

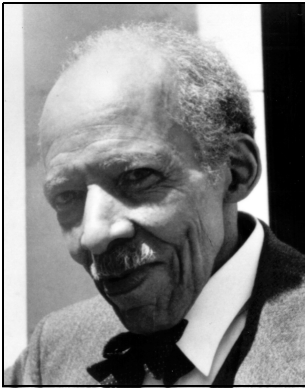
By 1981, when Ronald Reagan was inaugurated as president, the law had changed, largely in response to criticism from the Chicago School. The U.S. Court of Appeals for the Second Circuit had ruled in *Berkey Photo, Inc. v. Eastman Kodak Co.* (1979) that even a monopolist has a right to compete aggressively. President Reagan's first Antitrust Division head, William Baxter, a Stanford law professor and Chicago School scholar, concluded that although IBM probably had monopoly power in a relevant market during the complaint period, the government had not proven that the power resulted from predatory practices. Rather, IBM was

dominant because it was more efficient than its rivals. Baxter also believed that no feasible remedy could be fashioned. Injunctive relief would be either irrelevant or insignificant, and a structural remedy, given the technological progress in the computer industry that was already eroding IBM's dominance, would be disproportionate to the offense and unnecessary. He dismissed the case on 8 January 1982.

John E. Lopatka, *IBM Litigation*, in Kermit L. Hall, ed., *THE OXFORD COMPANION TO AMERICAN LAW* 408 (2002) (cross-references and citations omitted).

TWO MORE LOOKS AT HARRY PARKER

WE HAVE BEEN UNABLE to find images of Harry Parker from either the period when he worked with John Knox (see the review of Knox's diary on page 93) or the period when he would have shared his eggnog recipe with Harlan Fiske Stone. See *Harry Parker Revealed*, 5 GREEN BAG 2D 359 (2002). The pictures below are of Parker later in life, one year before his death in 1953. On the left, he is standing in one of the internal courtyards of the Supreme Court building. On the right, he is standing with law clerks C. George Niebank, Jr. (left) and William H. Rehnquist (right) who, like Parker, were working for Justice Robert Jackson at the time. Photographs by Sam Daniels, Collection of the Supreme Court of the United States.



TRUTH ON THE TRAIL

FORMER PHILADELPHIA MAYOR and current Pennsylvania gubernatorial candidate Ed Rendell has taken the boldest step yet by any major political figure in the

movement for campaign finance reform. Rendell, who is a well-paid partner at the firm of Ballard Spahr Andrews & Ingersoll, LLP, acknowledged during an April 21, 2002, Democratic primary campaign appearance that, "I have for the last two years done

practically nothing for [the firm] ... I don't remember my clients, but there aren't many." The statement received excited and not-exactly-positive coverage in the Pennsylvania media, and Rendell's opponent, Bob Casey, Jr., expressed shock, concern, and moral outrage.

Nevertheless, Rendell won the primary a few weeks later. He is leading in the general election polls as the *Green Bag* goes to press.

Perhaps Pennsylvania voters suppose that getting a lot of money for doing not very much is not a feature that distinguishes Rendell

from his opponents. Perhaps, in the absence of evidence to the contrary, voters assume that all high-powered pols are either independently wealthy or on the make, if not the take.

What would the newspapers look like tomorrow if today everyone holding or pursuing state or federal elective office were as forthcoming as Rendell about where their money comes from and what they do to get it? It would be a start. It might even turn out to be enough.

'Little' Done for Firm, Rendell Says, PHILA. INQUIRER, Apr. 23, 2002.

SHOULD CHICAGO @ NYU JOIN THE BIG TEN?

HERE ARE THE RESULTS of a couple of prominent rankings of the top ten schools in the fields of sports and law. Numbers in parentheses show a school's ranking in the other field.

Top Ten Sports Schools (*Sports Illustrated*)

1. Texas (15)
2. Stanford (2)
3. Oklahoma (tier 2)
4. Florida (45)
5. South Carolina (tier 2)
6. LSU (tier 3)
7. Minnesota (18)
8. North Carolina (31)
9. Tennessee (tier 2)
10. Michigan (7)

Top Ten Law Schools (*U.S. News @ World Report*)

1. Yale (95)
2. Stanford (2)
3. Harvard (41)
4. Columbia (166)
5. NYU (unranked)
6. Chicago (unranked)
7. Berkeley (34)
7. Michigan (10)
7. Penn (72)
7. Virginia (38)

Law schools that try to leverage their schools' athletes should bear in mind that a stronger sports program is unlikely to provide a quick cure for the *U.S. News* blues. As with the *U.S. News* law school rankings, so with the *Sports Illustrated* rankings: reputation is based partly on current and recent students and programs, and partly on ancient history – including the performance of long-dead alumni. For example, *Sports Illustrated* ranked Minnesota #7 in part based on alumnus Bronko Nagurski (Class of 1929) and the school's fame as the birthplace of cheerleading. Lou Gehrig (1921-23) was a factor in Columbia's making the *Sports Illustrated* list ahead of seemingly peer schools Chicago and NYU.

Media clout and celebrity alums matter, too. Former *Saturday Night Live* producer and NBC Sports executive Dick Ebersol (Class of 1971) weighed in Yale's ranking, and Minnesota got credit for new age music sensation Yanni Chrysomallis (Class of 1976), whose music has been featured in many Summer and Winter Olympics, as well as such important sporting events as the U.S. Open golf and tennis tournaments.

America's Best Sports Colleges, http://sportsillustrated.cnn.com/si_online/news/2002/10/01/1_10/; *Best Graduate Schools 2003*, U.S. NEWS @ WORLD REPORT, Apr. 5, 2002.