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Student Affairs

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BOARD OF EDITORS OF THE SANTA CLARA LAWYER. (Standing l. to r.): Louis Oneal, Managing Editor; Dennis M. Bourquin, Comments Editor; Aidan R. Gough, Associate Editor; William A. Riordan, Editor-in-Chief Eugene M. Premo, Student Affairs Editor.

Seated, (l. to r.): Donald L. Nankervis, Associate Editor; John Royce, Research Editor. Not shown: William J. Moses, Associate Editor.
STUDENT BAR ASSOCIATION RECORDS YEAR OF ACHIEVEMENT

The academic year 1960-61 has been the occasion for an impressive record of achievement by the Student Bar Association of the Santa Clara School of Law. Student activity began in May, 1960, when William L. Dok of Grand Rapids, Michigan, was elected to head the student government for the coming year. Also voted into office were Eugene M. Premo, Vice-President; Elvin R. Meek, Treasurer; and Thomas E. Weisenberger, A.L.S.A. Representative. Officers added to the Board of Governors when school commenced in September included David S. Maguire, Secretary; Lawrence A. Menard, Karl Kinaga, and Nicholas J. Livak, class representatives.

COMMITTEE CHAIRMEN

President Dok immediately listed appointments to the various committee chairmanships, and plans for the coming year began to take form. The committees and their chairmen included: Moot Court Committee, William J. Moses; Campbell Lecture Series, William A. Riordan; Social Committee, John Royce; Publicity Committee, Raymond F. Dreyer; St. Thomas More, Society, Salvador A. Liccardo; Book Awards Committee, Eugene M. Premo.

FISCAL INNOVATIONS

Under the direction of President Dok, the student government has functioned in a quiet but highly efficient manner. As provided in the Constitution of the Student Bar Association, the president has met with the Board of Governors as a policymaking body, instead of taking each minor matter before the student body at a general assembly. This procedure, which differs from that used in recent years, has met with notable success. One of the outstanding achievements of the Student Bar Association has been in the realm of
Under the direction of the president and the treasurer, an alternative plan was provided for the assessment of dues. Prospective members were given the opportunity of paying five dollars for the entire year, or three dollars per semester. The result of this program has been an 100% enrollment in the Student Bar Association, a substantial improvement over past years. The proceeds from this collection were then divided into two portions, providing a reserve fund for operations during the second semester.

The Board of Governors implemented this fiscal improvement by obtaining new vending machine arrangements which have proved both popular and profitable. A coffee machine has been added to the student lounge and has met with instant success. Candy and cigarette machines were installed under a new system of commission returns in order to provide a better income for the Association.

To further offset the increasing expenses of student government, the Board of Governors obtained a subsidy of two hundred dollars from the undergraduate organization of Associated Students of the University. This money, which is available at a rate of approximately one dollar for each student per semester, is annually credited to the Associated Students by the University administration, and in turn reserved for the Student Bar Association by the Treasurer of the Associated Students. As a consequence, it appears at the present time that the legacy to be left next year’s student administration will be a handsomely solvent treasury.

Programs Sponsored

Besides the numerous academic programs presented by the Campbell Lecture Series and the Moot Court Committee, the Social Committee has produced a program of excellent entertainment. Traditional weiner roasts in September and on St. Patrick’s Day, and a barbecue picnic at Alpine Park in Almaden, have been well promoted by John Royce and his committee, and well received by students and faculty. The traditional Christmas Dinner Dance was a resounding success which encouraged the Social Committee to present a Spring Dinner Dance held at the Riverside Country Club.

These officers, committeemen and representatives deserve a vote of thanks from the student body on whose behalf their efforts were devoted.

—E. M. P.

University President, Law Dean Confer

Awards for Student Achievement

At the annual convocation of the law school student body on May 4th, Reverend Patrick A. Donohoe, president of the University of Santa Clara, and Leo A. Huard, dean of the School of Law, presented this year’s awards for student achievement.

William A. Riordan, editor of the Santa Clara Lawyer and chairman of the Campbell Lecture Series, was selected as the Outstanding Graduate.

John Royce, chairman of the Student Bar Social Activities and research editor of the Santa Clara Lawyer, received the annual Law
MALPRACTICE PANEL (l. to r.): Mr. O. E. Deehan, Mr. Lou Ashe, Dr. Ralph Gampell, Mr. David Lull, Dr. Russell Lee.

With state-wide slices of controversy smothered in outstanding speakers and sprinkled with wit and rhetoric, Chairman William A. Rior- dan and his Campbell Lecture Series Committee have served the University of Santa Clara Law School a 1960-61 program designed to appease the most discerning legal appetites.

The annual student-sponsored series, which aims at preventing the law student from losing himself in the labyrinth of his common law casebooks and at keeping him cognizant of the problems of modern legal practice, was inaugurated by the campus visit of California Governor Edmund G. Brown during the past presidential election campaign.

EXPLORING THE CRIMINAL MIND

Following the Governor's remarks on national politics, a criminal responsibility symposium was presented on November 10. The panelists, Dr. Bernard Diamond, eminent criminal psychiatrist, Dr. Walter Rapaport, Superintendent of Agnew State Hospital, Dr. Paul Kirk, chairman of the Department of Criminology at the University of California at Berkeley, Samuel O'Brien, past professor of Criminal Law at Santa Clara, and Robert Hoffman of the Santa Clara County District Attorney's Office, split sharply on the question of the disposition of a defendant after the courts have declared him criminally guiltless by virtue of insanity.

Mr. O'Brien and Mr. Hoffman were adamant in insisting that he "should be removed from society to prevent similar criminal actions by him in the future;" while Dr. Diamond and Dr. Rapaport were equally firm in condemning what they called the "destructive penal variety of psychiatric treatment." They warned that in the protection of society we should not overlook the welfare of the individual and unjustly destroy his chance for mental rehabilitation.

MEDICAL MALPRACTICE

On February 21, the Lecture Committee unleashed "The Law and Doctor Jones," a heated discussion on medical malpractice which lit up the DeSaisset Art Gallery with both legal and medical pyrotechnics.

Superior Court Judge Marshall Hall had barely time to introduce the panel—Dr. Russell Lee, Superintendent of the Palo Alto Medical Clinic, Mr. O. E. Deehan, Administrator of the Palo Alto Hospital, David Lull and Lou Ashe, noted Bay Area personal injury attorneys, and Dr. Ralph Gampell, who actively practices both medicine and law—before Dr. Lee leveled the indictment that the multiplicity of malpractice suits hinders physicians in the exercise of their professional judgment by a constant threat of litigation and does not serve the purpose of making them practice more carefully.

Also lashing out at excessive judgments and "nefarious enrichment at the expense of the doctors," Dr. Lee aimed at making an incision
in the pocketbooks of trial attorneys by proposing that malpractice proceedings should be taken from the realm of the courts and impressionable juries, to be tried, instead, by a “calm, scientific and technical” personal injury commission, composed of the accused doctor’s professional peers.

Ashe was quick to disagree with Dr. Lee. The San Francisco attorney stated that “individuals have a right to receive compensation for injuries which are a result of the failure of physicians to exercise the standard of reasonable care set for them by their communities; and lawyers have a duty to protect that right. Lawyers are not vultures who see clients as living, breathing dollar signs. People have turned to the legal profession when no one else would help them from their wheelchairs.”

Lull joined in condemning Dr. Lee’s proposed commission, and defended the ability of the courts to decide malpractice cases. He emphasized, “Physicians are protected by competent defense counselors in choosing juries, and wise judges in instructing them. And if, despite this, a verdict is rendered which is at variance with the law, they may rely on the courts to grant them a new trial.”

Dr. Gampell, with his dual outlook, was able to give a less impassioned and a more conciliatory conclusion to the discussion. “Doctors,” he said, “cannot argue against the cases which are definitely caused by their negligence: such as sponges being left in patients, or the wrong operation being performed. But they do object to being held liable for failure to exercise care in the many injuries which are actually unexplained and unfortunate results of causes which are a true mystery.”

Continued Dr. Gampell: “In these cases, where there is an innocent doctor and an innocent client, the California courts have decreed that the doctor must pay. This is only just because the high insurance premiums which the physicians then pay are reflected in higher medical rates and ultimately the cost is distributed to the public.”

However, instead of giving lip service to negligence and Res Ipsa Loquitur, Dr. Gampell suggested that the courts eliminate much of the controversy and aura of injustice which surrounds malpractice suits, by merely admitting that they are in fact applying a rule of strict liability.

More Distinguished Speakers
On March 2, the Hon. Louis E. Goodman, Chief Judge of the United States District Court for the Northern District of California, provoked more thought than controversy on a subject of timely significance. With a view toward the nationwide observance of Law Day on May 1, Judge Goodman emphasized that due process of law must not be sacrificed in the effort to eliminate delay in the administration of justice. Rather, he stressed, delay should be eliminated in order to preserve our fundamental concept of due process.

In a different vein, on March 27, the student body was privileged to hear enlightening observations on local government law, based upon a career of devoted public service, by Mr. Dion Holm, distinguished Santa Clara alumnus and eminent City Attorney of San Francisco. Mr. Holm highlighted the development of municipal law in California, paralleling the growth of the state, and indicated the importance of this field as a key to its future progress.

On April 6, the Hon. Stanley Mosk, Attorney General of California, discussed the operations of the (Continued on page 47)
SUPREME COURT JUSTICE REVISITS ALMA MATER FOR LAW DAY OBSERVATION

May 1, 1961 has been set aside by Presidential proclamation as Law Day U.S.A. The purpose of this special tribute is to foster increased understanding and respect for the law and to engender in the American people a deeper understanding of the law’s relation to their individual lives. On that same morning, hordes of people will surge into the streets of a hundred cities in communist-dominated countries singing, marching, wearing and shouting slogans proclaiming the superiority of the communist way of life. This latter celebration is the communist version of May Day, which has developed into a public display of the combined armed might of the Sino-Soviet bloc before the eyes of the world.

It is an interesting contrast between two extremes; one day commemorating different systems in a directly opposite manner. The communist May Day is based solely on loud demonstrations, fiery speeches, military parades, and the emotional pyrotechnics which lead to mob rule. Law Day, on the other hand, is marked throughout the United States by quiet dinners and speeches, intended to arouse the intellect, to spur it on to a deeper understanding of the norms by which we regulate our lives.

On Law Day last year, the Honorable Raymond Peters, Associate Justice of the California Supreme Court, spoke of the role and problems of the state courts in the American system of law. The address was delivered at an event sponsored by the Santa Clara Shool of Law in conjunction with the Santa Clara County Bar Association. An overflow crowd of local attorneys, students and friends of the law school attended the luncheon meet-

ing at the Hotel Sainte Claire in San Jose.

JUSTICE DOOLING

This year’s program, according to general chairmen Donald L. Nankervis and Raymond F. Dreyer, will be centered about a dinner address by California Supreme Court Justice Maurice T. Dooling, at the Hawaiian Gardens restaurant on Monday, May 1. The dinner will be preceded by a cocktail hour reception for the guest speaker of the evening. Mr. Justice Dooling, a distinguished alumnus of the University of Santa Clara, was appointed to the San Benito County Superior Court in 1928, where he served with distinction until 1945. In that year he was elevated to the District Court of Appeal, First District, by then-governor, Chief Justice Earl Warren. In 1960, Mr. Justice Dooling received the honor of serving on this state’s highest tribunal.

Other students serving on the Law Day Committee include Louis Oneal, William L. Dok, Eugene M. Premo, Lawrence F. Terry, Elvin R. Meek, Dennis M. Bourquin and Lawrence A. Menard.

CAMPBELL LECTURES

(Continued from page 46)

office of the Attorney General and its relation to law enforcement throughout the state. Emphasizing recent action taken in cases of business frauds, trust deeds, price-fixing and narcotic enforcement, he outlined the problems attendant upon policing a state with such a varied and rapidly-growing population, and indicated the particular concern of his department with the problems of the consumer.

Concluding this year’s series, Mr. B. E. Witkin, eminent legal author and lecturer, surveyed the field of recent significant California tort decisions, and discussed the status of the current and lively issue of sovereign immunity.
THOMAS MORE SOCIETY PLACES EMPHASIS ON PURPOSE OF LAW

"He that cannot contemplate the beauty of the whole, stumbles at the deformity of the part, not knowing the harmony that it has with the whole."

The Saint Thomas More Society strives, in the spirit of this Augustinian wisdom, to achieve the purpose of a Catholic university in molding men after their Divine Model. More particularly, the society seeks to awaken within the law student an ardent desire to gaze beyond the minutiae of legal technicalities, to behold and appreciate the beauty of the Rule of Law in an ordered universe.

The society is open to the membership of the entire law school student body and is administered by a committee of the Student Bar Association. This year, wives and friends have been invited to attend the traditional program of Communion breakfasts and talks sponsored by the society under the direction of Salvador A. Liccardo.

On Sunday morning, March 12, 1961, following Mass in the Mission Church, guest speaker Albert J. Ruffo of the law firm of Ruffo and Chadwick in San Jose, kept his audience engrossed with a vivid description of his experiences on a recent tour of the Soviet Union.

The past year has witnessed the development of the Saint Thomas More Society into one of the most energetic and successful organizations of the School of Law. It is hoped that succeeding classes of law students will not underestimate the society's value to them as lawyers of the future. As a means for finding wisdom, purpose and courage, the society can contribute substantially to the molding of truly professional men of the Law after the Model reflected by its saintly patron.

—S. A. L.

NEW OFFICERS ELECTED TO HEAD STUDENT BAR

On April 11, before a general assembly of the Santa Clara Student Bar Association, Robert J. Rishwain, a second year student from Stockton, California, was elected to lead the student government. He succeeds William Dok as president of the Student Bar Association in June and will serve in this office for the academic year 1961-62.

The incoming president is a graduate of Stanford University and received his A.B. degree in Biology in 1959.

The newly elected vice-president is Thomas P. Breen, a first year student from Hollister, California. Leon E. Panetta, a resident of Carmel Valley, and also a member of the first year class, was elected to the office of treasurer.

This year's elections were held earlier than usual due to the fact that the Western Region of the American Law School Association was convening in Los Angeles on April 15 to elect the ninth circuit vice-president for that body. Chosen as Santa Clara representative to the American Law School Association was James T. Ford, a second year student from Stockton, California, who completed his undergraduate study at Santa Clara. Following the Student Bar Association elections, the newly chosen representative enplaned for the American Law Student Association convention in Los Angeles. At this convocation, he was elected to head the ninth circuit as representative of the nine member law schools in California and Arizona. In this capacity, he will attend the national convention of the association in St. Louis to be held this August. He will there be seated as one of the twelve national vice-presidents on the Board of Governors of the American Law Student Association.

—E. M. P.
ADMINISTRATIVE PROGRAMS KEEP ABR EASE OF TIMES

Recent administrative announcements by the Santa Clara School of Law indicate a continuing effort to maintain and improve high scholastic and professional standards. One of the most noteworthy is the revision of the basic curriculum brought about by a reduction in the number of hours devoted to traditionally "required" courses. At the same time, the number of electives offered has been increased to include such courses as: Creditors' Rights, Trade Regulations, Security Transactions and Local Government Law.

COURSES ADDED

The implementation of this program since September has enabled the student not only to gain a thorough knowledge of these courses traditionally regarded as fundamental, but also to expand and broaden his knowledge of the more specialized fields. The course in Professional Responsibility currently being offered to third year students has been revised to utilize the recently published Handbook on Legal Ethics by Henry S. Drinker, chairman of the Standing Committee on Legal Ethics and Professional Grievances of the American Bar Association. The course is being conducted on a seminar basis and guest speakers from the Bar and related fields have been invited to participate. In the future, the study of Jurisprudence will be reinstated in the curriculum of first year students.

NEW GRADING SYSTEM

Students receiving grades in the first semester noted the use of plus and minus grades in addition to the usual letter grades. This new system is being used to enable the administration and faculty to make a more equitable decision in determining the student's grades and class standing. Early response to the new system gives indication of general approval by both students and faculty.

Under the new grading system, which is also used by many other law schools in this area, a credit differentiation is made, for example, between a C plus and a C minus. Grade points are now allotted on the basis of 3.8 for B plus, 3.4 for B, 3.0 for B minus, and so on through the entire grade range. Since a 2.0 is the minimum required average, it is now possible for a student who receives several C plus grades and one D plus to remain in school. The system is also useful in making the justifiable distinction between the B plus and B-minus, or C plus and C-minus students who were formerly indistinguishable.

SCHEDULE CHANGES

Continually desirous of maintaining the high professional standards of the School of Law, the administration recently announced proposals to guard against the possibility of diminishing standards occasioned by the presence of a large number of part-time students. Based on studies and recommendations of the Association of American Law Schools and the American Bar Association, indicating the tremendous barriers confronting the working student seeking to reach a high level of professional achievement, the administration plans to schedule afternoon classes and to increase the total number of instructional hours during the academic year. In addition, positive steps are being taken to increase the number of scholarships and grants available to students to offset the resulting cutbacks in student income.

FIRST YEAR ORIENTATION

Also, beginning in September, 1961, first-year students will have the advantage of a unique orienta-
tion program. Consisting of five one-hour lectures during the first two weeks of school, the program will be designed to acquaint the beginning student with the basic objectives of the law school, and the general purpose of a legal education. Calling upon the talents of faculty members and guest lecturers, the program will be devoted to giving the student a basic background or frame of reference from which his efforts may be directed. In light of the tendency of legal study to resolve itself into mastering concepts of individual courses, it is hoped that the program will create an awareness on the part of the student that the study of law involves a greater objective—a knowledge and awareness of many factors in a broad field which are brought into play in the disposition of any legal problem.

**Library Expanded, Catalogued**

This general program of progress has been extended to other areas of law school life. The Law Library continues to expand and develop through the acquisition of additional books and improvement of its facilities. Additional shelves are currently being installed in the moot court room and in offices adjacent to the library, which will accommodate the many volumes which previously have been in storage. The law library now houses nearly 29,000 volumes, revealing a yearly gross increase of from 1500 to 2000 volumes. During the summer, significant additions included ten complete sets of law reviews, as well as statutory, decisional and text materials.

One of the most significant projects currently underway is the cataloguing of the entire law library collection. This monumental task is under the direction of Wolodymyr Orenczuk, a member of the Varsi Library staff of the University.

A former practicing attorney in Poland prior to its occupation, and an expert in the field of library science, Dr. Orenczuk is highly qualified to undertake this project. The problem is a highly complex one which requires a determination of the proper classification for each volume in the collection. The cataloguing of the collection is based on the uniform and standardized system developed by the Los Angeles County Bar Association, which in turn is derived from the Benyon System originally developed at the University of Chicago. The system, currently being employed or under consideration by many libraries in the state, is designed to fit within the Library of Congress catalog classification. The uniformity of such a system will be a tremendous advantage to both the student and the practicing attorney, allowing them to obtain the maximum benefit from law libraries throughout the state.

Other improvements in library facilities include a checkout center which will be installed near the entrance to the library and will simplify the borrowing and returning of books. In addition a substantial increase in allocations for the library is being sought to continue future expansion and improvement.

**Legal Aid**

The Legal Aid Society, organized in September 1960, under the joint auspices of the Santa Clara County Bar Association and the University of Santa Clara staffed daily by third year law students, has met with such enthusiastic reception that the program is being continued without interruption throughout the summer months. Senior law students will continue to serve at the clinic, which was recently strengthened by acquiring the full time services of Attorney George Martin. — L. F. T.
ACTIVITIES OF DEAN HUARD
RANGE FROM CAMPUS TO CAPITOL

A glance at Dean Leo A. Huard's active calendar of the past few months reveals numerous programs, events and activities which have occupied his time and interest not only as Dean of the Law School but as lawyer, educator and scholar.

As administrative head of the Santa Clara School of Law, Dean Huard has been concerned with matters which include the internal affairs of faculty, curriculum and finance as well as public relations.

On occasions during the past several months he has attended and spoken at various alumni receptions throughout the State. Various community organizations such as the Kiwanis, the Rotary Club and the Optimists have heard him speak on topics surveying legal, educational and administrative fields under such headings as Government Regulation and The Private Citizen and Space Law. Lectures have also occupied a great part of the Dean's calendar. For instance, he addressed the representatives of the Independent Telephone Companies Association of Arizona, California and Nevada on the subject of Living With Government Regulations.

In addition to such community affairs, Dean Huard has taken an active part in numerous student-sponsored functions by moderating the Campbell Lecture Series and speaking before such organizations as the St. Thomas More Society and the Blackstone Society to name but a few. He also has found time to serve with the Personnel Board of the City of San Jose in its selection of applicants for the City Attorney's staff, and to attend important conferences of the Association of Western Law Schools and the American Bar Association.

AMERICAN BAR ASSOCIATION

Some of the more interesting aspects of the Dean's activities stem from his membership in the American Bar Association as a lawyer and scholar on administrative law. He served as chairman of the Committee on the Code of Administrative Procedure of the Administrative Law Section, a committee of the American Bar Association established for the continuing study of the procedure of administrative agencies of the federal government.

The Dean has also been interested in aiding the passage of Senate Bill 1070 (86th Cong., 1st Sess., 1959), sponsored by the American Bar Association. The Bill embodies a "Code of Federal Administrative Procedure" and is intended to replace the Administrative Procedure Act of 1946. If enacted into law, it will serve as a general statute for the establishment of greater discipline, unity and clarity in the operation of the administrative agencies.

Enactment of S. 1070 is the primary responsibility of the Association's Special Committee on the Code of Administrative Procedure. In recent months Dean Huard headed a committee of consultants assisting the Special Committee by answering criticisms and comments on the Bill from the various federal agencies. Serving with Dean Huard as consultants were Professor Rex Collings of the University of California School of Law (Berkeley) and Professor Winston Fick of Claremont Men's College. Their report to the A.B.A. Special Committee will be submitted ultimately to the U.S. Senate Subcommittee on Administrative Practice and Procedure which is presently holding hearings on the Bill.

The Dean continues to preside as chairman of the A.B.A. Committee on Administrative Process, a stand-
ing committee of the A.B.A. Section of Administrative Law and formerly the Special Committee on The Code of Administrative Procedure. This committee of twenty-six members maintains a continuing and vigilant watch over administrative procedure in general and is particularly concerned with investigation of delay and high cost in the administrative process, as well as consideration of the recent Landis Report on the regulatory agencies of the federal government.

AFFAIRS OF STATE

Moving away from Dean Huard's many activities with the American Bar Association, it is interesting to note that his abilities as a lawyer and scholar have been sought by both local and state governments in resolving various administrative problems. Last May he spoke before the meeting of the Santa Clara Chamber of Commerce Community Development Committee on the proposed Santa Clara City Ordinance for licensing and taxing of businesses.

WATER REPORT

More recently, the Dean completed an important and extensive report for the California Senate Fact Finding Committee on Water. It was determined in the early summer of 1960 by the chairman of this senate committee that a study of the statutory jurisdictions of the Department of Water Resources, the California Water Commission and the State Water Rights Board was in order. Dean Huard was commissioned to make the study and to examine the agencies and their functions from the standpoint of administrative law and procedure, with particular attention directed to those areas of overlapping and concurrent jurisdiction. The report itself was released in December, 1960, following the Dean's appearance in October before an executive session of the Fact Finding Committee in Sacramento.

These have been but a few of the interests occupying the attention of Dean Leo A. Huard during the past several months, a span of activities ranging from law school curriculum to state reports and congressional legislation.

—L. E. P.

ACHIEVEMENT AWARDS

(Continued from page 44)

Wives' Book Award as well as an award for Community Leadership.

Similar recognition for Community Leadership in contributing to law school activities, was accorded to William L. Dok, president of the Student Bar Association, Louis O'Neal, co-chairman of the Tutor Committee and managing editor of the Santa Clara Lawyer, and Donald L. Nankervis, co-chairman of the annual Law Day observance and associate editor of the Santa Clara Lawyer.

Lawrence F. Terry was named the outstanding participant in the second year intramural moot court program.

Certificates of merit were awarded to graduating members of the Santa Clara Lawyer and the Santa Clara Legal Series, as well as senior members of the Tutor Committee. The awards went to Charles A. Borgerding, Cyril A. Keitges, Dennis M. Bourquin, Charles A. Shea III, Quentin H. Smith, J. Stephen Frank, Salvador A. Liccardo, Charence M. Madsen, William J. Moses, Louis O'Neal, John Royce, James E. Minnerly, William L. Dok, Donald L. Nankervis, William A. Riordan and James F. Quinlan.