



joseph.kearney@marquette.edu  
(414) 288-1955

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Dear Future Marquette Lawyer,

Permit me to welcome you to the beginning of the 100th academic year since our forebears at Milwaukee Law School had the great good fortune to be adopted by Marquette University. Over the course of the years since 1908, the Law School has been an important part of the historic Jesuit mission of providing a superb education to the diverse and ever-changing residents of America's great cities. While the essence of our mission as a law school has remained constant, there is each year (each semester, really) enough news that I seek to distill it for you in a letter such as this.

**1. New Students at the Law School.** Permit me to begin with a few words to the returning students among you concerning your new colleagues. We welcomed last week to our first-year class 182 full-time and 42 part-time students. There is almost no end to the statistics that one could generate about these new students who emerged from a total of 1,843 applicants—a median LSAT of 157, a median undergraduate GPA of 3.44, 54.5% men and 45.5% women, 15.2% minorities, 92 undergraduate schools and 42 college majors represented, 65.2% Wisconsin residents (59.9% among the full-time students), an average age of 23.7 years old for full-time students and 30.0 years old for part-time students, and an age range from 20 to 54 years old. We are also pleased to welcome an outstanding group of 15 transfer students who spent their first year of law school elsewhere. I would ask each of you returning students to join us in helping your new colleagues make the transition to law school generally (in the case of first-years) or Marquette Law School particularly (transfer students). I told the first-year students last week that they can learn much from you as returning students because, of course, You Are Marquette. I thank you for the *cura personalis* that I am sure you will demonstrate to your new colleagues.

**2. The Ongoing Project for Law School Advancement.** We were busy while most of you were away over the summer. The details, while astonishing, are sufficiently well known that the more dramatic aspects can be stated succinctly. On May 4, 2007, the day after many of you had taken your last exam, we announced that Raymond Eckstein, a Marquette lawyer from the Class of 1949, together with his wife, Kathryn Eckstein, herself a holder of a Marquette University degree, were making a gift of \$51 million to support the construction of a new law school. This gift, which is on a very short list as among the largest ever to any law school, was national news. From the *Wall Street Journal*, where the gift was highlighted in a feature article, to the *Milwaukee Journal Sentinel*, where it was the lead story, to numerous other media outlets, this extraordinary gift and the university and the law school that had garnered it received great attention. On behalf of all of us at the Law School, I am so grateful to Ray and Kay for their regard for the role of the University and the Law School in their own formations, for their belief in what we are doing here today, and for their remarkable generosity. We are working toward the day that Eckstein Hall rises on Tory Hill.

Then there was the announcement made on August 21, the day before classes started last week, of a gift of \$30 million by Joseph J. Zilber, a Marquette lawyer from the Class of 1941. Mr. Zilber directed that his gift be allocated five-sixths to support student scholarships and one-sixth to support the construction of the new building. Here again we had a story that seized the front-page headlines of the local newspaper but also was widely disseminated nationally, especially in educational and philanthropic circles. I wish to reiterate what I said last week concerning Joe's gift: his belief in the future of the Law School and what it can contribute to this great region is inspiring.

The Eckstein and Zilber gifts, in combination with other commitments that we have received (a number of which were not specifically solicited, for the project is moving more quickly than our plans to solicit support), mean that we have raised approximately \$60 million toward the projected \$80 million cost of the new building. We work closely with the University's Vice President for Finance and others (more on this later in the letter), and we seek to raise another \$12 million in cash or pledges by the end of this calendar year. If we succeed in this—and I am optimistic that with the help of our alumni and friends we *will* succeed in this—we will break ground next spring. Even so, we do not yet know that the building can be constructed in time for the 2009-10 academic year, but that will be our goal.

**3. The New Building More Specifically.** As for the new building itself, we have spent the summer in what is known as the design-development phase of the project. We have been hard at work ensuring that program elements (e.g., classrooms, library, offices, student spaces) are effectively located and designed. This process has been led by Tom Ganey, the University's architect. Working with Mr. Ganey (and with our design architect, Shepley Bulfinch Richardson & Abbott, of Boston, and our construction architect, Opus North, from Milwaukee) have been members of the Law School's administration, faculty, and student body. I am especially grateful to ten of you—David Conway, Kail Decker, Steven DeVougas, Joseph Ditlow, Anne Jaspers, Joseph LaDien, Carolyn Parkinson, Joan Shepard, Charles Stone, and Tonya Turchik—who participated in various work groups this summer to ensure that the concerns and interests of students, the primary inhabitants of the new building, are reflected and honored in its design.

Many details remain, but some things are sufficiently clear that they can be reported here. Eckstein Hall will sit just east of the Haggerty Art Museum and just south of the Gesu Parish Center and O'Hara Hall. It thus will be at the southeastern edge of campus, where the highways north from Chicago, south from Green Bay, and east from Madison all converge, at the Marquette Interchange. It will be a signature building on a signature site. In its exterior aspect, the building will be noble, bold, harmonious, dramatic, confident, slightly willful, and, in a word, great. From our work this summer, I can state the interior of the building will be just as extraordinary. It will inspire and convey a sense of community, for both inhabitants and visitors. Its dominant interior feature will be the Zilber Forum, a spacious gathering and meeting space which will be the heart of the building. All aspects of the program will revolve around this forum—research, teaching, dining, conferencing—all of the vibrant life that defines a great law school. While I eschew hyperbole about the Law School, I will nonetheless say that, with Father Wild's support and leadership, we are on the cusp of constructing the best law school building in the country. That is the standard that Jim Janz, L'64, a trustee of the University and member of our Building Steering Committee, suggested before a single sketch was drawn.

**4. Why All of This Should Matter to You.** I recognize that most of you will not experience the new building as students, for you will have graduated by the time Eckstein Hall is dedicated, hopefully (albeit not certainly) some twenty-four months from now. It is nonetheless

clear to me that many—indeed, most—of you have significant interest in the project. And rightly so, for several reasons.

First, many of you take genuine pride in the gathering enthusiasm for Marquette Law School—your law school. All of this is unfolding because we are holding ourselves to a standard of excellence, and it thus is a reminder that you should be doing the same, both with us and of yourselves. If we can construct the best law school building in the country—and we can—there is much else as well that we and you can do that none of us have ever done before.

Second, I hope that many of you will frequently return to the Law School even once you are Marquette lawyers and are thus no longer enrolled in classes here. As I sometimes say to our graduating students, those of you who remain in Wisconsin should be among us often—whether to use the library, or to help coach a moot court team, or to join us for one of our programs. On this last point, the number of speakers, conferences, and forums we host is growing exponentially. One key example is that since Mike Gousha joined us, just at the beginning of this calendar year, we have hosted policymakers and other newsmakers at a significant rate. Permit me simply to highlight some of the individuals who will visit us this semester at Marquette Law School to speak “On the Issues with Mike Gousha”: In addition to *Milwaukee Journal Sentinel* Editor-in-Chief Marty Kaiser, who came earlier this week, we will host Charlie Sykes, talk radio host and author (Sept. 13); Cory Nettles, former State Commerce Secretary and Milwaukee lawyer (Sept. 25); Scott Walker, Milwaukee County Executive (Sept. 26); Kevin Merida, *Washington Post* Associate Editor and author of a book about Justice Clarence Thomas (Sept. 26); the Archbishop of Milwaukee, the Most Reverend Timothy M. Dolan (Oct. 4); State Senators Alberta Darling (a Republican) and Lena Taylor (a Democrat), jointly (Oct. 9); Jim Lehrer, PBS news anchor and author (Oct. 12); Tim Hoeksema, Midwest Airlines CEO (Oct. 17); Dean Strang, former Federal Public Defender and the lead defense attorney in the Steven Avery murder trial (Oct. 23); and (on Oct. 25) Rev. Robert A. Wild, S.J., who is now in his twelfth year as President of the University and who is the person who deserves the most credit for the exciting developments at the Law School over the past decade.

There are many other programs at the Law School this semester—including a sports-law conference, the prestigious Boden Lecture featuring a renowned scholar in dispute resolution, a conference on the law and popular culture, and a conference on restorative justice—and I would not wish my point to become obscured in the midst of an impressive catalogue of events (all of which will be set forth on our website). My point is that the Law School does things now that even a year ago were not in our repertoire. I hope that we will be able to make the same statement five or ten or twenty years hence—or whenever it is that Eckstein Hall will no longer be regarded as the “new home” of Marquette University Law School. If we work as hard then as we do now, and if our efforts continue to receive support, I am confident the statement will continue to be true.

**5. New Faculty.** I have saved for last the most immediately important aspect of this update. We reap the fruits now of an extraordinary amount of work done by my colleagues on the faculty last year, in which we hired four new full-time faculty members beginning this year. Three of these new colleagues have joined us already (the fourth will arrive in January). Two of them teach and write primarily in the area of intellectual property. **Bruce E. Boyden** joins us after eight years of practice at Proskauer Rose LLP in Washington, D.C. and New York, particularly focusing on information technology issues, including copyright, digital rights management, privacy law, e-commerce, domain names, and computer trespass, and after serving last year as a visiting faculty member at Washington & Lee University; he is a graduate of Yale Law School.

**Kali N. Murray**, whose law degree is from Duke University School of Law, joins us after three years teaching at the University of Mississippi Law School and three previous years working as an attorney at Venable, LLP, in Washington, D.C., focusing on patent and copyright litigation. In addition, we have hired two new faculty in the business law area. **Nadelle Grossman**, a Tulane Law School graduate who practiced for the past seven-plus years as an attorney in the corporate, banking, and business section of Fulbright & Jaworski in Houston, is already on board. She will be complemented in the corporate-law or transactional curriculum by our fourth new full-time faculty member, about whom I will write upon his arrival in January. I am delighted that the results of these additions to our faculty are an expansion of our intellectual property faculty to three individuals (for Professors Boyden and Murray join Professor Irene Calboli), a number that we have never previously reached, and a significant strengthening as well of our business curriculum. In addition, I am very pleased that **Richard M. Esenberg**, a former partner at Foley & Lardner and a Harvard Law School graduate who also has extensive legal and public-policy experience in this community, has agreed to join us as a visiting faculty member.

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Truly this is an exciting time at the Law School. An extraordinary number of individuals, both within the Law School and beyond, are essential to these advances. I wish particularly to note that many dedicated Marquette employees *outside* of the Law School are working hard to advance the Law School, beginning with Father Wild but including as well countless dedicated individuals—from the Office of the University Architect to the Department of University Advancement to the Office of the Provost and the Office of Finance (and many other places in between). My colleagues and I at the Law School are exceedingly grateful to all of these Marquette colleagues.

Another group to whom we owe much is those who have gone before us, in particular our alumni, whose labors since 1908 have made the term with which I greeted you—"future Marquette lawyer"—a meaningful one. This was evident, for example, in this past Sunday's *Milwaukee Journal Sentinel*, where one could read separately about Joseph J. Zilber, L'41, or his long-time associate, Jerry Stein, L'62, or, sadly, the late Patrick M. Ryan, L'69. Pat was the managing partner of Quarles & Brady, a leader in this community in ways too numerous to recount, and a friend to the Law School. Like Mr. Zilber and Mr. Stein, whose work continues, Pat never forgot his *alma mater*; indeed, Pat's and my most recent conversations all concerned his enthusiasm for the future of his—our—law school. Pat Ryan was a great lawyer and leader, and it should not escape us that Pat's work in the public interest should continue as well, and that it falls to each of us, including each of you, to ensure that it does.

Please accept my best wishes as we move forward into the semester.

Sincerely,



Joseph D. Kearney  
Dean and Professor of Law