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ALUMNI PROFILE

Margaret Finerty '78

For Margaret Finerty '78, who has blazed a trail in civil and criminal law, the motivation remains the same today as when she was a young girl growing up in Chicago. "I wanted to help people and still do," she says.

She began her law career in 1978 as an assistant district attorney in the office of Robert Morgenthau, the long-reigning district attorney for New York County. "Anyone who has ever worked for Bob Morgenthau will tell you it was the best job they ever had," says Finerty, who praises her former boss for giving beginning lawyers significant responsibility and never letting politics influence his actions.

She won a ninety-nine-count indictment in her first trial, which involved white-collar fraud in the travel industry. "To have that kind of opportunity as a young lawyer is phenomenal," says Finerty. "You can't get it at a private law firm."

Helping rape victims through the office's Sex Crimes Unit was her most difficult work, but also the most gratifying emotionally, she says. In one case she prosecuted, four female prostitutes who didn't know one another came forward to testify that the defendant had solicited them for sex, then pulled out a gun or a knife and held them overnight in a hotel, where he raped them and stole their money.

To ensure the jury would be fair Finerty asked potential jurors whether they could convict if the victims were prostitutes. She also directed the women to tell the jury how they ended up as prostitutes. "That humanized them. You really got to hear about these women as people," she comments. The defendant was convicted and sentenced to a long jail term.

When Finerty called to tell one victim, "She said to me, 'God bless America.'"

That kind of gratification was one reason Finerty remained with Morgenthau's office for seventeen years and went on to prosecute major fraud cases. "I had wonderful opportunities, including the chance to develop and grow as an attorney," she says. She left in 1995 after being appointed a judge in New York.

"In addition to being a good lawyer, skilled, smart, with the ability to see things from different points of view, she's extremely well-liked," notes Ronald Goldstock, an adjunct professor at the Law School and leader in organized crime prevention, who has known Finerty since she was a student in his Criminal Trial Process seminar. "When she left to become a judge, people in the D.A.'s office were happy for her but sad to lose her, particularly women in the office for whom she had been a role model."

Being a criminal court judge was a sea change for her. Assigned to two of the busiest court-houses, she often worked the night court shift: "I would have about 100 cases on my docket at any given time, everything from jumping a turnstile to domestic violence to homicide. Most misdemeanor cases were resolved after arraignment but before trial, so when I sat in a calendar part I was looking at the evidence and making decisions quickly about whether to issue an order of protection, grant a hearing or a motion to dismiss a case. I had more power than I did as a litigator, but it was a more reactive role, with much less control over the investigation of a case."

Social work, not law, had been her first career choice in high school. It wasn't until her junior year at the University of Chicago when, after a friend's suggestion to consider law school, "I realized that using the law to make changes

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might be a more effective way to help people," she says.

Cornell Law School's small size and strong academic reputation appealed to her. Once her studies began, she discovered that courses involving court action excited her the most. In addition to Goldstock's seminar and classes in torts and trial techniques taught by the late Irving Younger, a former judge, she cites Rossi's evidence course. "He was a fabulous teacher, outgoing and dynamic," she says. "He brought real-life courtroom experiences as well as academics to the classroom."

Her first week at the school, classmate Neil Getnick, whom she had met at a mixer, invited her to dinner at Johnny's Big Red Bar and Grill in Collegetown. "We found out our backgrounds were different, but our values were the same," says Finerty, whose family is Irish American (Getnick's is Jewish American).

"We each had wonderfully supportive parents and live-in grandmothers, and we had the same views on education, on being close with your family and supportive of them."

They fell in love and planned to marry right after graduation. But Getnick had also received a job offer from the New York County District Attorney's Office. Hiring practices could be restrictive back then. "We didn't know what the policy in the D.A.'s office was about married couples working together," says Finerty. So the pair asked Goldstock, their respected professor and now dear friend who is a veteran of that office, to inquire of Morgenthau on their behalf. He did, and the district attorney assented.

Getnick left the district attorney's office several years later to join his father's private practice, which he then built into a firm specializing in antifraud and business integrity cases that is considered a pioneer in the field of *qui tam* and independent monitoring (see more about that in the profile of Getnick which follows). In 1998, Finerty decided to step down from her position as judge to join Getnick and Getnick because she missed investigating cases and wanted a new challenge, and the growing firm needed more lawyers.

Since then she and her husband have worked together on a team monitoring against fraud and theft at the World Trade Center site following the September 11, 2001, terrorist attacks. And under a False Claims Act provision, they and their team won a large settlement against Bayer, Inc., for defrauding the federal government of millions of dollars through improper Medicaid charges.

"We're still working for the public good by fighting fraud but doing it as a private law



firm working with the government to investigate it and filing cases on behalf of individual whistle blowers," Finerty explains.

"Neil and Peggy view their firm as something more than just a business," says Goldstock. "They will often take a case because they believe it's important and its outcome will have a positive impact on society, and they will continue working on it even if it might not be profitable to do so."

He also praises them for their ability to work together in the same practice. "Not every husband and wife can do it," he says, "but they're a pretty good match. They complement each other."

One of the nice things about working in the same firm with your spouse, says Finerty, is "when you get home and are still obsessing over a case, you have someone you can talk to about it."

Finerty and Getnick's ongoing involvement with Cornell includes chairing reunions for their Law School class and organizing a continuing legal education program on the False Claims Act at their thirtieth reunion in 2008.

The couple's daughters, Courtney, twenty-two, and Katherine, twenty, are now both undergraduates at Cornell. Finerty's best advice to them and other young people planning their futures: "Spend time working on things you think are worthwhile that will make a difference. And don't be afraid of new challenges."

-LINDA BRANDT MYERS