

The Tuesday luncheon session of The American Law Institute convened in Salon III of the Ritz-Carlton, Washington, DC, and was called to order at 12:50 p.m. by President Roberta Cooper Ramo.

**President Ramo:** Ladies and gentlemen, how nice of you to quiet down. There is no truth to the rumor that I was going to get you to quiet down by throwing a roll, although—actually the only woman law professor I had—I was in the lucky group of people at the University of Chicago Law School who had Soia Mentschikoff as a professor. And if you gave what she thought of was a stupid answer to a question about anything involving the UCC, the woman could take her arm—that Russian shot-putter training of hers—and take an eraser and do serious damage to somebody. I was six feet tall before I was in that class. (*Laughter*) So nice of you to quiet down without the need for any throwing at all.

This is a completely wonderful luncheon event. It is always very amazing for me to look through the classes and see the extraordinary depth of talent, over 25 years, of people who have given their time, their intellect, and more to The American Law Institute.

Let me start by giving the medal to the 50-year class. It's always so interesting to look to see who is in the 50-year class, and more and more they are people working very hard at what they're doing. My husband has seen this and has encouraged me to keep that in mind in terms of my own professional life. (*Laughter*)

This year, we had the perfect person to represent the class for whom this will be their 50th year in The American Law Institute, and that is our Director Emeritus and Council member, Geoff Hazard.

As everybody in this room probably knows, I came to the University of Chicago Law School never having been in a courtroom in my life, having no idea what any of it was about, and never having been really to a very good school, only to come face to face with Geoffrey Hazard trying to teach me Civil Procedure or, as he said, he or I was going to die trying. It was a close call.

His career is well known to everyone in The American Law Institute. He brought The American Law Institute a kind of intellectual vigor and an insistence on the quality of our written work that I think really did change the importance of the Restatements in our American community forever. But also importantly, he began an outreach internationally, which was hugely important for us, and he, I think, was the first person, because of the quality of his intellect and his reputation, who began to look at legal ethics as a major part and important part of our profession.

So I'm going to come down and, hoping that I don't violate any of the things we talked about before, give Professor Hazard the medal and a hug. (*Applause*)

A few years ago, our wonderful then Secretary Susan Appleton, who is not here only because she had an academic engagement in Beijing, said, as she was coming up to her class [the Class of 1987], why don't we ever do class gifts? We had never thought about it before, and we had a particularly pressing reason that that seemed like such a great idea. And that is, in our effort to make sure that The American Law Institute represented not only the very top level of intellectual quality and the very top level of personal integrity among the three parts of the justice system that we incorporate—lawyers, judges, and scholars—we realized that we had not done a very good job at all, pushed along by Helaine Barnett, who I think spoke to us in her class year [the Class of 1984], who was then the President of the Legal Services Corporation, that we hadn't really done anything in focusing on bringing into the organization people like legal-services lawyers, prosecutors, military lawyers, and lawyers that work for the government. [See generally Helaine M. Barnett, Luncheon Address, Tuesday Luncheon Session, May 19, 2009, 86 A.L.I. PROC. 164, 173-174 (2009).]

We then appointed a task force—some of them are here today—which nominated that first group of people that were outstanding in all those areas, and then we realized that, of course, none of them made much money, and that our Meetings—then we were even at The Mayflower, but it was the same—were in Washington, D.C., a hugely expensive city, and our meals, even though we subsidized them, were enormously expensive, and that it was a meaningless gesture to invite those people to be our members and not allow them to be full participants in every way.

And so the class-gift money that is raised goes to support so many people, including judges who, as many of you know, in many of our states make very little money. We simply couldn't have the vibrant discussions that we have and the quality of work that we have and I think the moral authority that we have, without knowing that everybody can come and fully participate in our meetings regardless of their means.

Well then, of course, we have to look each year for somebody to be a class-gift chair, and this year we had the extraordinary great luck of having three people in particular that were stalwarts in their professions, and who also agreed to take on the mantle of raising, from the rest of the people with red roses, the kind of funds that we need to keep our ongoing promise that no one will ever be a member of the Institute and not be able to fully participate because of money.

So let me ask to come up to present the class gift—but before you do, I just want to say a word. Jay Westbrook, who could not be here today but who was enormously helpful in every way.

Ron Olson and Andy Hendry are here. Now these are names that are known to you as distinguished lawyers with national reputations. Andy is the general counsel of a very important enormous company, and Ron is in a very enormous, to me, law firm in Los Angeles in California. Andy is the Vice Chair now of Colgate-Palmolive, and he's been the company's chief legal officer. And Ron is a partner of Munger, Tolles and Olson—he's the "Olson"—a little law firm that most of us know from southern and now northern California that stands for all of the things we want our law firms to stand for in terms of excellence, integrity, and public service.

So let me thank them for this part of their public service and invite your class-gift chairs, Andy Hendry and Ron Olson, to come to the podium. *(Applause)*

**Mr. Andrew D. Hendry (NY):** Roberta, thank you very much. I'm honored to be one of the cochairs this year, along with Ron, Jay, and Lovida. Ron and I agreed that I would make a few comments and then pass the mike to him. So I'll try to make it brief, because I'm standing in the way of lunch, and that's always a bad place to be.

But let me start by telling you that the way I ended up agreeing to do this was Ricky Revesz, who is the Director of the organization and former dean of NYU Law School—we know each other from the NYU days. I'm an NYU alum. And he called me up and he said, listen, we went through the list, and you're going to become a life member. You've been in the ALI for 25 years, and would you be willing to be one of the cochairs of the campaign that we have for that?

And as you can imagine, I kind of was surprised at a lot of things. For one thing, I had to think for a second. Is it really appropriate for me to be one of the cochairs for a lot of different reasons? First, as you heard from Roberta, I'm not only a lawyer, I'm also a business executive. I haven't spent the entire part of my career—my entire career in business, but I've spent most of it, 35 years. And that, of course, is one of the smaller groups in ALI. And for a lot of different reasons, as we all have, I haven't probably been as active as I should have been. As a consequence, I'm meeting a lot of you for the first time today. That's great to meet you, but going into this, I really didn't know all that many people, although I found out I knew more than I actually thought I would.

But then I started to think about it, and I decided that—everybody talks about what makes business work in this society. You know, they talk about tax rates, and they talk about foreign exchange, and they talk about the budget deficit, and they talk about Wall Street. But what gets lost in the discussion often is the importance of the legal system to the proper functioning of our

business environment. And after all, the thing that puts food on the table and provides the jobs is the business community.

And as I thought about it, I said, you know, the law is the bedrock of commerce and the bedrock of the business community. And I can't think of an organization that has made a more significant contribution to seeing that that system functions properly than this organization.

So I said it probably is appropriate for me to do it. It's probably appropriate for more of my chief-legal-officer colleagues to have maybe more visibility to contribute in any way we can. We kind of are on the front line of some of the things that this organization works on, we live with every day, and we can have a perspective. So I said I thought *that* that was a good idea.

So then I tried to get my head around the shock of having been a member for 25 years, since 1990. And so I decided to recall, using of course Wikipedia to recall, what was going on in 1990. And it was pretty startling. 1990 was the year that Nelson Mandela was released from Robben Island. East and West Germany became one country in 1990. Operation Desert Shield was launched in 1990. And believe it or not—Al Gore, to the contrary notwithstanding—the World Wide Web was actually launched in 1990. Many of you remember AOL dial-up. Well, 1990 was the beginning of the change when the model was developed, and several years later, with the help of Microsoft, we had the World Wide Web. Gas was \$1.35 a gallon, and the Dow broke 2600.

So as I thought about it, I said, you know, in many ways that seems like an awfully long time ago, and in other ways, it seems like yesterday.

But the thing that occurred to me was—and I didn't have a chance to ask Beth or Roberta or Ricky to have somebody do some research. I said, I wondered if you got the Program from the 1990 Meeting and took a look at what was being focused on by the ALI, and then you kind of look at where we are today and what's happened, I'll bet you it would be a cause for great pride for this organization. The impact it's had on seeing that the way our laws and regulations evolve and the impact they have on all sorts of things, including business, is charted in the right direction.

So for that reason, I am very proud to have been able to make this small contribution. As I told someone when we were across the hall, I'm catching up a little bit. I'm very happy that we're able to make the gift, and I'm very happy that it will make some small contribution to the next 25 years. And it would be, if we're blessed to be around, very, very interesting to see where we are and what this organization has done over that period.

So now down to kind of brass tacks. We have, in our class, 94 members, and we are not at our goal yet, but we're getting there. And the phones are still open, everybody. (*Laughter*)

So please feel free. You know, I've got pledge cards in my pocket. Ron's got some pledge cards. We're happy to hand them out, although most of you have probably already participated, but you always can do more. But it is still open. We are not there yet, but we are at about 80 percent, which is very, very good. And the participation rate was pretty good, 65 percent. So we're hopeful that by the time we do close this at the end of June, that we'll make it. But even if not, there still is a substantial gift. The gift, as it stands now, is \$118,125. And to all of you who have participated in that—and I think everybody with a red rose in this room is there—you have my deepest gratitude, being a little presumptuous, my gratitude on behalf of the organization. Roberta already told you where it goes. It really goes for an essential purpose, to have money not be an impediment to getting the best and brightest working on our projects.

So thank you very much, and I'd like to now pass it over to Ron for him to add to my comments. Thanks very much. *(Applause)*

**Mr. Ronald L. Olson (CA):** Well, most importantly, on behalf of our class, I want to thank Andy. His great generosity sets an example we should all aspire to. And believe it or not, Andy, we are going to hit our \$150,000 goal with the help of people here and some who were not able to be here.

Let me just say at this stage in my life, 73, I have come to realize that recognition comes just by hanging in there long enough. *(Laughter)* When I said that to my wife this morning, I really don't deserve to be up here on behalf of our class, she said, "Oh, what the hell, you don't deserve those two titanium hips either." *(Laughter)* "Go enjoy," she said. So I am.

But I do want to echo a little bit of what Andy said so eloquently. It is really the scholarship of people like Bob Mundheim, whom you recognized yesterday, the scholarship of many of you who year in and year out produced the kind of product that, as Andy noted, we can be proud of years later. So many of you here are officers in our judiciary, and you do that every day. Finally, I want to say to all of you who have helped define the best of our profession and have set examples that we should all aspire to, I am proud to be here today and proud to have been elected 25 years ago.

So onward and upward. Keep it going. I applaud all of you. And like Andy, I am going to catch up a little bit. *(Applause)*

**President Ramo:** Well, I thank you for your leadership, your generosity, and your presence. Let's have dinner or lunch, whatever it is. This is what happens when you get up at 5:00.

*(Lunch was enjoyed by the group.)*