



LAW LINES

Volume 31, No. 2

Winter 2008

President's Message Andrew Tschinkel



LLAGNY members started 2008 by gathering for a fabulous Winter

Meeting at Tavern on the Green. The meeting was a wonderful opportunity to start the new year by renewing relationships with old friends and meeting new professional contacts. Congratulations to the Special Events Committee co-chairs, June Berger, Karen Provost and Tania Danielson, for a successful event. A big thank you goes out to Carol Barra and her team at LexisNexis for sponsoring the meeting. The Winter Meeting is only the first of many excellent opportunities in the coming months for LLAGNY members to learn, instruct and collaborate.

MLS students are invited to attend three upcoming LLAGNY student relations events: an "Introduction to Lexis for

MLS Students" on Tuesday, February 12th, an "Introduction to Westlaw for MLS Students on Tuesday, February 26th and the "Annual Student Breakfast & Library Tour" to be held at Sullivan and Cromwell on Tuesday, March 11th. A big thank you to LexisNexis for sponsoring the breakfast. Please contact Student Relations committee co-chairs, Teresa Tully or Megan Scanlon for all the details.

The Education Committee is hard at work on several excellent programs. LLAGNY's educational offerings are always well received and attendance at each class is a terrific benefit of membership. Space is limited, so watch the LLAGNY web site for the dates and times of future programs, and RSVP right away; seating fills up quickly!

President's Message continued on p.2

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Bridge the Gap, LLAGNY's annual program to enhance the legal research skills of new associates, will be held on Friday, March 28, at the Association of the Bar of the City of New York. Please contact Richard Tuske at the City Bar or Ralph Monaco at the New York Law Institute for information.

The LLAGNY Government Relations Committee continues to lead our association's efforts to promote more open access to government documents: federal, state and local. A recent letter, written by the committee on behalf of LLAGNY, to the New York City Department of Records and Information, commented insightfully on the proposed new rules of access to the NYC Archives. Committee chairperson, Laird Ehlert, reiterated LLAGNY's long standing open access policies to archives officials, while also praising the archives staff for their highly professional efforts to preserve city records for both current users and future generations. LLAGNY joins with many other library associations, in fashioning a balance between the privacy rights of the individuals, cited in government documents, and the societal need, in a democratic system, to support freedom of information laws. The LLAGNY Government Relations Committee welcomes your comments and invites your participation in furthering these goals.

Please consider donating to the LLAGNY Grants and Scholarship Fund. This year's Grants and Scholarship co-chairs, Gloria Goldberg of White and

Case and Ted Pollack at the New York County public access library will be happy to answer your questions about donations to the Fund. A donor form is available on the LLAGNY Web site: <http://www.aallnet.org/chapter/llagny/GrantsScholarships.html>. Donating to the LLAGNY Grants and Scholarship Fund is a great way to promote the profession and foster a new generation of law librarians.

It is not too early to make your plans for attending the 2008 AALL Annual Meeting and Conference, July 12-15, in Portland, Oregon. The theme of this year's conference is Energize, Explore, Evolve. LLAGNY members will be doing all of these things and more while in Portland. I encourage you to contact LLAGNY's Volunteer Committee co-chairs John Campbell and Jeff Buckley to learn how you can help make LLAGNY's participation in AALL as successful as possible. Once again Thomson Scientific will sponsor the Joint Cocktail reception for the LLAGNY/ALLUNY/NJLLA chapters. The reception is scheduled for Monday, July 14, 2008. Please watch the LLAGNY list serv for additional details and RSVP information when it becomes available.

Save the date! This year's Annual Meeting/June Dinner will be held on Wednesday, June 11th and I am pleased to announce that the event will be held in the Pegasus Suite at the Rainbow Room. I hope you will join your LLAGNY colleagues at this elegant location.



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Legal Research: Tracking and Updating New York State Administrative Rules and Regulations

William H. Manz, St. John's University School of Law

This article is adapted from one previously published in the New York State Bar Association Journal.

Tracking and updating New York State administrative rules and regulations can be difficult and unfamiliar task for many researchers. Prior to the publication, the rule-making process involves the preparation of a regulatory impact statement, regulatory flexibility analyses, and a job impact statement are prepared, followed by obtaining approval to proceed from the Governor's Office of Regulatory Reform. Finally, the proposed rule is then submitted to the Department of State for publication, accompanied by the impact statements and flexibility analyses.

New and proposed regulations appear in *State Register*, which has been published since April 1979. Once the notice of a proposed rule appears in the *State Register*, there is a 45- or 60-day period for public commentary, either at a scheduled public hearing or by written communication to the agency or department involved. Unless substantial changes are required, necessitating another notice in the *Register* and an additional 30-day comment period, the agency or department adopts the final rule and files the text, along with an Assessment of Public Comment, with the Department of State's Division of Administrative Rules. A notice of adoption then appears in the *State Register*. Unlike the *Federal Register*, the *State Register* contains the full text

of only a few proposed or new regulations. If the relevant regulation exceeds 2,000 words or if the agency or department in question chooses to do so, only a summary appears. Those seeking the full text of the summaries should contact the department or agency representative listed as the contact in the *Register* notice. Eventually the full text of the rule is published in the *Official Compilation of Codes, Rules and Regulations*, popularly known as the NYCRR.

Prior to publication in the NYCRR, a copy of a regulation, usually signed by a commissioner, is forwarded to the Department of State. Editorial work is then done by the Department, which enters additions and deletions, and then prints out a hardcopy version. This is proofread and revised before being sent electronically to Thomson West for publication. Ideally, new inserts for the NYCRR are supposed to be ready on the 15th and 30th of each month, but publication of the *State Register*, which must appear on a weekly basis, takes precedence over updating the contents of the NYCRR, which can cause a delay in issuing updates, creating the so-called "gap" in coverage.

Similar gaps exist for electronic versions. Since they mirror the print version, the Thomson West electronic



products are only as current as the last loose-leaf update. In contrast, LRS's unofficial version, which is updated when new regulations are received directly from the agencies involved, is more current. Similarly, LexisNexis and Loislaw databases also include changes made since the last updating of the official NYCRR.

Unfortunately for those who wish to keep track of rule changes, the *State Register* table of contents and action pending index do not indicate which title and section of the NYCRR would be affected by proposed regulatory changes. There is also no state-published equivalent of the *Code of Federal Regulations Sections Affected* for the NYCRR. However, James R. Sahlem, director of the Supreme Court Library at Buffalo, compiles *NYCRR Sections Affected*, which is updated twice monthly, and provided to subscribers electronically, free of charge. Arranged by title and section, it notes any new or proposed regulations, and those which have been added to, amended, renumbered, or repealed. Also included are the dates a regulatory action was noted in the *State Register* and if applicable, the effective date.

Other methods of tracking regulations include making a standing request with the relevant agency or department, and checking commercial publications or agency/department-published bulletins or newsletters such as the DEC's *Environmental Notice Bulletin*. Online tracking services are available on LexisNexis, Westlaw, State Net (a service of Information of Public Affairs in Sacramento), the Legislative Retrieval System, and possibly at selected

individual agency or department Web sites.

Obtaining historical information about state rules and regulations varies in difficulty. Access to back issues of the *State Register* should present few problems since it is held in hardcopy by a large number of depository libraries, and a complete set of back issues, published on microfiche by the William S. Hein Co., is also widely available. As for online availability, issues of the *State Register* published since June 25, 2003, are available free in pdf format at the Department of State Web site (<http://www.dos.state.ny.us/info/register.htm>), as well as on LexisNexis (since issue 48 of 1997). However, locating the text of superseded regulations from the NYCRR can be difficult. It involves using loose-leaf pages, known as "take-outs," which were removed from the binders when new supplementation was received.

The take-outs are not widely available. Most libraries that receive the NYCRR, including those at the New York Law Institute and the Association of the Bar of the City of New York, do not retain them. Major libraries with complete collections of take-outs include the State Library in Albany, the Fourth Department Library in Rochester, and the Supreme Court Library at Buffalo. The University of Buffalo Law Library also has a complete set, and New York County Lawyers' Association Library has a collection of take-outs starting with June 1969.

Typically, those libraries that retain the take-out pages will keep them in dated binders. Thus, to find a superseded



regulation one must first ascertain the date of amendment or repeal from the historical note that accompanies the regulation, and then check the binder containing the take-outs for the date immediately following the date of repeal or amendment. For example, if one wanted to see the early 1970s version of the Rules and Regulations on Controlled Substances, the historical note in the current edition indicates that the entire previous version was repealed in March 1973. Accordingly, the pages containing the old version can be found in take-outs from that date. This may seem to be a relatively simple task, however, in many instances it is a painstaking process since the desired rule may be difficult to locate within a given batch of take-out pages, and the older versions of regulations may have had different section numbers. Things are far simpler if one simply needs to locate the version of a regulation in effect at the end of a given recent year. LexisNexis has databases containing the NYCRR as it was on December 31 in 2004 and 2005. Westlaw's back file is more extensive,

providing databases containing the versions of the NYCRR in effect on December 31, for 2002 through 2005.

Finally, determining the intent behind regulatory changes can be difficult since unlike statutes, there is no "legislative history." The general advice usually given to those seeking information on intent is to check the notice that appeared in the *State Register* when the rule was proposed or promulgated, or to get in touch with the department or agency contact person as listed in the *State Register* when the rule was proposed or adopted. Another, alternative is to contact the department/agency's legal department, where someone might have knowledge as to why the rule in question was changed or adopted. An additional possibility, if the rule's adoption was newsworthy would be to search for relevant articles in the LexisNexis or Westlaw newspaper databases.

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GRANTS AND SCHOLARSHIPS COMMITTEE
LLAGNY Awards Scholarships and Grants
Gloria Goldberg, White & Case, Co-Chair
Katherine Kenworthy, Cravath Swaine & Moore LLP, Co-Chair



Each year, LLAGNY awards money for travel grants and scholarships to qualified applicants. Scholarships fall into two categories: the Type 1 Scholarship, targeted at new library school students, and the Type 2 Scholarship, aimed at the more experienced applicant who has demonstrated some commitment to the profession. You can apply for either scholarship using the same form: simply specify the type you feel meets your qualifications on the application.

LLAGNY awards one scholarship in memory of all those members who passed away the previous year. We welcome donations to both the general and memorial scholarships, and appreciate the generosity of our corporate and individual donors. Donations to the Memorial Scholarship will be listed in the program of the June meeting.

LLAGNY's travel grants are for use in attending the AALL annual meeting, which will be held this year in Portland, Oregon.

Recipients are announced at the Annual LLAGNY Meeting, which will be held June 11, 2007 this year.

The Grants and Scholarships Committee Co-chairs, Gloria Goldberg and Theodore Pollack, administer the process. PDF Applications for both grants and scholarships are available on the LLAGNY website at

<http://www.aallnet.org/chapter/llagny/GrantsScholarships.html>.

To apply, simply print the form and send a completed copy to either of the Co-chairs. This year's completed applications, including recommendation letters, are due Friday, April 26, 2008.

The committee looks forward to receiving your applications!



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LLAGNY Educational Program: Acquisition Agreements and Takeover Defenses – Content and Current Trends

By **Janet Peros**, Wachtell, LLAGNY Education Committee Co-Chair

LLAGNY held an educational program sponsored by Factset on Wednesday, December 12th. The program was held at Skadden Arps. Dan Ferro, from Fried, Frank, Harris, Shriver & Jacobson, and Tom Quinn and Jim Mallea from Factset TrueCourse spoke about Acquisition Agreements and Takeover Defenses-Content and Current Trends.” About 25 LLAGNY members attended the program.

Mr. Quinn provided an overview of the current state of the M&A market. He discussed cash deals becoming more prevalent than stock deals, the private equity acquisition trend, and other M&A trends from the past eight years.

Mr. Ferro offered a detailed description of each component of a typical merger agreement such as covenants, indemnification clauses for directors and officers and terminations. He gave examples of how a private deal agreement would read compared to a public deal. He also reviewed some

common provisions that frequently appear in merger agreements like go-shops. Mr. Ferro reviewed different types of deals and the appropriate documents to file for each such as tender offers, asset purchase agreements and stock purchase agreements.

Mr. Mallea and Mr. Quinn continued the presentation with an overview of current trends in takeover defenses in the M&A environment. They discussed the threat that activist investors pose to large public corporations and the different tactics they use. Sometimes, they buy up more stock, other times they invoke proxy fights to get anything from an additional board seat to try and oust the CEO. Their job is getting easier thanks to the overall decrease in takeover defenses, especially at larger companies in the S&P 500. One of these defenses, the poison pill, has experienced a steady decrease in S&P 500 companies since 2002. Another defense, having a classified board, has also been on the decline since 2002.

Call for Writers!

If you have attended a library- or research-related education program, and if you would like to write about it for Law Lines, please let us know!

Articles, questions, and comments are always welcome:

lawlinesny@gmail.com



Bloomberg Educational Programs: Finance for Law Librarians, Friday, November 16th, and the Sub-Prime Mortgage Market, February 8th

By **Janet Peros**, Wachtell, LLAGNY Education Committee Co-Chair

Bloomberg has been offering a free series of educational programs specifically targeted to law librarians. The second program in the series was held Friday morning, November 16th, and the focus was on the bond market. Different types of bonds such as government, municipal and corporate bonds were covered. The course combined an overview of the bond market along with commands and features of Bloomberg that would be helpful in researching questions related

to the bond market, such as researching credit profiles, searching for bonds that meet a certain criteria, and obtaining historical pricing for a particular bond.

The most recent offering from Bloomberg focused on the Sub-Prime Mortgage market and was held on Friday, February 8th at 8:30 am. If you are interested in attending future events please email ckwiatkowski@bloomberg.net.

The Print Version: Off and Running

By **Rebecca Newton**, Manatt Phelps and **Sarah Shik**, Fulbright & Jaworski

The Print Version, a LLAGNY networking group created to introduce newer law librarians into the Greater New York law librarian community, celebrated its inauguration in November, 2007. Almost 30 law librarians and library science students gathered at Lolita, a Lower East Side bar, to chat about law librarianship and meet fellow law librarians. Students and librarians from a range of academic, firm, and government law libraries met, shared advice, and talked shop during the happy hour.

The Print Version, created by Rebecca Newton of Manatt Phelps and Sarah Shik of Fulbright & Jaworski, facilitates face-to-face interaction between working law librarians and those interested in pursuing careers in law librarianship, with the overall goal of strengthening the New York law librarian community. The Print Version is currently focused on creating recurring casual networking events in the New York City area. If you have any questions or suggestions, please e-mail The Print Version at theprintversion@gmail.com, or check out The Print Version's blog at <http://theprintversion.wordpress.com>.



**NOMINATIONS COMMITTEE
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John Davey, Alston & Bird, Chair

The nominations committee is seeking qualified candidates for the positions of:

- ◆ Vice President/President Elect;
- ◆ Treasurer;
- ◆ Board of Director (two year term);
- ◆ Board of Director (two year term);
- ◆ Board of Director (one year term – member of LLAGNY for five years or less).

Please include nominee's name, affiliation, address, phone number and the position for which you are nominating her or him. Nomination alone does not guarantee a position on the ballot.

Please send (email, fax, phone or U.S. Post Office) your nominations by **Friday, March 3, 2008** to:

John Davey
Library Manager
Alston & Bird LLP
New York, NY 10016-1387
(212) 210-9526
john.davey@alston.com



Kit Hartnett
Director of Library Services
Proskauer Rose LLP
New York, NY

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Tuition is \$30 (includes breakfast, lunch, and course materials.)

Space is limited so please sign up early using the attached registration form. Registration forms and payment must be received by **Friday, March 21, 2008.**

Date and Location

Friday March 28, 2008	8:30 AM – 4:00 PM
New York City Bar Association	(Breakfast and registration begin at 8:00)
42 West 44th Street (between 5 th and 6 th Avenues)	Please bring photo ID
E-Mail: anavarro@nyli.org to reserve your space	

Faculty

Laurence J. Abraham, Fordham University School of Law | Roberta Brody, Queens College Graduate School of Library and Information Studies | Aslihan Bulut, Columbia University School of Law | Jeffrey Cohan, Fitzpatrick, Cella, Harper & Scinto | Lucy Curci-Gonzalez, Kenyon & Kenyon LLP | Catherine M. Dillon, Jackson Lewis LLP | Fran Fredrick, Weil Gotschal & Manges | Jill Gray, Dewey & LeBoeuf LLP | William Manz, St. John’s University School of Law | Mary Matuszak, New York County District Attorney’s Office | Nathan Rosen, Credit Suisse | Michael H. Roffer, New York Law School | Russell A. Switzer, Paul, Weiss, Rifkind, Wharton & Garrison

Panel Participants

Hon. Elizabeth S. Stong United States Bankruptcy Court Eastern District of NY LUNCHEON SPEAKER	Peter J.W. Sherwin Partner Proskauer Rose LLP	Heide-Marie Bliss NY Library Manager O’Melveny & Myers LLP	Jeffrey Levitt Associate Fitzpatrick, Cella, Harper & Scinto
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Bridge the Gap
March 28th, 2008
New York City Bar
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Registration Form

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Will you require kosher meals? Yes No

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New York Law Institute
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New York, NY 10271
212-218-8720

Registration forms and payment must be received by Friday, March 21st, 2008

For additional information, including details about scholarship consideration, please contact Michael Roffer (mroffer@nyls.edu).



LLAGNY ANNUAL WINTER MEETING
Wednesday, January 16, 2008
Tavern On The Green

Photos taken by **Anthony Burgalassi**, Katten Muchin Rosenman



Betsy Klampert, CCH, Inc.
Gretchen Haupt & Katherine Kenworthy,
Cravath, Swaine & Moore, LLP



Lawrence Niculescu, White& Case
Karen Oesterle, LexisNexis
Mark Schwartz, Thomson West



Phil Brown, Conflicts Authority
John Davey, Alston & Bird



Dominique Cuvilly, Alston & Bird
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Andrew Tschinkel, NYS Supreme Court Library,
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Dr. Jeffery Olson, St. John's University
Lucy Curci-Gonzalez, Kenyon & Kenyon



Deborah Pitter, Proskauer Rose
Patricia Garvey, Thacher Proffit & Wood
Liz Florez, Debevoise & Plimpton



MEMBERSHIP NEWS AND MOVES

LLAGNY would like to welcome the following new or returning members:

Member Name	Firm	Title
Yasmin Alexander	Hofstra University Law School Library	Reference/Electronic Services Librarian
Marilyn P. Barr	Free Library of Philadelphia	
Fayga L. Brisman		Student
Timothy Lambert	Kenyon & Kenyon, LLP	Information Specialist
Alyson C. Clabaugh	Debevoise & Plimpton, LLP	Administrative Assistant
Joanne Cursinella	Southern Connecticut State University	Student
Steven R. Essig	State Supreme Court of 1st Judicial District Criminal Law Library	Legal Library Intern
Natasha N. Grant	Reed Smith, LLP	Library Systems Specialist
Pin-Sheng Hsiao	Simpson Thacher & Bartlett, LLP	Technical Services Manager
Karin Johnsrud	Columbia University Diamond Law Library	Reference Librarian
Julie Graves Krishnaswami	CUNY Law School Library	Adjunct Law Professor
Beth Daniel Lindsay	Community Preservation Corp	Legal Assistant
Jeanine M. McPartlin	Latham & Watkins, LLP	Reference Librarian
Matthew H. Ottenstein	Milbank, Tweed, Hadley & McCloy, LLP	Temporary Reference Librarian
Natascha C. Owens	Wachtell, Lipton, Rosen & Katz	
Tom Quinn	FactSet Research Systems, Inc.	Vice President
Christina D. Rosas	Portfolio Media Inc.	Client Relations Manager
Tanya Whorton	McKee Nelson, LLP	Library Manager

◆
IN MEMORIAM
Ann M. Reddy



December 30, 2007

Dear Family and Friends,

It is both with relief (for Ann) and grief (for you and us) that we write to tell you that Ann passed away on December 24, 2007, as a result of a stroke she suffered on December 5th. She had visitors throughout the day. Some of you know that she had been in hospice since December 13, 2007, and was in good care.

She was cremated, which was her wish. Her funeral was Saturday, December 29th at the beautiful chapel at Charlestown, where she had resided for the past twelve and a half years. We mourn her, as we are sure you do too. Her remains will be placed in a niche in either Geneva, NY or in the Baltimore, Md. Area.

She would want us all to remember the happy times, hence the choice of prayer. Please join us in remembering her "After Glow".

Best Regards,

Toria + Marcia

Toria and Marcia



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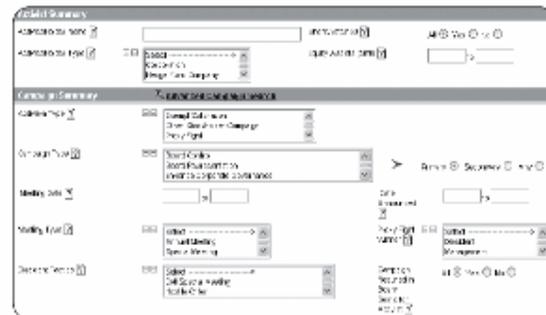


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Reference Questions and Answers

Compiled by Wendi Hoffenberg, Bryan Cave LLP

Q. Besides Dun & Bradstreet reports, what sources can be used to find financial information on private companies?

A. Check with alternative credit reporting sources via Skyminder.com. They offer D&B and several other vendor products. One of their custom services is to compile "fresh" reports upon request but this does take several days. Private company information is self-reported and unaudited. If a company raises capital in one state, there may be a REG D form filed (based on the 504 rule), aka REGDEX or Private Placement.

These forms can be uncovered in 10K Wizard but are not online via 10K Wizard. It's necessary to get them from a document delivery service or directly from a state securities office, since private companies must report at the state level. Often, it is necessary to search many sources, both Web and fee-based, to piece together a picture of the financial health of a company. I search articles on Factiva, and LexisNexis. I also check secretary of state filings,

UCC filings, and sometimes court cases and patent databases.

Thanks to the law-lib email discussion list and Amelia Kassel of MarketingBase.

Q. How can I find the cases in which a given expert witness has testified?

A. Here are some ideas from the law-lib email discussion list.

For defense counsel, try a testimonial history search at <http://www.idex.com> Use jury verdict databases on Lexis or Westlaw. LRP-JV and EW-DOCS (respectively) are the Westlaw database identifiers for jury verdicts and expert witness testimony.

Search for the expert's name on docket sheets on Courtlink or Westlaw. If the expert testifies in class action securities cases, search text within Stanford's database: <http://securities.stanford.edu> For members of the Defense Research Institute, there is an expert witness database at DRI.org.



Legal History: The New York Law Institute Library

By William H. Manz, St. John's University School of Law

In 1876, *The Report on Libraries of the United States* described the New York Law Institute Library as “the best public law library in this country,” and a success in the highest and broadest sense” The story of the Institute and its library began with the efforts of two young lawyers, George Sullivan and James W. Gerard, to break up the so-called “barrister ring” of twelve to fifteen lawyers who, with the connivance of the judiciary, monopolized all the worthwhile legal business in the circuit, supreme, and chancery courts during the mid-1820s. They achieved one of their goals when the legislature established the Superior Court in 1828, but they believed that to break up the ring for good, the establishment of a “Law Association” was essential.

This Law Association, renamed the Law Institute, was founded in February 1828. One of its main goals was the founding of a law library, a task that was considered essential since at that time the only significant collections of law books in New York were held privately by such notables as Chancellor James Kent and former Chief Justice John Jay. Thus, listed in the charter granted by the legislature in 1830 was a provision for “providing a seminary of learning in the law and the formation of a Law Library.” The founders also had the lofty aim of “guard[ing] the purity of the profession,” but it became almost

immediately apparent that this was beyond anyone’s power, so the members’ primary activity became the establishment of a law library that would contain “the law of the larger part of the civilized world.”

The library received donations from various leading lawyers, including a copy of his *Commentaries* from Chancellor Kent, which is now designated as its “first book.” However, the bulk of the collection appears to have been acquired through the purchase of the private library of attorney James Tillotson. By the early 1850s, the collection, now consisting of over 4,000 volumes had outgrown its quarters, and the Institute petitioned the New York City Common Council for space in “New City Hall.” Built in 1795 as the almshouse, and located behind the actual City Hall, the building also housed the state and federal courts and various governmental offices, including the corporation counsel, the tax commissioners, and the fire wardens. This request was granted, but misfortune struck when the building, later described by a *New York Times* editorial as an “old rathole,” was destroyed by fire in January 1854. Most of the library’s books were removed after the first alarm, and only 82 were lost, but the blaze destroyed all the furniture and many valuable donated artifacts. The rescued books were eventually moved to



No. 45 Chambers St., and then to 41 Chambers St.

After the fire, the Library received major assistance from Charles O’Conor, a leading local attorney with pronounced pro-Southern, pro-slavery views, who after the Civil War volunteered to defend Jefferson Davis. Despite his reported lack of social skills, and curmudgeonly reputation, O’Conor was known for acts of generosity. He helped the library settle with insurers for \$2,250, and loaned it a substantial amount of money. When he died in 1884, O’Conor left the library \$21,000, and the multi-volume bound sets of “My Own Cases” and “My Own Opinions,” relating to the most notable cases of his long career.

Another leading legal figure involved with the development of the library was Judge John W. Edmonds, compiler of *Statutes at Large of the State of New York* (1863) (popularly known as *Edmond’s Statutes*), which sought to disentangle the Revised Statutes from a mass of other legislation, and *Edmond’s Select Cases*, a compilation of cases decided by himself between 1834–53. (He was also known as a staunch believer in spiritualism, and once felt compelled to deny allegations that he consulted with the spirits before making decisions on the bench.) Edmonds who “manifested the greatest interest in [the library’s] welfare, and ... contributed most substantially to its development and success,” prepared the manuscript on which the first library catalog was based.

In 1872, when the library had grown to over 25,000 volumes, it moved from its Chambers St. location to quarters in the

new United States Post Office Building located at the southern end of City Hall Park. A large colonnaded mansard-roofed structure, the building was decidedly unpopular, and was dubbed “Mullet’s Monstrosity,” after its designer, United States supervising architect Alfred Bult Mullet. While located in the Post Office Building, the library paid no rent in exchange for free access for federal judges and United States district attorneys.

Under the leadership of long-time director, William H. Winters, a 1868 Harvard Law School graduate, the library continued to grow rapidly. By 1887, the collection had reached 35,000 volumes, necessitating the expansion of the library from one floor to two. During this period, the library reportedly spent \$7,000 annually on new books, and was expanding at the rate of about 1,000 volumes per year. In the subsequent decade, the library continued its steady growth, reaching over 48,000 volumes by 1897. That year, a chapter in the just-published two-volume *History of the Bench and Bar of New York* included a lengthy list of its rare and valuable titles, and noted that a recent press report had stated: “There is probably no other law library in this country which has upon its shelves so rich and valuable a collection of rare works on legal topics.”

The much-maligned Post Office Building was torn down in 1938, but by then the Law Institute Library had moved again. In 1925, it relocated to its present home — another controversial structure — the 40-story Equitable Building at 120 Broadway, whose construction had prompted outrage and



the promulgation of the Zoning Resolution of 1916, because of the seven-acre shadow it cast over its surroundings.

At the time of its move to the Equitable Building, the library was said to hold over 99,000 volumes, which had grown to over 150,000 by the late 1960s. Today, the New York Law Institute Library has a collection of over 300,000 volumes, and an extensive collection of congressional documents, records on appeal, and archival New York State materials, all housed on three floors of the former Equitable Building. It is accessible through an online catalog at <http://67.107.107.28>. A circulating law library, it is open to members and visiting scholars, and offers same-day delivery to members' offices.



◆ **Winter Issue**

Article Submission Deadline ◆

Winter 2007.....December 15th

Please send your submissions to lawlinesny@gmail.com

Submissions should be in Word or WordPerfect. Photos should be in JPG, TIF or GIF format.

No PDFs, please.



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Minutes of the LLAGNY Board Meeting
– Corrected
October 16, 2007
New York County Lawyers' Association

In attendance:

Andrew Tschinkel, Nuchine Nobari,
Elaine Egan, Bill Mills, Sarah Kagen,
Sarah Dowson, Marsha Pront, Kathryn
McRae, Tom Eikenbrod

The meeting convened at approximately
6:15.

1. Approval of Minutes

- ◆ Motion to approve the minutes of
the September 2007 meeting.
(Egan) Second (McRae)
Approved

2. President's Report

Joint reception with NJALL and
ALLUNY at the AALL
conference in July 2008 is being
handled by the New Jersey
chapter. The date will be
Monday July 14, 2008.

Bill Mills has been asked about
including a piece about the loss
of Bob Oakley in the next issue
of *Law Lines*.

The dean of St. John's has
discussed partnering with
LLAGNY, SLA Legal and other
association chapters for
education events. He will be
getting back to the President with
details.

The motion to the AALL
executive committee regarding
an online LLAGNY member
database has been submitted to
be placed on the agenda of the
AALL Executive Committee.

The Society for Information
Professionals (SCIP) will now
offer AALL and LLAGNY
members discounts.

Dodi Levine attended the Pro
Bono expo at NYS courts and
may write about it for *Law Lines*.
The Pro Bono committee has
also been notified about it.

3. Treasurer's Report

Our income has been in the
negative numbers, but we have a
healthy amount of assets.

4. Committee Reports

Archive Committee: Seven very
large boxes have been weeded
and inventoried. The next step
will be to put the newsletters on
CD and indexed. Concern
regarding the current location of
many of the photos, some used
for LLAGNY's 65th Anniversary.
Bill will follow up. Bill will also
write a section for the Leadership
Manual detailing the
interconnecting roles of the
Archives and Law Lines
committees.

Education Committee: The
Competitive Intelligence
program had 30 attendees and
the Generation Gap program had
27. Upcoming programs will
include private equity,
international law, and arbitration
and insurance. A request was
made by the editor of the SLA
New York chapter newsletter to
advertise LLAGNY education
events. Space issues make that
problematic at this time.



Outreach Program Committee: The Bridge the Gap program will be March 28th at the New York City Bar Association. Issues that still need to be addressed are speakers, sponsorship money and laptop rental as well as other logistical issues. The leadership manual doesn't specify type of people who can attend. Marsha and the Outreach Committee will add a section to the Leadership Manual to reflect the policy regarding who is invited to the program.

Membership Committee: The Directory should be available earlier than last year. Issues exist regarding printing the Directory, member classification and providing telephone numbers and email addresses to vendors.

Public Relations Committee: The committee is discussing the production of a brochure and bookmark and will try to promote the committee at the Fall Soiree as well as get pictures from the *Law Lines* photographer.

Technology Committee: The committee is reviewing the other AALL chapter Web sites for ideas and also contacting LLAGNY committees to discuss updating their information on the Web site.

5. Unfinished Business

Winter Meeting: It will be at Tavern on the Green on January 16th. Discussion of price to

charge and the number of guests that can attend.

◆ Motion to charge the membership \$55.00 per person for the Annual Winter meeting and to cap the attendee list at 240 guests, including vendor guests. (Egan) Second (Pront) Approved

Technical changes were made to the Winter Meeting flier.

◆ Motion to mail the Annual Winter Meeting fliers through Kinko's not to exceed \$1300. (Egan) Second (Eikenbrod) Approved

June meeting: Discussion regarding where to hold the event and how much to charge. Charge for event will be revisited in January

◆ Motion to hold June Meeting at the Rainbow Room. (Dowson) Second (Mills) Approved

Membership Committee Young Professional Happy Hour: Discussion regarding liability and insurance issues.

◆ Motion to allow the Membership committee to go forward with plan to hold Young Professional Happy Hour. (Kagen, Dowson) Second (Eikenbrod) Approved

LLAGNY stationery: Discussion regarding current stationery supply and need for new envelopes. Marsha will investigate whether she has stationery.



◆ Motion to approve the purchase of 3000 single-sided envelopes at \$480. (Kagen)
Second (Egan)

Approved

◆ Motion to approve the purchase of up to 3000 pieces of stationery at \$470 contingent on how much we still have. (Kagen)
Second (Mills)

Approved

Union List: Discussion regarding what to do about firms that have paid the participant price but have not submitted records.
Discussion regarding the prices to be charged for participants and non participants next year.

◆ Motion that the Union List Committee prepare a letter by October 31st for remaining participant firms that have not submitted records to get billed at a non participant level for this year. (Egan) Second (Pront)
Approved

6. New Business

Education Committee flier:
Discussion regarding charging for the program “Acquisition and Takeover Defenses.”

◆ Motion to approve the flier and charge \$25 for the program upon approval from FactSet. (Eikenbrod) Second (Egan, Pront)
Approved

Membership Directory printing:
Discussion regarding who should print the Directory as well as the cost. No change will be made at this time.

The meeting adjourned at approximately 8:46.

Respectfully submitted,
Sarah Kagen, LLAGNY Secretary

Minutes of the LLAGNY Board Meeting
November 15, 2007
D’Amato & Lynch

In attendance:

Tom Eikenbrod, Marsha Pront, Sarah Dowson, Andrew Tschinkel, Nuchine Nobari, Sarah Kagen, Elaine Egan, Jeff Cohan

The meeting convened at approximately 6:23 pm.

1. Approval of Minutes

Technical corrections discussed for the October 2007 minutes.

◆ Motion to approve the minutes of the October 2007 meeting as corrected (Pront)
Second (Egan).

Approved

◆ Motion to approve the minutes of the October 25 conference call (Dowson)
Second (Eikenbrod).

Approved

2. President’s Report

Update on status of invitation fliers for the Winter meeting. This will probably be sent out shortly after Thanksgiving.



Law Lines is almost ready and a llagnyannounce e-mail will be sent out after it is posted on the Web site.

The next education program is scheduled for December 12th.

3. Treasurer's Report

Has three boxes of Treasurer's Reports which will need to be moved. All the bills have been paid and a few checks need to be deposited. Discussion regarding the contents of the boxes and where to store them. Nuchine will continue as treasurer and will leave checks for Andrew if needed immediately.

- ◆ Motion for the LLAGNY Board to authorize that Treasurer's archival boxes be sent to Shearman & Sterling at a cost not to exceed \$100. (Nobari) Second (Pront) Approved

4. Committee Reports

Union List

The letter regarding payment has been prepared and will going out after the firms involved are contacted. Stacey Pilson will be taking more of a leadership role in the committee.

Corporate Sponsorship

Will look into raising funds for Bridge the Gap.

Outreach Programs

The program is moving forward and the speakers and a Judge are set. Jeff will find out about any contracts that exist for the event.

Education

The next program is December 12th. There will also be a continuing education & training program in February and a private equity program in March. An international law program is also being planned and speakers are needed.

Membership

The directory is done and has been mailed.

Technology

The next meeting is December 12 to discuss what committees would like on the LLAGNY Web site.

5. Unfinished Business

Stationery

Has been ordered and will be arriving shortly. Window envelopes will be ordered.

6. New Business

AALL Board Member invite to June Meeting

Discussion regarding inviting an officer from AALL to attend the June meeting as well as a discussion regarding who to invite.

- ◆ Motion to invite AALL Executive Board member to the June Dinner. (Egan) Second (Dowson) Approved
- ◆ Motion to apply for Presidential visit for June meeting from AALL. (Egan) (Eikenbrod) [Opposed: Cohan] Approved

LLAGNY AALL VIP Invite to AALL Annual Meeting



Discussion regarding inviting a Dean from a local library school to attend the AALL June meeting as a guest of LLAGNY, including expenses and possible intermediate steps.

- ◆ Motion to invite five library school deans to the Winter meeting from St. Johns, Palmer, Pratt, CUNY (Queens) and Columbia. (Dowson) Second (Egan) Approved
- ◆ Motion to let Andrew explore the AALL VIP program to invite someone to the AALL annual meeting. (Cohan) Second (Eikenbrod) Approved

In connection with developing a closer tie to local library schools, discussion regarding the elimination of student membership fees. Jeff and Nuchine will investigate the feasibility.

Union List editing training program
Discussion regarding the timing of the program and the number of attendees.

- ◆ Motion to agree to support the expenditure to continue the training initiative with SIMA not to exceed \$1000. (Egan) Second (Pront) Approved
- ◆ Motion to direct the committee to send out electronic invitations with an RSVP required within 48 hours stating that there must be a minimum of 30 attendees or the training will

be postponed (Egan) Second (Pront) Approved

Volunteer Gifts
Discussion regarding the proposal to purchase duffel bags including the number and color. Sarah Dowson will investigate how many are needed.

The meeting adjourned at approximately 8:15.

Respectfully submitted,
Sarah Kagen, LLAGNY Secretary

Minutes of the LLAGNY Board Meeting
December 11, 2007
New York Law School

In attendance:
Tom Eikenbrod, Bill Mills, Marsha Pront, Sarah Dowson, Andrew Tschinkel, Sarah Kagen, Jeff Cohan

The meeting convened at approximately 6:12 pm.

7. Approval of Minutes

- ◆ Motion to approve the minutes of the November 2007 meeting. (Cohan) Second (Pront) Approved

8. President's Report

The tax return signed & delivered to CPA.
The winter meeting mailing went out and has been posted to Web



and the invoice has been sent to Lexis. The Dean for the St. John's Library School has said he will attend.

9. Treasurer's Report

At the moment LLAGNY is running a deficit although not all money has been posted.

10. Committee Reports

Archives Committee: Some of the missing photos have been found at NYCLA. Technology Committee: The next meeting is December 12th and what to put on Web site will be discussed.

Public Relations Committee: Will be working on publicity for the Bridge the Gap program.

Nominations Committee: Will need to put together a committee to work on getting nominees to put on the ballot for next year.
Government Relations Committee: Discussion regarding redefining the committee. Will work on a proposal looking at changing the scope of the committee

Education Committee: 27 have signed up for the M&A program. The next program will be in February.

Grants & Scholarships Committee: Has questions regarding how when and where to solicit funds.

11. Unfinished Business

Discussion regarding the birth of Kathryn McRae's baby.

- ◆ Motion to spend up to \$100 on gift for Kathryn's baby. (Cohan) Second (Pront) Approved

Student Relations Committee proposal to advertise internships on the LLAGNY Web site
Discussion regarding how to connect prospects with internship opportunities.

- ◆ Motion to accept the proposal with no charge for the postings. (Pront) Second (Dowson) Approved

Student Relations Committee proposal to add upcoming events to the LLAGNY calendar

- ◆ Motion to approve adding the Intro to Lexis program, Intro to Westlaw program and Student Breakfast & Tour to the LLAGNY calendar on the Web site. (Mills) Second (Eikenbrod) Approved

12. New Business

SLA NYC Chapter President's Request to Attend the Winter Meeting.
Discussion regarding the request. Consensus that if there is space after all LLAGNY members who want to come have responded then the President can come at the \$55 price.

St. John's LIS Partnership Proposal for IMLS Grant.



Discussion regarding participating as a partner in the St. John's grant application.

- ◆ Motion to approve the partnership proposal and form for the grant application. (Pront) Second (Mills) Approved

Public Relations Committee
Brochures & Bookmarks
Discussion regarding how to use the material and when to distribute it. Discussion regarding remuneration for the artist working on the project.

Outreach Program Committee's
Bridge the Gap Program
Discussion regarding how many attendees are expected and how much to charge.

- ◆ Motion to let the committee set the price based on LLAGNY breaking even or subsidizing the event up to \$500. (Cohan) Second (Dowson) Approved

Gifts from the Public Relations committee
Discussion of the number of gifts to order for volunteers.

- ◆ Motion to order 120 blue bags at \$6.06 each at a cost of \$750 not to exceed \$1000 with LLAGNY logo. (Dowson) Second (Eikenbrod) Approved

The meeting adjourned at approximately 8:05.

Respectfully submitted,
Sarah Kagen, LLAGNY Secretary
LLAGNY BOARD CONFERENCE
CALL
Tuesday January 15, 2008
3:00 pm

In attendance: Andrew Tschinkel, Sarah Kagen, Sarah Dowson, Kathryn McRae, Jeff Cohan, Nuchine Nobari, Tom Eikenbrod, Bill Mills

The meeting convened at approximately 3:04 pm.

1. Student Relations Committee

Review of the Introduction to Lexis for MLS Students flier.

Technical corrections discussed.

- ◆ Motion to approve the Lexis flier with changes. (McRae) Second (Dowson) Approved

Review of the Introduction to Westlaw for MLS Students flier.
Technical corrections discussed.

- ◆ Motion to approve the Westlaw flier with changes. (Dowson) Second (Eikenbrod) Approved

Review of the Annual Student Breakfast & Tour flier.
Technical corrections discussed.

- ◆ Motion to approve the student breakfast flier with changes. (Dowson) Second (Cohan) Approved



2. Government Relations Committee

Review of the letter to the Department of Records and Information Services regarding proposed changes to the regulations of the Municipal Archives.

Discussion regarding purpose and form and content of the letter.

The meeting adjourned 3:44 pm.

Respectfully submitted,
Sarah Kagen, LLAGNY Secretary



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