

# CLASS | NOTES

1973



**Christine M. Wiseman** retired as president of St. Xavier University in Chicago at the end of 2016.

1981

**Ronald R. Hofer** has been named by the National Judicial College (NJC) in Reno, Nev., as the first distinguished professor in the college's 53-year history. He has taught at the NJC since 1994.

1982



**Donald W. Layden, Jr.**, received the Todd Wehr Volunteer Award from the Association of Fundraising Professionals

Southeastern Wisconsin Chapter. He was nominated by the Nathan and Esther Pelz Holocaust Education Resource Center of the Milwaukee Jewish Federation.

1988



**Robert J. Janssen** has opened a new practice in Green Bay. Through the firm, Janssen Law, he will continue to concentrate in the areas of personal

injury, worker's compensation, and civil litigation.

1993

**Patrick E. Kelly** has been appointed deputy supreme knight of the Knights of Columbus, the order's second in command. Kelly serves as executive director of the Saint John Paul II National Shrine in Washington, D.C., and previously held positions in the federal government, including the U.S. Department of Justice.

1995



**Scott J. Yauck** received honorable mention in the *Milwaukee Business Journal's* Executive of the Year awards. He is president and CEO

of Cobalt Partners, a Milwaukee-based real estate development firm.

1997

**Evan N. Claditis**, an attorney in the Milwaukee office of Hupy & Abraham, has joined by invitation the "National Trial Lawyers: Top 100 Lawyers List."

1999

**Mary T. Wagner** recently published *Finnigan the Circus Cat*, which previously won first place in the genre "Unpublished Children's Chapter Book" in the Royal Palm Literary Awards hosted by the Florida Writers Association. Wagner is a part-time assistant district attorney in Sheboygan, Wis.

Quarles & Brady recently announced that three Marquette lawyers, formerly associates in its Milwaukee office, have become partners in the firm:

**Joel A. Austin, L'06**, intellectual property, with an emphasis on patent defense, enforcement, and prosecution of mechanical and electrical technologies

**Hillary J. Wucherer, L'08**, intellectual property, including trademark law and client counseling in copyright, licensing, and other matters

**Katrene L. Zelenovskiy, L'08**, business law, including mergers and acquisitions, private equity and venture capital, and corporate finance



SUGGESTIONS FOR CLASS NOTES may be emailed to [christine.wv@marquette.edu](mailto:christine.wv@marquette.edu). We are especially interested in accomplishments that do not recur annually. Personal matters such as wedding and birth or adoption announcements are welcome. We update postings of class notes weekly at [law.marquette.edu](http://law.marquette.edu).

## 2001

**Mollie A. Newcomb** has joined Ryan Kromholz & Manion, an intellectual property law firm, in Brookfield, Wis.

## 2003

**Marybeth Herbst-Flagstad** has been named the first general counsel for Rogers Behavioral Health in Milwaukee.



**Tara Devine**, a partner at Salvi, Schostok & Pritchard, in Waukegan, Ill., recently obtained an \$18.5 million settlement on

behalf of a child who suffered brain damage due to a clinic's failure to diagnose meningitis. Devine also was named the top female "Emerging Lawyer in the State of Illinois" by the Law Bulletin Publishing Company.

## 2004

**Timothy J. Casey** has accepted a position as general counsel and chief compliance officer with Numotion, a medical device company in Nashville, Tenn.



**Robert W. Habich** has joined Davis & Kuelthau's real estate and finance practice group in Milwaukee.

## 2005



**Danielle M. Bergner** has been named managing partner for Michael Best & Friedrich's Milwaukee office.

## 2006

**Linsey R. Neyt** has been promoted to partner at Levenfeld Pearlstein, Chicago, where she is a member of the firm's real estate practice, representing commercial landlords and tenants.

**Sara B. Andrew** has succeeded her father, Louis J. Andrew, Jr., L'66, as president of Andrew Law Offices in Fond du Lac, Wis.

## 2007



**Michelle Eaton Scimecca** recently became a shareholder in the Minneapolis office of Vogel Law Firm, where she focuses her

practice on employment and family-based immigration. Her clients include multinational corporations, health care organizations,

educational institutions, and individual foreign nationals.

## 2008

**JoHannah Torkelson** has become vice president at Venn Strategies, a government relations and public affairs firm in Washington, D.C. Its public health clients include the Campaign to End Obesity and the University of Wisconsin Hospital and Clinics.

**Dera L. Johnsen-Tracy**, of Horn & Johnsen in Madison, was chosen as the State Bar of Wisconsin's 2016 Pro Bono Attorney of the Year.

## 2009

**Brandon C. Casey** has been named Democratic chief of staff for the U.S. House of Representatives Ways and Means Committee. He most recently served as legislative director and tax counsel for Rep. Richard Neal (D-Mass.), the committee's ranking member.



**Peter M. Young** was chosen as the Wisconsin Association for Justice's 2016 Outstanding Young Trial Lawyer. He is a shareholder at

Habush Habush & Rottier and practices ►►

The following Marquette lawyers have joined von Briesen & Roper in Milwaukee.

**Ann K. Chandler, L'87**  
**Adam R. Finkel, L'10**  
**Aaron J. Foley, L'07**  
**Andrew T. Frost, L'10**  
**Daniel B. McDermott, L'07**

**Randy S. Nelson, L'77**  
**Richard J. Rakita, L'70**  
**David J. Roettgers, L'82**  
**Robert B. Teuber, L'00**

## JUSTICE DAVID PROSSER

### A “Homer” Hits Home Runs with Law Clerks from Marquette

David Prosser said he wanted to be a homer as a justice of the Wisconsin Supreme Court.

A homer, as in someone who favors the home team—in a very specific sense. Prosser’s home team was Wisconsin, and he made a decision, after then-Gov. Tommy G. Thompson appointed him to succeed Justice Janine P. Geske, L’75. Prosser decided that he was going to seek law clerks who had graduated from the two law schools in the state: Prosser’s own alma mater, the University of Wisconsin, and Marquette University.

“I wanted to be a homer in that sense, and it never damaged me in any way,” he said. “In fact, I was always pursuing my best interests. The objective always was to get the smartest person I could find and, at the same time, support our state’s two law schools.”

In Prosser’s view, he got those smart people, and they did great work for him. From the standpoint of Marquette Law School, his approach meant great opportunities for a stream of students and graduates.

Prosser served on the high court for 18 years, winning election twice and retiring in 2016. Of the 18 clerks who worked with him, each for one-year appointments, nine came from Marquette Law School, eight had graduated from the University of Wisconsin, and one was from the College of Law at Northern Illinois University (but was a Wisconsin native).

“Marquette Law School sent me nine spectacular law clerks. Not one of them let me down in any way. Every one of them was stellar,” Prosser said.

Prosser said that he knew little about the workings of the Supreme Court at the time of his appointment. He was a member of the Wisconsin Tax Appeals Commission but had never been a judge. Most of his career had been spent as a Republican legislator from Appleton, rising to the position of speaker of the Assembly.

Prosser said that after his appointment, someone suggested he get in touch with Joseph D. Kearney, then a law professor at Marquette and someone

whom Prosser had not met. Prosser said Kearney, now dean, helped him “immeasurably” over the years.

That was especially true of the selection of Prosser’s first clerk, Allan Foeckler, L’98. Foeckler had just graduated from the Law School, and his coursework his final year had included the Supreme Court Seminar, taught by Kearney in his first year on the faculty. Foeckler “worked out perfectly” and became an important figure in Prosser’s adjustment to being on the court, Prosser said. Foeckler is now an attorney with Cannon & Dunphy, based in the firm’s office in Brookfield, Wis.

Prosser can easily list all of his clerks who were Marquette lawyers, and he is effusive about each of them. They can be found, like Foeckler, in the practice of law (**Philip Babler, L’11**, with Foley & Lardner in Milwaukee, and **Kurt Simatic, L’12**, with the Waukesha office of Husch Blackwell) or the community (**Tyson Ciepluch, L’00**, in Milwaukee); on the bench (**Tom Hruz, L’02**, a judge on the Wisconsin Court of Appeals, and **Cynthia Davis, L’06**, now a Milwaukee County Circuit Court judge); and in any number of other places: e.g., **David Strifling, L’04**, is director of the Water Law and Policy Initiative at Marquette Law School; **Joshua Byers, L’08**, runs a family business, Automotive Color & Supply Corp., in Fort Wayne, Ind.; and **Joel Graczyk, L’15**, stayed on at the court an extra year to clerk for Wisconsin Supreme Court Justice Rebecca Bradley. Prosser is proud of the fact that three of his clerks are now judges. In addition to Hruz and Davis, Clayton Kawski, the Northern Illinois graduate, is now on the Dane County Circuit Court.

Each justice on the Wisconsin high court has one clerk, one judicial assistant, and several interns. “Marquette has always supplied excellent interns,” Prosser said.

Prosser described the importance of the relationship between a justice and a clerk. “At least for a year, my law clerk is, among other things, my best friend,” he said. “It’s someone I have to put



all of my trust in. And I did. No law clerk ever let me down.” The relationship is intense and very personal.

“You have to have law clerks who are prepared to disagree with you and explain why,” he said. “I relied very heavily on my law clerks to put something in front of me. On the other hand, I didn’t necessarily accept what they wrote.” But their views were important, Prosser said, and on occasion could even persuade him—and move him then to persuade his colleagues on the court—that his initial view was not correct.

Clerks need to be excellent researchers and writers, Prosser said. In his case, they generally wrote the first draft of opinions—an important part of the process of reaching a decision.

Yet there is also a human relations element of the job of law clerks. Part of their job for Prosser was to mentor and manage the interns on the staff. Beyond that, it is no secret that some Wisconsin Supreme Court justices have had not only philosophical differences with other justices but also personal differences. In some instances, Prosser said, the clerks for the justices have played important roles in communicating among the justices and moving matters toward decisions by the court.

Reflecting on his clerks from Marquette Law School, Prosser said, “This is an all-star list of people—an absolutely all-star list of people.”

From the Law School’s vantage, Prosser played an all-star role in making it possible for so many graduates fresh out of school to have the valuable experience of clerking for a justice of the state Supreme Court. ■

in the firm’s Wausau, Rhinelander, and Stevens Point offices.



**John G. Long** is of counsel in the Dallas, Tex., office of Jackson Lewis. Formerly with Michael Best & Friedrich in Austin, Tex., he advises and represents educational

institutions, athletic conferences, coaches, and athletes in a broad range of collegiate sports law matters.

## 2010

**Russell J. Karnes** has joined Gimbel, Reilly, Guerin & Brown, in Milwaukee.

## 2011

**Rachel L. Lindsay** will be featured in ABC’s “The Bachelorette 2017” this summer.

**Zachary R. Willenbrink** recently joined Godfrey & Kahn, Milwaukee, as an associate.

## 2012

**Jacqueline L. Messler** recently joined Davis & Kuelthau, Milwaukee, as an associate focusing on estate planning, tax law, and small business law.

**Rachel T. Bernstein** was named community and hospital development manager within the Organ Procurement Organization, a department of the BloodCenter of Wisconsin.

**Kristin R. Pierre** has joined Axley Brynelson’s Madison office in its litigation practice group. ▶▶

**40 Under 40**

Two Marquette lawyers were among the *Milwaukee Business Journal's* "40 Under 40" for 2017. Named for their accomplishments and, in particular, for the difference they are making in the community, they were among the honorees at a February 21, 2017, awards event at the Pfister Hotel in Milwaukee. They are **Denise Greathouse, L'05**, Michael Best & Friedrich (below, left), and **Steven M. DeVougas, L'07**, Quarles & Brady (below, right).



**Melissa R. Soberalski** has opened a solo practice in Milwaukee, Soberalski Immigration Law. She also has been appointed to the Milwaukee County Personnel Review Board.

**2013**

**Justin P. Webb**, of Reinhart Boerner Van Deuren, has been named to the Wisconsin Humane Society Young Leaders Advisory Board.

**Nicole L. Cameli**, formerly mergers and acquisitions counsel for Emerson Corporate in St. Louis, is now counsel for Emerson's Commercial and

Residential Solutions platform in its Kennesaw, Ga., office.

**Amanda A. Bowen** has joined The Schroeder Group, Waukesha, where she practices in trusts and estates.

**2014**

**Kristen D. Hardy** has been promoted to compliance counsel at Rockwell Automation.

Employment data for recent classes, including 2015 and 2016, are available at [law.marquette.edu/career-planning/welcome](http://law.marquette.edu/career-planning/welcome).

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**Contact: John Novotny or Christine Wilczynski-Vogel**

414.288.5285 or [john.novotny@marquette.edu](mailto:john.novotny@marquette.edu)

414.288.3167 or [christine.wv@marquette.edu](mailto:christine.wv@marquette.edu)



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## That Time When Ray Eckstein Guarded George Mikan

People know Ray Eckstein, L'49, and his wife, Kay, Speech '49, for being among the most generous donors in Marquette University history. Their landmark donations include \$51 million for construction of the Law School building, which opened in 2010 and is named in their honor. And earlier this year, the university announced that the Ecksteins have pledged \$10 million, as a matching challenge, toward the construction of a new undergraduate dormitory, to be named after Rev. Robert A. Wild, S.J., former Marquette University president.

But if you ask Ray Eckstein, he will tell you, "My claim to fame was to play basketball against George Mikan."

Eckstein grew up in Cassville, in southwestern Wisconsin, and was a basketball standout in high school at Campion Academy, the Jesuit school in nearby Prairie du Chien. That led to playing for Marquette.

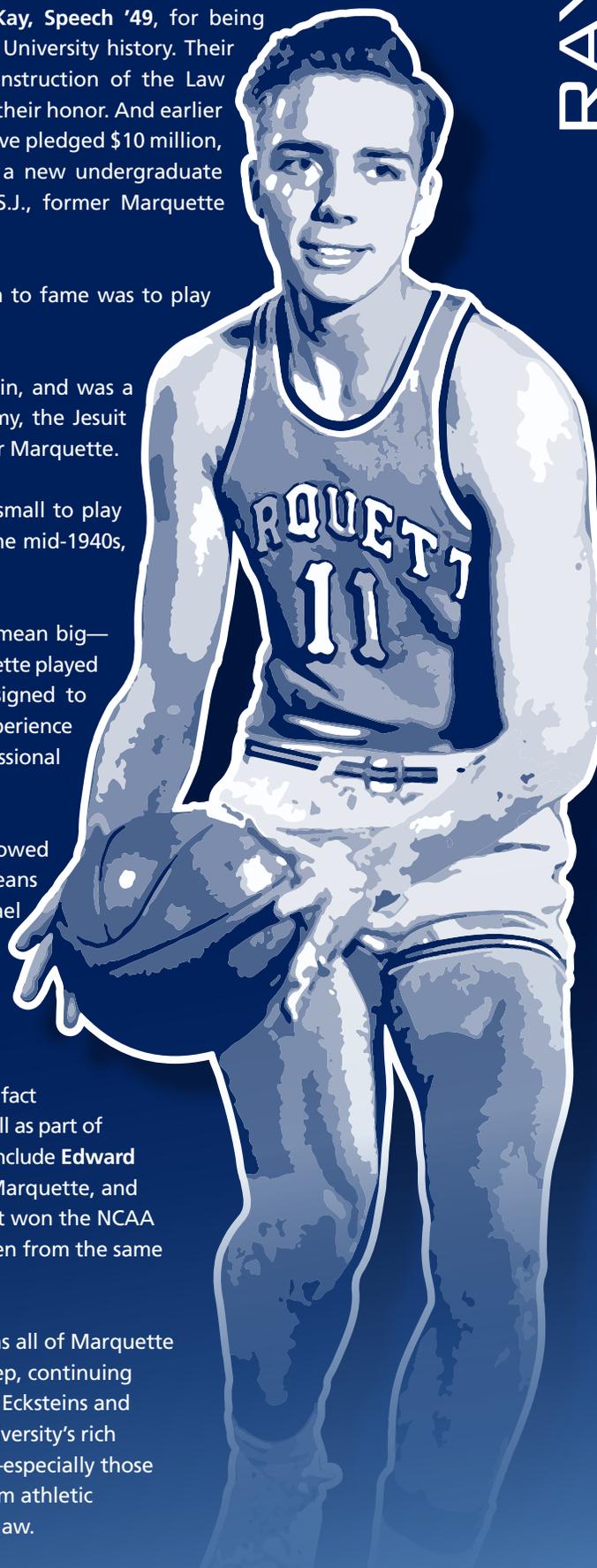
By today's standards, Eckstein probably would be too small to play at the college level—5 feet 11 inches. But, he says, in the mid-1940s, there weren't many players over 6 feet tall.

Mikan was a big—and, at 6 feet 10 inches tall, we do mean big—exception. He played for DePaul University. When Marquette played DePaul, Eckstein was one of two or three players assigned to guard him—at the same time. Eckstein said that the experience with Mikan, who went on to be one of the first professional basketball superstars, stays with him.

A few years ago, his children made donations that allowed Eckstein to play in a charity golf tournament in New Orleans in a foursome that included basketball legend Michael Jordan. Eckstein said Jordan wanted to know how good Mikan really was. The answer: "He was good—but not as good as you."

As Marquette celebrates the 100th anniversary of its intercollegiate basketball program, let us take note of the fact that at least 40 Marquette lawyers played varsity basketball as part of their Marquette experience. In addition to Eckstein, they include **Edward "Boops" Mullen, L'36**, the first All-American player for Marquette, and **Ulice Payne, L'82**, a member of the Marquette team that won the NCAA championship in 1977. The ranks also include two women from the same law class (L'91): **Patrice A. Baker** and **Susan C. Schill**.

The Law School joins all of Marquette in expressing its deep, continuing appreciation to the Ecksteins and in honoring the university's rich basketball history—especially those who have gone from athletic courts to courts of law.



RAY  
ECKSTEIN

1944-1945