponsored by yacht clubs around the Chesapeake Bay.



GILBERT F. WHITTEMORE was attracted to the worlds of science and law since a young age. He built his own telescope, and his earliest legal document is a contract he wrote at age 10 conveying rights to the backyard swing from one younger brother to another. The part his lawyer friends like best is the provision that if the contract document were lost, a fee of 10 cents must be paid to the "lawyer" to rewrite it.

His interest in science and related legal and political issues led him to pursue an undergraduate degree at Harvard in History of Science. He also is perhaps the least athletic person to ever earn a varsity letter in football. He never played sports in high school; in college he signed up as a freshman to be a "manager" (i.e., equipment/waterboy) of the football team as a way of fulfilling a physical education requirement without actually playing a sport. He enjoyed it so much he stayed with the team for all four years, and stayed on after graduation for another 20 years as a statistician in the press box. Life has its ironies, but the underlying lesson was that work is much more fun when done as part of a team.

Gil decided to attend law school to focus on broad legal issues involving science, instead of specializing in one science. While at law school, he began teaching in the History of Science Department at Harvard. Over the next decade he completed a masters and doctorate in History of Science. "I went into academics after law school because back then, in 1975, a background in science and law was not in much demand in the legal world. PCs had not yet even reached lawyers' desks. Only five or six years later, my own students found law firms quite interested in hiring lawyers with a science background."

In 1993, a friend of Gil's at a large law firm started his own law firm and asked Gil to join his new firm. "It was a small firm, but we had big-firm clients." The firm acted as general counsel for many small and mid-sized businesses. Gil enjoyed the wide variety of legal work, including bankruptcy, contracts, corporate law, health law, real estate,

taxation, tort, and trademarks.

Gil's doctoral thesis was on the development of standards for radiation protection, a dull-sounding topic that actually has a complex scientific, political, and legal history. In 1994, he was hired as a senior staff member to the White House Advisory Committee on Human Radiation Experiments. The Committee was established to investigate experiments on humans after World War II to determine the effects of radiation. What intrigued the historian in Gil was reviewing previously classified material. "It was a massive discovery project, delving into records that many current officials had not themselves ever examined." The Committee's report culminated in a large report and a substantial public archive of material.

Soon after, Gil joined the ABA Section of Science & Technology as a member of the Committee on Regulating Research, focusing on scientific misconduct. Although rainmaking was not his goal, as it happened his work on the committee led to attracting the largest legal case of his career. Gil also organized several programs for the Section on law and advances in genetics at the time when the human genome was being decoded — first a program at the ABA meeting in London in 2000, and later a two-day conference in North Carolina. "It was fascinating and rewarding to watch genetics grow from a niche program to a mainstream interest in the Section." Gil also served as a member of the National Conference of Lawyers and Scientists, the liaison group linking the Section and the American Association for the Advancement of Science.

As the 2007-2008 Section Chair, Gil believes that the Section will continue to adapt to new developments, do more to cultivate relationships with scientists and engineers, and strengthen its international presence in recognition of the innate international nature of science and technology.

Due to the Internet and the ability to telecommute, Gil now can spend most of his time in Vermont near the small village where he grew up, pruning and cleaning up the forest on his property.

DIVISIONS AND COMMITTEES

SECTION OF SCIENCE & TECHNOLOGY LAW

Section members may join any one of the committees and divisions at no extra charge for access to free networking and educational resources through committee list serves, meetings, and other activities.

Join a Section committee for free online now at www.abanet.org/scitech/committees/home.shtml!

E-Commerce and IT Division

Blogs and User-Generated Content on the Internet
E-Commerce Payment
Electronic Filing
E-Privacy Law
Information Security
Latin American E-Commerce
Open Source
Privacy and Computer Crime
Technical Standardization
Telecommunications and Mass Media
Virtual Worlds and Multi-User Online Games
Voice Over Internet Protocol
Wi-Fi

Life and Physical Sciences Division

Animal Research
Behavioral Sciences
Biotechnology
Nanotechnology Law
Public Health, Environmental Law and Preparedness
Rights & Responsibilities of Scientists
Scientific Evidence

Interdisciplinary Division

Artificial Intelligence and Robotics
Future of Evidence
Homeland Security
Museum Law
Space Law