

Corporate Counsel Organization Highlights

Letter From The President Of The New York County Lawyers' Association



To The Readers Of *The Metropolitan Corporate Counsel*:

This year's Law Day theme was "A Legacy of Liberty: Celebrating Lincoln's Bicentennial." Thinking about the Law Day theme, and attempting to relate it to New York, I found myself recalling a public reading of the Constitution organized by People for the American Way Foundation in the Great Hall at Cooper Union in 2004.

As President, Lincoln was devoted to maintaining the Union and constitutional government, notwithstanding his suspension of habeas corpus during the Civil War. As a candidate for President, he foreshadowed this theme when he delivered a major address to the Young Men's Republican Union in the Great Hall at the Cooper Institute, now Cooper Union, on February 27, 1860. It was a powerful statement of his devotion to the Constitution as a living document, whose meaning should be sought by studying the intentions of its framers.

The thesis of the address was that the Republican Party's position on slavery – that it should not be extended to the territories – was consistent with the views of a majority of the framers of the Constitution. The speech itself is painstakingly detailed, enumerating every opportunity that any of the Constitution's signers had to cast a vote that indicated how he would view the extension of slavery to the territories or any limit on Congress's ability to regulate slavery in the territories.

Lincoln's Cooper Union speech embodied the greatest respect for the Constitution. Consequently, the public reading of the Constitution in the same room, almost 150 years later, was a moving and fitting tribute to Lincoln.

I attended the public reading at the invitation of a friend who was involved, expecting a rather dry, sparsely attended event. My first surprise was to find that the hall was overflowing. The next, continuing surprise was that the audience was deeply, enthusiastically and vocally responsive to the words of the Constitution (although, in some cases, the enthusiasm undoubtedly was helped by the readers). The reading was punctuated by ovations, applause and, in a few cases, boos. No one left before the end.

Senator Robert Byrd, the longest-serving senator ever, read the stirring words of the Preamble. Richard Gere brought the house to its feet reading Article I, Section 3, which includes the power of the Senate to try impeachments. James Naughton provided what is surely the most sultry reading ever given to the powers of Congress, Article I, Section 8. Judge Jack Weinstein, who has sat as a judge of the U.S. District Court for the Eastern District of New York since 1967, was the federal court system incarnate when he read Article III, the Judicial Branch.

The amendments provided many profoundly moving moments. Floyd Abrams, the dean of the First Amendment bar, read the first three amendments. Kate Lardner, whose father was blacklisted in the McCarthy era, read the Fifth through Tenth Amendments, most poignantly including the confrontation clause. Ossie Davis and Ruby Dee divided the Reconstruction Amendments, starting with the abolition of slavery and ending with the affirmation that the right to vote shall not be "denied or abridged . . . on account of race, color, or previous condition of servitude." Comedian Bill Irwin read both the 18th and 21st Amendments, imposing and then repealing prohibition. Betty Friedan, who was then 83 years old and had spent the last 40 years fighting for gender equality, got a standing ovation when she read the 19th Amendment, granting women's suffrage.

At the end, one was impressed by the elegance and breadth of the framers' vision (and, in contrast, the turgidity of the latest amendments). One could only wish that every American could have heard this reading and reflected on the strength and balance of the Constitution. I urge you to take some time to revisit the language of the Constitution, either by reading it yourself or by watching the public reading on YouTube.

This is indeed Lincoln's legacy: respect for our governing principles, and faith in their ability to be applied to today's controversies.

A version of this article appeared in the May 1, 2009 issue of *New York Law Journal*.

Sincerely,
Ann B. Lesk

¹ The reading can be viewed in a series of videos on YouTube.com. The playlist can be found at www.youtube.com/view_play_list?p=E6789A94AD1C3016.

Society Of Corporate Secretaries To Hold 2009 Annual Meeting

The Society of Corporate Secretaries and Governance Professionals, New York Chapter has scheduled its 2009 Annual Meeting and Dinner to take place on Tuesday, June 9 from 7 to 10

p.m. at the Loeb Boathouse in Central Park, NYC (East 72nd St. and Fifth Avenue entrance to Central Park). The cost per person is \$75. To register visit www.governanceprofessionals.org.

ALI-ABA To Host Program On Broker-Dealer Regulation

The Broker-Dealer Regulation seminar is the 31st Annual Advanced ALI-ABA Course of Study in the series and has been scheduled for Thursday and Friday, June 18 and 19 at Fordham University School of Law, 140 West 62nd Street, New York City. The times are from 8:00 a.m. to 5:15 p.m. on day one and from 8:30 a.m. to 4:15 p.m. on day two. The program is co-sponsored by the Securities Law Committee of the Federal Bar Association with the cooperation of the Philip D. Reed Chair Lecture Series and the Corporate Law Center, Fordham University School of Law.

The keynote speaker will be Erik R. Sirri, director, Division of Trading and Markets, U.S. Securities and Exchange Commission. The faculty will include Larry E. Bergmann, Willkie Farr & Gallagher LLP; Michael P. Jamroz, Deloitte & Touche LLP; Michael Schussler, counsel and vice president, Federal Reserve Bank of New York.

For information about available credits and fees, see CLE Events on *The Metropolitan Corporate Counsel* website at www.metrocorpcounsel.com.

To register visit www.ali.org or call (800) CLE-NEWS.

Amper, Politziner & Mattia Partner To Present At Sales & Use Tax Seminars

The accounting firm of Amper, Politziner & Mattia will speak at two sales and tax use seminars titled Advanced Sales and Use Tax in two New Jersey locations. The first will be held on Thursday, June 18 from 8:30 a.m. to 4:30 p.m. at the Holiday Inn, 2175 W. Marlton Pike, Cherry Hill, New Jersey. The second will take place on Thursday, July 16 from 8:30 a.m. to 4:30 p.m. at the Crowne Plaza, 2055 Lincoln Highway, Edison, New Jersey.

John Genz, a partner in the Tax Department of Amper and Susan A.

Feeney, a partner with the law firm of McCarter & English, LLP, will speak at each event.

Participants will be given an overview of the New Jersey Sales and Use Tax Act, administration of the act, basic concepts of taxability, exemptions and specific application to industries.

For information about available CLE credits and fees, see CLE Events on *The Metropolitan Corporate Counsel* website at www.metrocorpcounsel.com.

To register visit www.lorman.com and refer to Seminar ID:383771.

ACC To Explore Pro Bono Work During Hard Times

Corporate Counsel Pro Bono Coordinators in conjunction with ACC Greater NY Chapter, NJ ACC, the Pro Bono Institute, Pro Bono Net and Skadden, Arps, Slate, Meagher & Flom LLP will present Making Pro Bono Work - Sustaining Corporate Pro Bono in an Economic Downturn. It is scheduled for Tuesday, June 2 from 4 to 6 p.m. followed by a cocktail reception in the offices of Skadden, Arps, Slate, Meagher & Flom LLP and Affiliates at Four Times Square, NYC.

This program will focus on best practices for managing corporate pro bono

work in challenging economic times, including how to sustain employee engagement and leadership support, and ensure ongoing compliance with ethical rules.

Panelists include Faye Dion, counsel, Aetna Inc; Matthew J. Mallow, senior partner, Skadden Arps, and Michael Masone, director and counsel, Equities Division, Citigroup.

For information see CLE Events on *The Metropolitan Corporate Counsel* website at www.metrocorpcounsel.com.

To register email ivette.del.valle@timewarner.com.

ACC Greater New York Chapter To Discuss Health Care Fraud Enforcement Trends

Titled Health Care Fraud Enforcement Trends, a program will be sponsored by ACC and Fulbright & Jaworski L.L.P. on Tuesday, June 23 from 8 a.m. to 10 a.m. in the offices of Fulbright & Jaworski L.L.P., at 666 Fifth Avenue, NY City.

The speakers will include Fulbright & Jaworski attorneys Rick Robinson, partner-in-charge of the Washington office Health Law Practice; Jonathan S. Abernethy, former Assistant United States Attorney in the Southern District of New York; Glenn Jones, former Special Assistant Attorney General in the Medicaid Fraud Control Unit of the New York State Attorney General's office; and John Kelly, former Assistant Chief for Health Care Fraud for the United States Department of Justice,

Criminal Division, Fraud Section.

The presentation will cover recent health care enforcement trends including: enforcement issues and new whistleblower protections in health care provisions of the recent Stimulus Package; fraud and abuse issues raised by recent proposals for health care reform and False Claims Act amendments; enforcement priorities of the Obama Administration; and increased enforcement activities by state Medicaid Fraud Control Units.

For information about available CLE credits and fees, see CLE Events on *The Metropolitan Corporate Counsel* website at www.metrocorpcounsel.com.

To register contact Jennifer White at jwhite@fulbright.com or call (212) 318-3142.