

**DRAKE LAW SCHOOL** | Supreme Court Celebration  
March 5-7, 2009

**Drake**  
UNIVERSITY

## SUPREME COURT CELEBRATION BANQUET

*Des Moines Marriott, March 7, 2009*

### WELCOME

Amos Hill  
*Student Bar Association President and  
Supreme Court Celebration Chairperson*

### ENTRANCE OF IOWA SUPREME COURT JUSTICES

INTRODUCTION OF THE CHIEF JUSTICE  
OF THE IOWA SUPREME COURT  
Mr. Hill

CELEBRATION OF SUPREME COURT  
COMPETITION AND ANNOUNCEMENT  
OF THE RODNEY L. HUDSON  
APPELLATE ADVOCACY AWARD  
Marsha Ternus  
*Chief Justice of the Iowa Supreme Court*

PORTRAIT UNVEILING  
Dean Ben Ullem

ANNOUNCEMENT OF THE ALUMNI OF  
THE YEAR AWARD  
Dean Ullem

### DINNER

REMARKS AND PRESENTATION OF  
THE SBA PRESIDENT'S AWARDS  
Mr. Hill

PRESENTATION OF THE LELAND  
FORREST OUTSTANDING PROFESSOR  
OF THE YEAR AWARD  
Mr. Hill

INTRODUCTION OF THE BOARD OF  
COUNSELORS PRESIDENT  
Mr. Hill

GREETINGS FROM THE BOARD  
OF COUNSELORS  
Richard Davidson  
*President, Board of Counselors*

KEYNOTE ADDRESS  
Stephen Rapp

REMARKS AND STUDENT AWARDS  
Dean Ullem

JEFFREY AND ELIZABETH GOODMAN  
DISTINGUISHED ADVOCATE AWARD

INTERNATIONAL ACADEMY OF  
TRIAL LAWYERS AWARDS

THE ROBERT J. KROMMINGA AWARD

IOWA SUPREME COURT  
WRITING COMPETITION AWARDS

THE TIMOTHY N. CARLUCCI AWARD

THE FERGUSON PRIZE

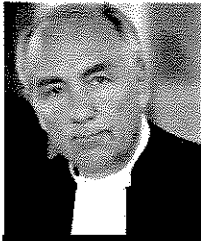
THE MARTIN TOLLEFSON AWARD

THE WILLIAM AND  
ELLEN COONEY HOYE AWARD

CLOSING REMARKS  
Mr. Hill

*Please join us for dessert and dancing on the second floor of the Marriott following the program.*

Supreme Court Celebration Banquet award recipients; lists of Alumni of the Year winners, Supreme Court Competition finalists and Supreme Court Celebration banquet speakers; *Drake Law Review*, *Agricultural Law Journal* and Moot Court award recipients; and recognition of student achievement is posted at [www.law.drake.edu/supremecourtcelebration](http://www.law.drake.edu/supremecourtcelebration).



KEYNOTE SPEAKER  
2009 ALUMNUS OF THE YEAR  
Stephen Rapp

Stephen Rapp currently serves as prosecutor of the Special Court for Sierra Leone. During this term he has been tasked with completing the prosecution of the individuals who are alleged to bear the greatest responsibility for the violations of international humanitarian law committed in Sierra Leone between 1996 and 2002. All of these individuals are tried in courtrooms of the SCSL in Freetown, Sierra Leone, except for former Liberian President Charles Taylor, whose trial is being conducted by the SCSL at the venue of the International Criminal Court in The Hague, Netherlands. Prior to joining the SCSL, Rapp was chief of prosecutions at the United Nations-International Criminal Tribunal for Rwanda, a position he took in May 2005. Prior to his service at the ICTR, Rapp was United States Attorney for the Northern District of Iowa. He was appointed to this position by President Clinton in November 1993 and confirmed by the U.S. Senate. Rapp is a native of Cedar Falls, IA. He attended local public schools and graduated from Cedar Falls High School. Rapp received his BA degree with honors from Harvard University in government and international relations. He attended Columbia Law School and received his JD degree with honors from Drake University.



2009 ALUMNA OF THE YEAR  
Sheila Tipton

Sheila Tipton is a shareholder with the firm of Belin Lamson Zumbach McCormick Flynn, a professional corporation, practicing in the areas of corporate law, administrative law, employment and public utilities law, including energy, telecommunications and water law. She has been active in the Polk County Bar Association, the Iowa State Bar Association and the Federal Energy Bar Association. She is a frequent author and lecturer in her areas of expertise, especially public utilities and energy, including electric, natural gas, wind and nuclear. She has been listed in *The Best Lawyers in America* each year since 1992 in environmental, energy and natural resources law. She has served on the board of and has been president of the Legal Aid Society of Polk County, the Rotary Club of Des Moines, and the Des Moines Metropolitan Opera. Tipton has also been a board member of Youth Homes of Mid-America. In 1997, she received the Governor's Volunteer Award. In addition to serving on the Board of Counselors, she and her husband, Bill Dawe, who is also one of our alumni, are members of the Leland S. Forrest Society in their support of the Law School Annual Fund.

## The Supreme Court Competition

Each year, outstanding advocates in the Law School compete in the Supreme Court Competition for the honor of presenting final arguments to the Iowa Supreme Court. The problem is based upon a real case, using an actual record that was pending before the Iowa Supreme Court, thus giving competitors a realistic experience.

The competition is open to all second and third year law students and consists of writing a brief and two preliminary rounds, one on-brief and one off-brief. Each competitor argues individually in the preliminary rounds, with 10 minutes of time allocated to each advocate. The four top advocates based upon scores from the preliminary rounds advance to the Supreme Court Competition before the Iowa Supreme Court. The four finalists are usually paired as teams of two for the final round, each arguing for 10 minutes. The award for the Best Oralist in the final round is then announced at the Supreme Court Celebration Banquet.

## A Brief Summary of the 2009 Supreme Court Competition Problem

SMART SEED CO., PETITIONER V. NOTHERN SEED GENETICS,  
JOHNSON, HAWK, & SMITH RESPONDENTS

The case asks the Iowa Supreme Court to determine whether an affirmative claim for breach of a duty of loyalty exists and whether it is available absent a fiduciary relationship. Smart Seed alleges that Defendants Johnson, Hawk and Smith violated their duty of loyalty by encouraging fellow employees to seek employment at a competitor. Defendants contend that they owed no duty of loyalty to Smart Seed because they were not fiduciaries and Iowa has not recognized an independent claim for breach of loyalty.

# Supreme Court Celebration Banquet Speakers

- 2009 Stephen Rapp, Prosecutor of the Special Court for Sierra Leone
- 
- 2008 Robert Grey Jr., Partner at Hunton & Williams Law Firm
- 
- 2007 Tom Vilsack, 39th Governor of the State of Iowa
- 
- 2006 Justin Webb, Chief Washington Correspondent, BBC Radio
- 
- 2005 Jan R. Schlichtmann, Attorney and Activist
- 
- 2004 The Hon. Alex Kozinski, Chief Judge, U.S. Court of Appeals for the Ninth Circuit
- 
- 2003 United States Senator John Kerry, Massachusetts
- 
- 2002 United States Senator Tom Harkin, Iowa
- 
- 2001 United States Senator John Edwards, North Carolina
- 
- 2000 The Hon. Arthur A. McGivern, Chief Justice, Supreme Court of Iowa
- 
- 1999 The Hon. Richard Matsch, Chief Judge, United States District Court for the District of Colorado
- 
- 1998 United States Senator J. Robert Kerrey, Nebraska
- 
- 1997 Janet Napolitano, U.S. Attorney for the District of Arizona
- 
- 1996 United States Representative James A. Leach, Iowa
- 
- 1995 Roberta Cooper Ramo, President-Elect, American Bar Association
- 
- 1994 United States Attorney General Janet Reno
- 
- 1993 The Hon. A. Leon Higginbotham Jr., United States Court of Appeals for the Third Circuit
- 
- 1992 Michael G. Gartner, President, NBC News
- 
- 1991 Richard Thornburgh, United States Attorney General
- 
- 1990 United States Representative Patricia Schroeder, Colorado
- 
- 1989 William S. Sessions, Director, FBI
- 
- 1988 James McElhaney, Joseph C. Hostetler Professor of Trial Advocacy, Case Western Reserve University Law School
- 
- 1987 United States Senator Dale L. Bumpers, Arkansas
- 
- 1986 Irving Younger, Marvin J. Sonosky Professor of Law, University of Minnesota Law School
- 
- 1985 Justice Sandra Day O'Connor, Supreme Court of the United States
- 
- 1984 Donald Kaul, Columnist, *The Des Moines Tribune*
- 
- 1983 Robert E. White, Former United States Ambassador, El Salvador
- 
- 1982 United States Senator Charles Percy, Illinois
- 
- 1981 E. Lee Bailey, Nationally Renowned Trial Attorney
- 
- 1980 William Webster, Director, FBI
- 
- 1979 United States Senator William Proxmire, Wisconsin
- 
- 1978 Gerald Gunther, William Nelson Cromwell Professor of Law at Stanford University Law School
- 
- 1977 William Colby, Former Director, CIA
- 
- 1976 Chesterfield H. Smith, President, American Bar Association
- 
- 1975 Charles Kuralt, CBS News Correspondent
- 
- 1974 Elliott Richardson, Secretary of Defense and Former Attorney General of the United States
- 
- 1972 United States Senator Mark Hatfield, Washington
- 
- 1968 Chief Judge Charles S. Desmond, New York Court of Appeals
- 
- 1967 Emile T. Berman, Defense Attorney
- 
- 1966 Percy Mossle, Houston Defense Attorney
- 
- 1965 Thomas S. Lambert Jr., Counsel, United States Trial at Nuremberg
- 
- 1964 Bert H. Early, Executive Director, American Bar Association
- 
- 1963 Sylvester C. Smith, President, American Bar Association
- 
- 1960 Justice Thomas Clark, Supreme Court of the United States and Former United States Attorney General
- 
- 1958 William B. Lockhart, Dean, University of Minnesota
- 
- 1952 Howard L. Barkdull, President, American Bar Association
- 
- 1951 Albert J. Harno, University of Illinois Law School
- 
- 1950 Luther Hill, Publisher, *The Des Moines Register and Tribune*
- 
- 1949 Frank E. Homan, President, American Bar Association
- 
- 1948 Justice Maynard E. Pirsig, Minnesota Supreme Court and Professor, University of Minnesota
- 
- 1947 United States Senator Wayne Morse, Oregon
- 
- 1941 Justice Charles F. Wennerstrum, Supreme Court of Iowa
- 
- 1940 Harley Stipp, President, Iowa State Bar Association
- 
- 1916 Judge William H. McHenry

## Former Supreme Court Competition Finalists

### 2008

Ashley Dose  
Kevin Teets  
Jacob Lofgren  
Anna Katherine Ryon

### 2007

Jim Bryan  
Michael Gano  
Robert Hodges  
Emily Peebler

### 2006

Dan Anderson  
Jennifer Bennett  
James Bryan  
Geneva Williams

### 2005

Amber Brady  
Autumn Canny  
Matthew Eslick  
Tom Hutchins

### 2004

Jill Alesch  
Nichole Biglin  
Craig Drummond  
Thomas Hutchins

### 2003

Jill Alesch  
Ron Baily  
Pat Dillon  
Rubina Kazi

### 2002

Thomas Cope  
Rubina Kazi  
Anne Olson  
Jill Jensen-Welch

### 2001

Thomas Cope  
John Danos  
Jeff Link  
Brenda K. Quade

### 2000

Anne E. Crocker  
Lisa R. Lemons  
Brenda K. Quade  
Donald Stanley Jr.

### 1999

Stacie Barhorst  
Matt Haindfield  
Ryan Rohlfen  
Donald Stanley Jr.

### 1998

John Clendenin  
Christopher A. Kragnes  
Matt Haindfield  
Ryan Rohlfen

## Alumni of the Year Winners

### 2008

Alan Fredregill

### 2007

Bonnie J. Campbell  
Wayne L. Kern

### 2006

Rose A. Vasquez

### 2005

Russell C. Davis, Lt. Gen.,  
U.S. Air Force (Ret.)

### 2004

David L. Brown

### 2003

Gerard D. Neugent

### 2002

Michael Huston

### 2001

Edmund J. Sease

### 2000

Robert E. Dreher

### 1999

Ruth Babcock Klotz

### 1998

H. Richard Smith

### 1997

Marvin Duckworth

### 1996

Justice Marsha Ternus

### 1995

Benjamin B. Ullem

### 1993-94

Justice Louis A. Lavorato  
Don Muyskens

### 1992

Robert D. Ray  
Elwood Thomas

### 1991

William H. Englebrecht  
Roscoe Riemenschneider  
Charles R. Wasker

### 1990

Robert G. Allbee  
Donald C. Byers  
Edwin E. Ferguson Sr.

### 1989

Roxanne Conlin  
J. Rudolph (Steve) Hansen  
James L. Perkins

### 1988

Robert Helmick  
Joseph C. Howard  
Dwight D. Opperman

### 1987

Neal Smith  
Bea Smith

### 1986

Jake More  
Clark Mollenhoff  
Alfred Sulmonetti

### 1985

George G. Fagg  
Don Zarley

### 1984

M. Gene Blackburn  
Patrick D. Kelly  
C. Edwin Moore

# Student Bar Association Awards and Recognition of Achievement

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## STUDENT BAR ASSOCIATION 2008-09

### Officers

Amos Hill, President  
Sean Beaver, Vice President  
Natalie Perry, Secretary  
Meggan Guns, Treasurer  
Kiyoko Balk, American Bar Association Representative  
Emily Reninger, Faculty Representative  
Rick Grove, University Representative

### Third-Year Representatives

Adam Blank, Amanda Brookhyser, Kate Sherer, Meghann Sweeney

### Third-Year Honor Board Representative

Anton Smith

### Second-Year Representatives

Kristin Conway, Rolf Fiebigger, Nick Noble, Ayanna Watson

### Second-Year Honor Board Representative

Lindsay Hughes

### First-Year Representatives

Kevin Bell, Carrie Kobrinetz, Dionna Lewis, Megan Snyder

### First-Year Honor Board Representative

Jordan Navara

## STUDENT BAR ASSOCIATION PRESIDENT'S AWARDS

These awards honor persons who have made an extraordinary contribution to the success of the programs of the Student Bar Association or to the life of the student body as a whole.

## STUDENT BAR ASSOCIATION HONOR BOARD ADVOCATES

This award is in recognition of the winners' willingness to advocate on behalf of their classmates and colleagues.

2009 recipients: *Miriam Van Heukelem and Amanda Brookhyser*

All of the following awards will be presented at the Supreme Court Celebration Banquet

## STUDENT SERVICE AWARD

This award is in recognition of distinguished service to the Law School student body and community by a student.

2008 recipients: *Kendra Boatright, Amanda Brookhyser, Meggan Guns, Emiliano Lerda, Jean Venaglia*

## FACULTY AND STAFF SERVICE AWARD

This award is in recognition of distinguished service to the Law School student body and community by a faculty or staff member.

2008 recipients: *Susan Dittmer, Jerry Foxhoven, Bill Hennen, Susan Lerdal, Russell Lovell II*

## THE LELAND FORREST OUTSTANDING PROFESSOR AWARD

The recipient of this award is selected each year by students of the graduating class. The award recognizes outstanding contribution to quality legal education both in and out of the classroom.

2008 recipient: *Professor Matthew Dore*

## SHANE SWEENEY SUPPORTIVE SPOUSE AWARD

This award is given annually by the Drake Law School Council of Leaders in memory of Shane Sweeney. It recognizes the spouse of a law student who has shown outstanding support of his/her spouse and the Law School. Shane Sweeney was the spouse of Meghann Sweeney, 3L.

2008 recipient: *Shane Sweeney*

# Drake Law School Awards and Recognition of Achievement

## JEFFREY AND ELIZABETH GOODMAN DISTINGUISHED ADVOCATE AWARD

Jeffrey and Elizabeth Goodman Distinguished Advocate Award

This award was established in 2003 by Jeffrey and Elizabeth Goodman, 1985 graduates of the Drake Law School. Its purpose is to recognize a Drake Law School student who demonstrates excellence and proficiency in client representation and advocacy. The recipient receives a cash award.

2008 recipient: *Jacob Lofgren*

## INTERNATIONAL ACADEMY OF TRIAL LAWYERS

Each year the academy awards a certificate and cash award to the student who best demonstrates the qualities of a good trial practitioner based on his or her excellence in legal clinic courses.

2008 recipients: *Amber Hakes and Kathryn Kostelny*

## THE ROBERT J. KROMMINGA AWARD

This award is given to an outstanding clinical student in client representation and advocacy in the criminal defense program. This award is made possible by the Iowa Association of Criminal Defense Lawyers and is accompanied by a cash gift and a commemorative plaque.

2008 recipient: *Annie Fox*

## IOWA SUPREME COURT WRITING COMPETITION AWARDS

The Third Annual Drake University Law School Writing Competition problem asked students to evaluate the Postville raids. Students were specifically encouraged to address the government's decision to criminally prosecute undocumented aliens working in the Agriprocessors, Postville meat-processing plant. The competition is a collaboration between the Law School faculty, the Iowa Supreme Court, and the Iowa Bar Association. Student entries are evaluated by members of the Law School faculty, who select the five finalists. The first and second place awards are determined by the Iowa Supreme Court, who evaluate the five finalist entries. The first place entry receives, in addition to a generous cash award, publication in the Iowa Bar Association's monthly bar journal, *The Iowa Lawyer*.

2008 finalists:

First place: *Nathan Swanson*

Second place: *Adam Gregg*

Honorable mention: *Kyle Hanson, Brant Leonard, Mackenzie Brietenstein*

## THE TIMOTHY N. CARLUCCI AWARD

This award was established in honor and memory of Timothy N. Carlucci, LW'87. This award is given to the law student who best exemplifies civility and professionalism in his or her dealings with fellow students and others in the profession. The Timothy N. Carlucci Award is accompanied by a commemorative plaque and a cash award contributed by the Iowa Defense Counsel Association.

2008 recipients: *Sean Bagniewski, Victoria Morgan and Cyrus Sinclair*

## THE FERGUSON PRIZE

The Ferguson Prize Gold and Silver Awards are presented to the students who best exemplify the commitment of Drake Law School and the legal profession to public service and who have rendered outstanding service, primarily legal assistance, to eligible individuals or groups in the Law School Clinic or to other public service projects integrated with the Law School. The Ferguson Prize was established by Edwin Earle Ferguson Sr., LW'34. The Gold and Silver Awards are accompanied by cash gifts and commemorative plaques.

2008 recipients:

Gold Award: *Frederick Ebinger*

Silver Award: *Dustin Miller*

## THE MARTIN TOLLEFSON AWARD

The Student Bar Association created this award to recognize the student leader who best exemplifies the hopes and aspirations of the late Dean Tollefson. This award is the highest form of recognition for leadership and service contributions to Drake Law School. Selection for this cash award is by election of the graduating class. The award is accompanied by a cash gift and a commemorative plaque.

2008 recipients: *Sean Bagniewski and Andrew Wilcox*

## THE WILLIAM AND ELLEN COONEY HOYE AWARD

This award honors Justice David Harris, who served on the Iowa Supreme Court from 1972 to 1999. It is presented each spring to the graduating senior who, in the opinion of the faculty, demonstrates the greatest promise as an advocate, a public servant and a practitioner. Like Justice Harris, the recipient of this award has demonstrated not only academic promise, but also leadership ability, the speaking and writing skills of an effective advocate, and a commitment to public service and Drake Law School. The William, LW'86, and Ellen Cooney, LW'87, Hoye Award is accompanied by a cash gift and a commemorative plaque.

2008 recipient: *Nathan Swanson*

## DEAN'S SERVICE AWARDS

These awards are presented to students who have provided outstanding service to the Law School during 2008-09 school year.

Amanda Brookhyser, AAJ Mock Trial  
Emily Reninger, Alternative Dispute  
Resolution Society  
Kiyoko Balk, American Bar Association  
Laura Maring, American Civil  
Liberties Union  
Joseph Glazebrook, American  
Constitution Society  
Adrienne Sula, Animal Legal  
Defense Fund  
Ed Cox, Agricultural Law Association  
Philip Hover-Smoot, Arts & Law Society  
Mike Nguyen, Asian Pacific  
American Law Student Association  
Tameeka Purchase, Black Law  
Student Association

Adam Gregg, Bulldogs for Justice  
Jamie Krueger, Christian Legal Society  
Nick Bailey, Criminal Justice Society  
Meghann Sweeney, Delta Theta Phi  
Law Fraternity  
Sean Conner, Drake Law Democrats  
Nicole Woodroffe, Drake  
Law Republicans  
Josh Patrick, *Drake Law Review*  
Rebecca Moore, Drake Law Women  
Brendon Moe, Drake Outlaws  
Charles Isaacson, Environmental  
Law Society  
Erica Nichols, Equal Justice Works  
Adam Gregg, The Federalist Society



James Larsen, Hispanic Law  
Student Association  
Ashley Schoonover, International  
Law Society  
Jonathan Soike, Intellectual Property  
Law Society  
Maria Brownell, *Journal of  
Agricultural Law*

Erin Grundy, Moot Court Board  
Jenn Miller, National Lawyers Guild  
Adam Price, Second Amendment  
Shooting Club  
Shannon Redd, Sports &  
Entertainment Law Society  
Amos Hill, Student Bar Association

## Law Review Awards and Recognition of Achievement

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### THE DRAKE LAW REVIEW

The *Drake Law Review* is published four times each year. The *Review* is edited and prepared by student editors and staff. Students are chosen on the basis of high scholastic achievement and writing ability.

#### Editorial Board 2008–09

Joshua R. Patrick, Editor in Chief  
Jay P. Syverson, Executive Editor  
Katharine E. Sherer, Research Editor  
Jamie R. Krueger, Projects Editor  
Ashleigh E. O'Connell, Managing Editor  
Jason T. Pleggenkühle, Production Editor  
Ashley L. Dose, Note Editor  
Erica A. Nichols, Note Editor  
Justin J. Randall, Article Editor  
Miriam D. Van Heukelem, Article Editor

#### Associate Editors

Nicholas A. Bailey  
Valerie J. Boland  
Joshua A. Gaul

#### Senior Staff

Scott A. Hall  
Elizabeth R. Meyer  
Joseph S. Powell

#### Faculty Adviser

Keith C. Miller

#### Junior Staff

Teresa Abney  
Ryan Babich  
Sam Benham  
MacKenzie Breitenstein  
Erin Chaput  
Ricardo Cordova  
Phillip De Koster  
Tyler Eason  
Michael Eganhouse  
John Ewing  
Nicole Facio  
Christian Fassilius

Sean Flood  
Zachary Hindman  
Lindsay Hughes  
Chris Kemp  
Charles Larson  
Peter Leo  
Marek Olearnik  
Adam Price  
David Rossi  
Jordan Smith  
Chris Steffe  
Britt Teply  
Scott Wadding

All awards will be presented at the *Law Review* Dinner

### THE H.G. CARTWRIGHT LAW REVIEW AWARD

This annual cash award is presented to the student who submits the best Note to the *Drake Law Review* during the year. The award is named in honor of the late Harold G. Cartwright, LW'25, who participated actively in founding the *Law Review* and who was a loyal supporter of the Law School.

2008 recipient: Amber L. Juffer

### THE JEFF GILBERT MEMORIAL WRITING AWARD

This award is named in honor of the late Jeffrey S. Gilbert, a member of the Class of 1986 who was named to the 1985–86 editorial board shortly before his untimely death in 1985. The award is presented to the junior staff member who has made the greatest contribution to the success of the *Drake Law Review*.

2008 recipient: Jay Syverson

### THE MORRIS A. HAFT AWARD

This Annual award, established by Howard S. Haft, LW'53, in honor of his father Morris A. Haft Esq., recognizes the role of the *Law Review* in fostering the ardent study and scholarly discussion of law which Morris A. Haft personally championed and exemplified in his life and practice. The Award is given to the graduating member of the *Law Review* staff or editorial board who, through individual effort, service and leadership, has contributed most to the overall success and quality of the *Law Review* during the student's membership on the *Review*.

2008 recipient: Andrew M. Wilcox

### FRIEND OF THE LAW REVIEW

This award is presented to the Drake Law School staff member whose contributions toward the *Law Review* and support of the students have made the *Law Review* a success this year.

2008 recipient: Sherry VonBehren

## The Drake Journal of Agricultural Law Awards and Recognition of Achievement

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### THE DRAKE JOURNAL OF AGRICULTURAL LAW

The *Drake Journal of Agricultural Law* was initiated in the fall of 1994. The *Journal's* focus is to provide a quality publication to benefit the courts, practicing attorneys, professors, students and others in the community who are interested in researching international and domestic matters relating to agricultural and food law.

#### Editorial Board 2008–09

Maria Brownell, Editor in Chief  
Chris McClure, Executive Editor  
Reed Baessler, Article Editor  
Josh Borchert, Article Editor  
Jenny Smith, Article Editor  
Ed Cox, Note Editor  
Lee Henderson, Note Editor  
Matt O'Hollearn, Note Editor  
Ann Coenen-Davis, Research Editor  
Ethan Epley, Research Editor  
Rebecca Moore, Research Editor  
Dena Morgan, Production Editor  
Brad Massey, Managing Editor  
Amanda Brookhyser, Associate Editor

#### Junior Board Members

Michael Bousselot  
Timothy Carey  
Tyler Eason  
Joseph Glazebrook  
Meggan Gums  
Aunnaley Hasler  
Natasha Heinen  
Zachary Hindman  
Nicholas Noble  
Matteew Sease  
Robert Stewart

Senior Editors  
Jonathan Levy  
Jon Sievers

Faculty Adviser  
Neil Hamilton

Editorial Staff  
Joseph Danielson  
Angela Davis  
Delia DiVenere  
Jonah Dyer  
Julie Gray  
Halley Griess  
Aunnaley Hasler  
Ryan Holtgraves  
Matt Kaufman

James Larsen  
Jenna Lain  
Sh'Myra Moore  
Chris Natynski  
Mike Nguyen  
Chris Nydle  
Courtney Petty  
Amanda Reiss  
Justin Rodgers  
Stephanie Schultz

All awards will be presented at the *Drake Journal of Agricultural Law* Dinner

#### FRIEND OF THE JOURNAL

This award is presented to an individual who has offered his or her support and assistance to the *Journal of Agricultural Law*. This individual is not a staff member of the *Journal*, but through giving of time and effort helped to make it a success.

2008 recipient: Sherry VonBehren

#### THE OUTSTANDING NOTE AWARD

2008 recipient: Courtney Jayde Barnes  
2008 honorable mention: Jacob R. Lofgren

#### THE OUTSTANDING BOARD MEMBER AWARD

This award is presented annually to a member of the editorial board to recognize outstanding commitment and dedication to the *Drake Journal of Agricultural Law*.

2008 recipient: Jon Hibshman

#### THE OUTSTANDING 3RD YEAR AWARD

This award is presented annually to a member of the *Journal* staff who is a third-year law student. This award recognizes outstanding commitment and dedication to the *Journal*.

2008 recipient: Tony Crnic

#### THE OUTSTANDING EDITORIAL STAFF MEMBER AWARD

This award is presented annually to a member of the *Journal* staff who is a second-year law student. The award recognizes outstanding commitment and dedication to the *Journal*.

2008 recipient: Maria Brownell

## Moot Court Awards and Recognition of Achievement

#### MOOT COURT BOARD

The Drake Law School Moot Court Program consists of six intramural competitions and 10 inter-law school competitions conducted at various times throughout the school year. The Moot Court Board members are responsible for organizing all aspects of each team's involvement in the moot court competitions. In addition, the members serve as student coaches to the competitors.

#### Moot Court Board 2008-09

Erin Grundy, President  
Michele Warnock, Vice President  
Shannon Archer, Treasurer  
Philip De Koster, Secretary

#### Senior Board Members

Ashleigh O'Connell  
Emily Reninger  
Ashley Tousley

All awards will be presented at the Moot Court Board Luncheon.

#### DAVIS, BROWN, KOEHN, SHORS & ROBERTS PC AWARDS FOR EXCELLENCE

This award is presented to the four finalists in the Supreme Court Celebration Moot Court Competition, and a luncheon is hosted at the firm in their honor.

2008 recipients: Ashley Dose, Kevin Teets, Jacob Lofgren, Anna Katherine Ryon

#### THE RODNEY L. HUDSON SENIOR ADVOCACY AWARD

Each year this award is presented to a senior student who is judged by the moot court adviser to have given outstanding overall performance in moot court competitions throughout his or her law school career. The annual cash award is funded by the Rodney L. Hudson Family Foundation established in honor of Rodney L. Hudson, LW'16, whose career exemplified excellence in advocacy.

2008 recipient: Jacob Lofgren

#### THE M. GENE BLACKBURN AWARD

This annual cash award, funded by the Cedar Rapids, IA, law firm of Simmons Perrine Moyer & Bergman, is presented to the student who submits the best brief for the Supreme Court Celebration Moot Court Competition. The recipient is chosen on the basis of superior writing skills that communicate an issue position based upon an innovative, creative and concise approach. The award is named for M. Gene Blackburn, LW'55, in recognition of his dedication to the development of appellate advocacy while a professor at Drake Law School.

2008 recipient: Anna Katherine Ryon

#### DRAKE LAW SCHOOL ALUMNI SERVICE AWARD

This award is given annually to an alumnus or alumna for his or her generosity and dedication to the Drake Law School Moot Court Program.

2008 recipient: Matthew Eslick

## ORDER OF THE BARRISTERS

The Order of the Barristers is a national society whose purpose is to recognize special efforts and contributions to moot court programs in American law schools. Membership is voted on the basis of outstanding participation in moot court competitions and service to the Drake Moot Court Board.

### *Order of the Barristers 2008*

Aimee Kathleen Clayton  
Joseph D. Crisp  
Amanda Ann James  
Andrea Lynn Jensen  
Karen Leigh Karr

Kristi Lea Kielhorn  
Jacob Robert Lofgren  
Victoria Paulette Nwasike  
Katarzyna Panaszek  
Elias Ryan Swanson

## HONORARY MEMBER OF THE ORDER OF THE BARRISTERS

This award is given annually to an alumnus, alumna or friend of Drake in recognition of his or her contribution to the Moot Court Program and example as an outstanding advocate in practice.

*2008 recipient: Steven Foritano*

## APPELLATE COMPETITIONS

### NATIONAL MOOT COURT COMPETITION

The National Moot Court Competition is an inter-law-school appellate competition sponsored each year by the Young Lawyers Committee of the Association of the Bar of the City of New York and the American College of Trial Lawyers. Both teams competed in regional competition in November in Iowa City. The Drake team of Ashley Dose, Kevin Teets and Tyler Eason placed second in the region and had the third place brief regionally. Kevin Teets was named Best Oralist in the final round. That team competed in the National Finals in New York City in January and was a quarterfinalist team with the third place national brief. The team of Erin Grundy, Miriam Van Heukelem and Zach Hindman was the third place team regionally and had the fourth place regional brief. Erin Grundy was named Best Oralist through the quarterfinals and Miriam Van Heukelem was named one of the top six regional oralists.

Both teams were coached by Professor Laurie Dore and their participation was supported by Whitfield and Eddy.

### *2008-09 National Moot Court Teams*

Ashley Dose                      Erin Grundy  
Kevin Teets                      Miriam Van Heukelem  
Tyler Eason                      Zachary Hindman

### AMERICAN BAR ASSOCIATION NATIONAL APPELLATE ADVOCACY

The National Appellate Advocacy Competition is sponsored by the American Bar Association.

The teams were coached by Drake alumnus Donn Stanley.

### *2008-09 ABA National Appellate Advocacy Team*

Michele Warnock              Sean Beaver  
Philip DeKoster              Robert Stewart  
Peter Leo                      Erin Grundy

## INTELLECTUAL PROPERTY COMPETITION

The Giles Sutherland Rich Moot Court Competition is sponsored by the American Intellectual Property Law Association.

The team was coached by alums Jill Link of McKee, Voorhees & Sease, and Wendy K. Marsh of Nyemaster Goode.

### *2008-09 Intellectual Property Team*

Julia Ofenbakh  
Matthew Sease  
Jon Soike  
Chris Steffe

## TRIAL COMPETITIONS

### THE AMERICAN ASSOCIATION OF JUSTICE MOCK TRIAL COMPETITION

The AAJ Mock Trial Competition is an inter-law school trial advocacy competition sponsored by the American Trial Lawyers Association. The team competed in Chicago in February. The Drake team's participation is funded by Galligan, Doyle, & Reid.

The team was coached by Matthew Eslick and Kurt Van Thomme.

### *2008-09 AAJ Mock Trial Team*

Amanda Brookhyser  
Peter Larkin  
Timothy Carey  
Kevin Hathaway  
Richard Grove

Angela Davis  
Natasha Heinen  
Pamela Simons  
Michael Bousset

### NATIONAL MOCK TRIAL COMPETITION

The National Mock Trial Competition is an inter-law school trial advocacy competition sponsored by the Texas Young Lawyers Association. The team competed in Des Moines for the regional trial competition. The team of Shannon Archer and Steve Cooper came in as a finalist team.

The team was coached by Steve Foritano and Mike Salvner.

### *2008-09 National Mock Trial Team*

Shannon Archer  
Steve Cooper  
Kevin Teets  
Nicholas Noble  
Luke Craven

## SKILL COMPETITIONS

### NEGOTIATIONS COMPETITION

The Negotiations Competition is sponsored by the American Bar Association. The regional tournament was held in Omaha, NE, in November 2008.

Both the Negotiations Team and Client Counseling Team were coached by Cory Abbas.

### *2008-09 Negotiations Team*

Nicole Olson  
Rachel Davis  
Tameeka Purchase  
Wendy Bucy

## CLIENT COUNSELING

The Client Counseling Competition is sponsored by the American Bar Association. The Teams competed in St. Paul, MN, and the team of Wendy Bucy and Jenna Green was a finalist team.

### 2008-09 Client Counseling Team

Jenna Green  
Wendy Bucy  
Elizabeth Meyer  
Curt Steger

## MEDIATION COMPETITIONS

### THE MEDIATION TRAINING TOURNAMENT AT MAHARISHI UNIVERSITY OF MANAGEMENT

The Mediation Training Tournament at Maharishi University of Management is sponsored by the International Academy of Dispute Resolution. The tournament was held in Fairfield, IA, in September 2008.

The team was coached by Richard Calkins.

### 2008-09 Mediation Team

Wendy Bucy  
Richard Grove  
Luke Hansen

### THE INTERNATIONAL MEDIATION TOURNAMENT AT UNIVERSITY OF WESTMINSTER

The International Mediation Tournament at University of Westminster is sponsored by the University of Westminster. The tournament was held in London in November of 2008 and the team's participation was sponsored by Calkins Mediation Services.

The team was coached by Richard Calkins and Magda Beme.

### 2008-09 Mediation Team

Emily Reninger  
Meghann Sweeney  
Adrienne Sula

### THE INTERNATIONAL MEDIATION TOURNAMENT

The International Mediation Tournament is sponsored by the International Academy of Dispute Resolution.

The teams were coached by Richard Calkins, Magda Beme and Jennifer James.

### 2008-09 Mediation Team 1

Emily Reninger  
Adrienne Sula  
Meghann Sweeney

### 2008-09 Mediation Team 3

John Ewing  
Janelle Gates  
Luke Hansen

### 2008-09 Mediation Team 2

Kiyoko Balk  
Peter Gierut  
Tom Harbaugh

### 2008-09 Mediation Team 4

Kevin Bell  
Hugh Boles  
Wendy Bucy  
Machelle Crum

## THE ORDER OF THE COIF

Drake Law School's chapter of the Order of the Coif, the national law school scholastic honor society, was chartered in 1951. Members are selected annually from students who rank in the top 10 percent of the graduating class.

### Members elected in 2008

Scott Behrens  
Amber Hakes  
Kyle Hanson  
Anders Helquist  
Amber Juffer  
Eric Long

Daniel Saar  
Jamie Secory  
Stephen Skram  
Bradley Strouse  
Christopher Talcott  
Christian Walk  
Andrew Wilcox

## CALI EXCELLENCE FOR THE FUTURE AWARDS

The CALI Excellence for the Future Awards are given to students attaining the highest grade for selected courses leading to a JD degree.

### Fall 2007

Scott Behrens, Class  
Action/Complex Litigation  
Samuel Bellham, Criminal Law  
Sydney Conrad, Administrative Law  
Phillip De Koster, Contracts I  
Frederick Ebinger, Natural Resources  
Christian Fasselius, Civil Procedure I  
Christian Fasselius, Torts  
Annie Fox, Criminal Procedure I (tie)  
Amber Hakes, Psychiatry And The Law  
Kyle Hanson, Trial Advocacy  
Zachary Hindman, Civil Procedure I  
Zachary Hindman, Criminal Law  
Zachary Hindman, Torts  
Jordan Kaplan, Income Tax (tie)  
Jordan Kaplan, Torts-Advanced Problems  
Amy Kotwani, Consumer Protection  
Eric Long, Family Law  
Jessica Maffitt, Civil Rights  
Karin McDougal, Secured Transactions  
Bren Mollerup, Insurance Law  
Erica Nichols, Federal Criminal Law  
Matthew O'Hollearn, Criminal Procedure I (tie)  
Tyler Patrick, Constitutional Law II  
Nicholas Platt, Evidence  
Suppression Motions  
Nicholas Platt, Trial Advocacy  
Jason Pleggenkuhle, Legislation  
Joseph Powell, Remedies  
Bradley Powers, Evidence  
Bradley Powers, Patent Law  
Adam Price, Contracts I  
Alissa Renfrow, Workers Compensation  
Evan Schwab, Domestic Violence Practicum  
Jaime Secory, Intro To Health Law (tie)  
Jonathan Soike, INTL  
Intellectual Property Law

Jody Sours, Federal Estate & Gift Tax  
Mary Spellman, International Human Rights Seminar  
Nathan Swanson, International Trade  
Nathan Swanson, Women and the Law  
Jay Syverson, Business Associations  
Jay Syverson, Constitutional Law II  
Jay Syverson, Election Law  
Jay Syverson, Income Tax (tie)  
Christopher Talcott, Agricultural Law  
Christian Walk, Federal Jurisdiction  
Christian Walk, Labor Law I  
Christian Walk, Wills And Trusts  
Michele Warnock, Intro To Health Law (tie)  
Andrew Wilcox, Real Estate Transactions

### Spring 2008

Teresa Abney, Contracts II  
Nicholas Bailey, Products Liability  
MacKenzie Breitenstein, Civil Procedure II  
MacKenzie Breitenstein, Constitutional Law I  
MacKenzie Breitenstein, Property  
Erin Chaput, Civil Procedure II  
Sydney Conrad-Cook, Bioethics and the Law  
Steven Cooper, Trial Advocacy  
Philip De Koster, Contracts II  
Philip De Koster, Property  
Seth Delutri, Debtor-Creditor Law  
Miriam Epstein (Van Heukelem), Education Law  
Christian Fasselius, Constitutional Law I  
Annie Fox, Criminal Procedure II: Prosecution

Erin Grundy, State and Local Government Law  
 Kyle Hanson, Constitutional Litigation  
 Kyle Hanson, Death Penalty  
 Kevin Hathaway, Property  
 Kristin Herrera, Death Penalty  
 Jonathan Hibshman, Special Topic - Legal Issue Wind Energy  
 Emily Hippen, Business Taxation  
 Kyle Krause, Children and the Law  
 Eric Long, Criminal Procedure I  
 Eric Long, Environmental Law  
 Jessica Maffitt, Sexuality and the Law  
 Jennifer McCarville, Business Associations  
 Tiffany Meredith, Bioethics and the Law  
 Tiffany Meredith, Public Health Law & Policy  
 Elizabeth Meyer, Family Law  
 Katarzyna Panaszek, Antitrust  
 Katarzyna Panaszek, Will Draft General Practice  
 Tyler Patrick, Gaming Law

Joseph Powell, Employment Discrimination Lit  
 Justin Randall, Trial Advocacy  
 Emily Reninger, Sexuality and the Law  
 Daniel Saar, Mass Media Law  
 Daniel Saar, Wills and Trusts  
 Jaime Secory, Agency-Partnership-Unincor Business Association  
 Jaime Secory, Bioethics and the Law  
 Jaime Secory, Land Use Control  
 Nicholas Shaull, Administrative Law  
 Jon Sievers, Patent Office Practice  
 Jonathan Soike, Copyright Law  
 Mary Spellman, Immigration Law  
 Curt Steger, Pretrial Advocacy  
 Jay Syverson, Evidence  
 Jay Syverson, Securities Law  
 Chris Talcott, Business Planning  
 Christopher Talcott, Environmental Law  
 Steven Waechter, Public International Law  
 Michele Warnock, Legal Ethics and Professional Responsibilities  
 Jason Yates, Indian Law

#### INNS OF COURT

American Inns of Court have been formed throughout the United States for the purpose of promoting and improving trial and appellate advocacy skills, adherence to ethical ideals and professionalism among members. Members, who are limited in number to 65, include judges, senior and new attorneys, and law students who meet regularly throughout the year to participate in demonstrations of forensic techniques, critiques and evaluations, and collegial discussion and dining. Two Inns of Court have been formed in Des Moines, and Drake Law students and faculty are members of each.

##### *Blackstone Inn of Court*

Ellen L. Yee, Master of the Bench  
 Shannon Archer  
 Amanda Brookhyser  
 Nicholas Cooper  
 Joshua A. Gaul  
 Jay Grimes  
 Meggan L. Guns  
 Lee D. Henderson  
 David James  
 Erin C. Lain  
 Braddock A. Massey  
 Brad Powers  
 Joshua Reicks  
 Jon B. Sievers  
 Curt Steger  
 Robert Stewart  
 Curt Steger  
 Robert Stewart  
 Michele Warnock

##### *G. Edwin Moore Inn of Court*

Laurie K. Doré, Master of the Bench  
 Nicholas A. Bailey  
 Erin Grundy  
 Matt O'Hollearn  
 Justin Randall  
 Todd T. Smith  
 Mary K. Spellman  
 Kevin W. Teets, Jr.  
 Lynzey R. Tharp  
 Miriam D. Van Heukelem

#### VOLUNTEER INCOME TAX ASSISTANCE (VITA) PROGRAM 2009

VITA is a joint project of the American Bar Association Law Student Division and the Internal Revenue Service. Volunteers render public service in the form of advice and assistance in preparing income tax returns for low income and elder persons.

Nicholas A. Bailey, Chair  
 Charles E. Isaacson, Committee Member  
 Melissa Larson, Committee Member  
 Teresa M. Abney  
 Kevin J. Bell  
 Samuel K. Benham  
 Edward E. Cox  
 Benjamin J. Ennen  
 Theresa E. Hassler  
 Melissa Martinez Huss  
 Blake D. Lubinus  
 Gary E. Oldenburger  
 Rebecca N. Schott  
 Christopher R. Steffe  
 Jamie L. Steffens  
 Emily K. Tisinger  
 Sandra P. Trevino

#### STUDENT AMBASSADORS

Student Ambassadors are student volunteers selected to assist the Admissions Office in representing the Law School to students visiting the campus.

##### *3L Student Ambassadors*

Shannon Archer  
 Jamie Krueger  
 Dena Morgan  
 Erica Nichols  
 Emily Reninger

##### *1L Student Ambassadors*

Kathryn Baird  
 Erin Benoy  
 Adam Bowton  
 Alli Condra  
 Keith Duffy  
 Katie Graham  
 Daniel Herting  
 Jonathan Holscher  
 Shireen Hutchins  
 Katie Kowalczyk  
 Melissa Larson  
 April Murtha-Fratzke  
 Jacqueline Sweet  
 Sara Vanderpool

##### *2L Student Ambassadors*

Phil De Koster  
 Peter Gierut  
 Kim Opatz  
 Shannon Reed  
 Holly Ross  
 Katie Tushaus  
 Adrienne Voelker

#### DRAKE UNIVERSITY LAW SCHOOL FACULTY AND ADMINISTRATIVE STAFF

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 WILLIAM D. HENNAN, Assistant Dean and Director of Continuing Legal Education  
 JERRY FOXHOVEN, Executive Director of the Neal & Bea Smith Legal Clinic, Director of the Middleton Children's Rights Center, Assistant Professor of Law

JASON ALLEN, Assistant Director of Admission  
J. KARA BLANCHARD, Director of Admission and Financial Aid  
SUSAN DITTMER, Budget and Office Manager  
TRISHA A. FILLBACH, Director of Career Development  
JENNIFER ALLAMBY, Major Gift Officer  
MICHAEL NORRIS, Assistant Director of Admission and Financial Aid  
JAMES R. SCHNEIDER, Clinical Operations Manager  
CAROLE A. TILLOTSON, Assistant Director of Career Development

#### **FACULTY**

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Director of the Middleton Children's Rights Center, Assistant Professor of Law  
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MELISSA H. WERESH, Director of Legal Writing and Professor of Law  
ELLEN YEE, Assistant Professor of Law  
PETER YU, Kern Family Chair in Intellectual Property Law & Director,  
Intellectual Property Law Center and Professor of Law

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Professor of Law Librarianship

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SARA LOWE, Reference Librarian and Assistant Professor of Law Librarianship  
DEBORAH E. SULZBACH, Acquisitions/Reference Librarian and Associate Professor of  
Law Librarianship  
JULIE A. THOMAS, Technical Services Librarian and Acting Assistant Director of  
Law Librarianship  
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Law Librarianship

#### **STAFF**

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and Constitutional Law Center  
KATHY BOWEN, Technical Administrative Assistant  
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MARCY BURKHEAD, Administrative Assistant – Records  
SHAUNARAE BURY, Legal Assistant Civil/Elder Law – Neal & Bea Smith Legal Clinic  
KELLI CARTER, Administrative Assistant – Admissions/Financial Aid  
LANDRA CARTY, Administrative Assistant – Library  
MARA DEATON, Legal Assistant – Criminal Defense Clinic, Neal & Bea Smith Legal Clinic  
CATHERINE FITZGERALD, Receptionist – Neal & Bea Smith Legal Clinic  
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*Summer 2008, Fall 2008 & Spring 2009*

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Jane Lorentzen, LW'92, Des Moines, IA  
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Bill Raisch, LW'74, Urbandale, IA  
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David Rich, LW'84, Aurora, CO  
Steve Schoenebaum, LW'70, Clive, IA  
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Honorable D.J. Stovall, LW'82, Ankeny, IA  
Kermit Sutton, LW'74, Naples, FL  
Brooke Timmer, LW'06, West Des Moines, IA  
Sheila Tipton, LW'80, Clive, IA  
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Ta-Yu Yang, LW'87, Des Moines, IA

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Dennis T. Olson II, LW'01, and Anne N. Olson, LW'02  
Dwight D. Opperman, LW'51  
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Edmund J., LW'67, and Barbara A. Sease  
Mark C. Smith, LW'73, and Artis I. Reis  
The Hon. Neal E., LW'50, and Bea, LW'50, Smith  
Thomas E., LW'79, and Paula Stanberry  
Kermit S., LW'74, and Jenny W. Sutton  
Johnny C. Taylor Jr., LW'92, and Charlotte Smith-Taylor  
Drew R., LW'55, and Karla B. Tillotson  
Benjamin B., LA'66, LW'69, and Martha S., ED'66, Ullem  
David S. and Sara K., LW'83, Walker  
Larry F. Witte, LW'71  
Markham L., LW'79, and Ellen C. Zobrist  
Thomas M., LW'74, and Barbara M., ED'90, Zurek