



### A note from Dean Brennan

Spring is finally here in the Bluegrass, bringing warmer weather and thoughts of growth and renewal. Graduation is coming just around the corner, and our third-year students will be joining you as fellow alumni. It will not be long before they are looking back, at their time at UK Law, and remembering their former professors - professors like Scott Bauries, Chris Frost, and Bob Lawson - who continue to impact their community through their involvement in the 2011 Kentucky Legislative Session, or others, like Richard Ausness and Sarah Welling, who are producing work that is cited by the U.S. Supreme Court. Perhaps our newest alumni will be reminded, as they grow in their careers, of their law school successes on a mock trial or moot court team, or of the quality scholarship they produced on one of UK Law's journals.

As this academic year comes to a close, it is a continual source of pride and encouragement to me to see so much excellence in our students and faculty, and I look forward to what the future will bring for all members of our UK Law family. I hope this springtime issue of Law Notes Online finds you well.

Sincerely,

DAVID A. BRENNEN  
DEAN AND LARAMIE L. LEATHERMAN PROFESSOR OF LAW

### Richard Ausness and Sarah Welling Cited by U.S. Supreme Court

The U.S. Supreme court cited works by two UK Law professors earlier this year. In February, Justice Sonia Sotomayor referenced Richard Ausness' article, "Unavoidable Unsafe Products and Strict Products Liability: What Liability Rule Should be Applied to the Sellers of Pharmaceutical Products?" in her dissent to the Court's opinion in *Bruesewitz v. Wyeth*, which affirmed that the National Childhood Vaccine Injury Act of 1986 preempts all design defect claims against vaccine manufacturers. The article was originally published in volume 78 of the *Kentucky Law Journal*.

In March, Justice Samuel Alito cited Professor Sarah Welling's forthcoming treatise, *Wright and Welling, Federal Practice and Procedure* (West, 2011) in his opinion for the majority in *Wall v. Kholi*, which dealt with the Anti-Terrorism and Effective Death Penalty Act of 1996 and whether an application for state post-conviction review "stops the clock" on the one-year statute of limitations for filing habeas corpus petitions.

"This is one of the great things about writing on the law: it's rarely compartmentalized, and your work can filter into many different outlets," Ausness said. "This was exciting news for me, and for the *Law Journal*."

### STUDENT NOTES

*Congratulations to the following UK Law students and organizations!*

**Tia Combs** and **Zachary Horn** finished in the top sixteen at the Conrad Duberstein Competition in March.

**Zachary Becker** and **John Sosbe** advanced to the octofinals of the Evans Constitutional Law Moot Court Competition last month. Zachary won first place for best oral advocate.

The **Kentucky Journal of Equine, Agriculture, and Natural Resources Law** (KJEANRL) was ranked by Washington and Lee University School of Law as one of the top 100 law journals of 2010.

**Kristy Avery, Chris Henderson, Kirby Smith** and **Nicole Tarrence** came in 3rd place at the National Black Law Students Association Midwest Regional Round of the Thurgood Marshall Mock Trial Competition, advancing them to the national competition.

**Adam Bowling** and **Josh Hicks** won the 7th Circuit Regional Trial Competition in March, sending them to the National Trial Competition in Houston this month.

**Peter Maskow** and **Jesse Parrish** won the National Energy Law Moot Court Competition on April 2.

## FACULTY NOTES



**Kent Barnett** presented his article, "The Consumer Financial Protection Bureau's Appointment with Trouble" at a symposium on the Dodd-Frank Act at American University's Washington College of Law in March. The paper will be published in the *American University Law Review* this summer.



**Scott Bauries** has two articles that will appear in the *School Finance* volume of a multi-volume set entitled *Debating Issues in American Education* to be published by SAGE. He was invited to speak with the Kentucky Senate Democratic Caucus as to the requirements for amending the federal Constitution under Article

V, in preparation for Senator Rand Paul's presentation calling for a federal constitutional convention through state legislative petition. The measure passed the Senate, but died in the House.



**Jennifer Bird-Pollan** participated in the Southwest Junior Scholars' Conference at Arizona State University in March. She gave a presentation on the taxation of Sovereign Wealth Funds.



**Chris Frost** published two articles in the *Bankruptcy Law Letter*: "Initial Transferee or Mere Conduit: The Seventh Circuit Takes a Stab at a Slippery Concept" in the February 2011 issue, and "Inching Toward Workability: The Supreme Court Adds to its BAPCPA Jurisprudence" in the March 2011

issue. He testified, along with John McGarvey and 2L Derek Hall, before the Senate Agriculture Committee on three separate occasions regarding livestock seller's liens (SB 94). They assisted the Legislative Research Commission in drafting legislation that passed the Senate but did not pass the House.

For more information on these and other stories, visit [law.uky.edu](http://law.uky.edu)



**Louise Graham** was honored with two awards in March: the Women's Law Caucus Faculty Achievement Award, and the Sarah Bennett Holmes Faculty Award.



**Robert Lawson's** work on penal reform was brought into the spotlight in February when Kentucky Governor Steve Beshear signed House Bill 463, which aims to cut the state's incarceration costs. Lawson, who wrote most of Kentucky's penal code, has written extensively on the need for reform, and was cited by lawmakers debating the bill.



**Sarah Welling** did a two-day presentation on March 24 and 25, on new jury instructions for the Sixth Circuit Pattern Jury Instruction Committee. On March 30, she and 3L Alicia Harden presented a poster on jury instruction research at University of Kentucky celebration of endowed scholars.

### Upcoming CLE Events

- **26th Annual Conference on Equine Law**  
May 4 & 5, 2011  
Embassy Suites Hotel, Lexington, Kentucky
- **Collection Law Conference**  
May 19, 2011  
UK College of Law
- **15th Biennial Judge Joe Lee Bankruptcy Institute**  
June 2 & 3, 2011  
Crown Plaza Hotel, Lexington, Kentucky
- **"Cheap and Easy CLE Program"**  
June 10, 2011  
UK College of Law
- **Last Chance Video**  
June 29 & 30, 2011  
UK College of Law
- **38th Annual Midwest-Midsouth Estate Planning Institute**  
July 21 & 22, 2011  
UK College of Law

## CLASS NOTES

**Lindsay A. Cordes** (2010) practices family law with the firm of Fernandez, Haynes & Kohn, in their Louisville office.

**Hunter Mobley** (2010) is enrolled in the Tax LL.M. program at New York University. He will practice with the Nashville firm of Howard & Mobley this summer.

**Amanda G. Simmons** (2003) has joined the firm of Shutts & Bowen. She practices in the areas of construction litigation and equine law, out of their Orlando, Fl. office.

**G. David McClure, Jr.** (2001) has joined the Louisville firm of Middleton Reutlinger. He practices in the areas of patents and intellectual property.

**LaToi D. Mayo** (2001) has joined the firm of Littler Mendelson, in their Lexington office. She focuses her practice on labor and employment, and immigration law.

**Robb Farmer** (1994) is the Assistant Director for Research and Instructional Services at the Faulkner University Thomas Goode Jones School of Law Library.

**Barry Norfleet** (1992) has joined Farmers Bank and Capital Trust Co. in Frankfort as Senior Vice-President, Senior Trust Officer and Legal Counsel.

In January, **Teresa Isaac** (1979) led four campaign strategy and election workshops for women in Uganda.

**Carson Porter** (1970) is a partner at Rimon Law Group in the firm's healthcare, mergers and acquisitions and non-profit practice groups. He will work out of their new Washington, D.C. office.

**Joe B. Campbell** (1968) joined the firm of Hughes & Coleman in 2010, and has started a complex litigation department, operating out of their Bowling Green, Ky. office.

**Morell E. Mullins** (1967), Professor Emeritus at the University of Arkansas at Little Rock, William H. Bowen School of Law will serve as the main program planner for the Practical Animal Law Continuing Legal Education program this month.

Join us for the first annual  
**UK College of Law  
Golf Tournament!**

May 9, 2011  
Champion Trace Golf Club  
Nicholasville, KY

It's an exciting time at the College of Law. We recently celebrated the graduation of our 100th law school class. We have also increased academic and professional opportunities to enhance our students' law school experience.

To help fund these programs, the College of Law will host its first annual golf tournament, at the world-class Champion Trace Golf Club. Individual registration is only \$150, and includes golf, a commemorative gift, lunch, and soft drinks. Form your own team or make new friends by allowing us to pair you with other College of Law alumni and friends.

*We appreciate your support on May 9th and look forward to working with you to make sure the College of Law's next 100 years are as successful as its first.*

For more information, or to register, visit:  
[www.law.uky.edu/golftournament](http://www.law.uky.edu/golftournament)



***Not a member of the Alumni Association?  
Now is the time to join!***

The annual dues are only \$35 and go to support many Law School activities including class reunions, 3L Picnic, KBA alumni reception, 3L composites, regional alumni receptions and so much more. To join, contact Christina Briggs at 859-257-3103.

**Keep in Touch**

**Be part of your Law Notes and contact  
Christina Briggs at [uklawalumni@uky.edu](mailto:uklawalumni@uky.edu)**