

# Introduction: Corporate Citizenship: A Conversation Among the Law, Business and Academia

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**SEPTEMBER 15, 2000**

## **CORPORATE CITIZENSHIP: A CONVERSATION AMONG THE LAW, BUSINESS AND ACADEMIA**

**Dean Howard Eisenberg:** On behalf of everyone at Marquette, from the Reverend Robert A. Wild of the Society of Jesus, the President of the University, to everybody on the faculty of the law school—I want to tell you how pleased we are that you've all come. This is perhaps the only continuing education program in the history of the United States that has been ordered by federal court. Some of you may not know the history of this program. In 1996, a lawyer, not an alumnus of any law school located on Wisconsin Avenue, but a lawyer nonetheless, was convicted of white-collar crimes in the U.S. District Court for the Eastern District of Wisconsin with Judge Rudy Randa presiding. The defendant's name was Dawdle, and Mr. Dawdle was employed by K-Mart and he engaged in some improprieties in purchasing land on behalf of his employer. As a consequence, he was convicted of various federal offenses and he was sentenced to various things, but one of the things that Judge Randa did as part of the disposition in that case, was to order Mr. Dawdle to pay \$100,000 as a community service payment. Judge Randa awarded \$50,000 to the University of Wisconsin Law School and \$50,000 to our law school to organize a program on business/legal ethics. In fact, for those of you who don't believe it, this is actually the check, a media prop that was presented to me on August 6, 1996, and this is made out to the University for \$50,000. I am assured by the treasurer of the University that there was a smaller copy of this that actually was negotiated, so this is just a copy, but that's sort of the unusual history of how we got here.

Being a good Dean, I immediately delegated the responsibility for the planning of this program to a committee, and that partially explains why it has taken four years to have the program. I would be remiss if I did not acknowledge right at the outset, the extraordinary work of the Committee Chair, Professor Patricia Bradford. She has worked with an outstanding committee of alumni and faculty to put this program together. The alumni on the committee were Garrett Reich, who is an

attorney with the Miller Brewing Company, Barbara Burman, who is the Chief Deputy United States Attorney for the Eastern District of Wisconsin, and Frank DeGuire Jr., who is an attorney in private practice here in Milwaukee. The committee for the law school included Frank DeGuire Sr., who is a professor at the law school, Professor Andrea Schneider, Professor Jack Kircher, and Professor Ed Fallone, and they've all done a wonderful job in putting this program together. Patricia, being the good administrator that she is, said you can give as long a welcome as you like, but the first panel begins at 9:05, and so I'll continue my welcome at lunch and with that I'll give the dias over to my colleague Professor Ed Fallone for the first panel. Thank you all and thank you again for coming.

DEFINING GOOD CORPORATE CITIZENSHIP: WHAT DEFINES A  
COMPANY AS A RESPONSIBLE MEMBER OF SOCIETY?

**Professor Edward Fallone**

**Todd Kahn**

**Professor Lawrence E. Mitchell**

**Reverend Robert A. Sirico**

**Professor Edward Fallone:** Welcome again and thank you to the Dean. I am your moderator, Professor Ed Fallone from the faculty at Marquette University Law School. Welcome to what promises to be a very spirited and informative conference that we call "Corporate Citizenship: A Conversation Among the Law, Business, and Academia." I'd also like to thank Professor Patricia Bradford, the Chair of the organizing committee, for her tireless efforts in organizing this event.

As the Dean mentioned, the genesis of the conference was the criminal conviction of Michael Dawdle, a former K-Mart executive in a case that arose out of Mr. Dawdle being fingered by another individual, Frank Crivello, who in a plea bargain to separate bank fraud charges, gave up Mr. Dawdle as part of his cooperation. I do think that District Judge Rudolph Randa at sentencing was reacting a bit to the seaminess of the business practices—the seemingly casual use of kickbacks and bribes in business practices—when he ordered this public service payment to the Marquette University Law School and the University of Wisconsin Law School to fund programs in business ethics. I think that the sentencing order was unusual, and I think that the judge was