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The next step

David Westbrook to teach Corporate Finance

David Westbrook's journey to the lectern has been far from a straight line. UB Law School's newest associate professor, who will join the faculty in September, traveled from Emory University and Harvard Law School through the upper echelons of practice in Washington, D.C., as well as overseas work in Belgium, Brazil, Taiwan and Scotland.

"I also come from an international and academic household," says Westbrook, who will bring his wife, Amy Deen Westbrook — also slated to join the Law School faculty — and their two small children. "My mother is German and I was born in Germany. Both of my parents are academics so I guess you could say that my engagement with ideas in an international context is inherited."

Westbrook has held a series of appointments and legal positions since his graduation from Harvard Law in 1992. As a Ford Fellow in Public International Law (one of five in his class), he spent a summer in Brussels, helping to draft the policy statement of the Commission of the European Communities for the United Nations Conference on Environment and Development, in Rio de Janeiro. After leaving Harvard he spent a year researching and writing at the Universite Catholique de Louvain, in Belgium. Then followed two years as law clerk to Judge S. Jay Plager, of the U.S. Court of Appeals for the Federal Circuit.

Since 1995 Westbrook has practiced international corporate law with the Washington firm of Wilmer, Cutler & Pickering. The policy-oriented character of the firm's work, he says, provides a natural bridge to teaching and legal scholarship.

"As a Washington firm, we have a large policy presence," Westbrook says. "We've done policy work for international



David and Amy Deen Westbrook

PHOTO: MICHAEL GEISSINGER

organizations, such as the Inter-American Development Bank, as well as policy-oriented projects for private parties such as work regarding the implications of computer technology on behalf of the securities industry.

"Most of my work, however, is transactional in character. Even doing deals in Washington often implicates policy questions. Traditionally, at least, the reason for a client to seek counsel from a Washington firm is that the client's interests intersect ongoing policy debates, just as clients hire New York firms in order to access the depth of capital in the Wall Street markets. What I hope to do is show students something about how policy and practice interpenetrate each other."

The nascent professor has plunged headlong into a variety of research and writing projects. "I've done some writing while practicing and while clerking," Westbrook says. "I have about a dozen projects in process, but I'm looking forward to being much more productive. There is a long way between conception and submission of an article. Given my time constraints, it's easier to think through new projects than to execute old ideas. I'm very excited to have much more time to write."

Many of his projects, Westbrook says, "attempt to make some sense of the globalization of capital: If you assume communication and you assume capital flow across borders, what does that mean for people?" For example, he points to a "democratization of capitalism" — that because so many people are invested in the equity markets through their pension and retirement plans, "People look to what they own — rather than to their jobs or the state — for security. As a result, owning things is important in a way that it hasn't been in a long time, in the way we conceive of ourselves."

Another long-standing interest is the environment. Westbrook has written a book chapter on the international status of the Galapagos Islands, and other significant pieces on environmental jurisprudence and on Fifth Amendment takings. A current project, drawing on work done in Taiwan on behalf of a major non-governmental organization, examines the imposition of trade sanctions by the United States on Taiwan, in response to the Taiwanese condonation of trade in

Over the border

Amy Deen Westbrook brings experience in international transactions

UB Law School will enjoy a double benefit with the hiring of David Westbrook and his wife, Amy Deen Westbrook, who also will join the faculty in September.

Mrs. Westbrook graduated cum laude in 1992 from Harvard Law School, where she served as deputy editor-in-chief for the *International Law Journal* and as an editor for the *Environmental Law Review*. She also has an international background, including serving for a year in the competition directorate of the Commission of the European Communities, in Brussels, Belgium. Mrs. Westbrook attended Harvard College as an undergraduate. She graduated magna cum laude and was Phi Beta Kappa.

Since 1993 she has been an associate with the Washington, D.C., office of the New York firm Cleary, Gottlieb, Steen & Hamilton, where her practice focuses on international transactions — project finance, acquisitions and joint ventures, particularly in Latin America — as well as international trade negotiations, U.S. and U.N. sanctions programs, and general corporate work. It's pretty much a 24-hours-a-day job, she says wryly, because with the difference in time zones, she often finds herself on the phone with, say, Japan at 2 a.m.

"We represent a lot of large banks, and in my first year at Cleary I did a lot of big investment deals. But I really did want to get back into the international arena, because I have a great interest in development issues," Mrs. Westbrook says.

She also has a keen interest in international trade agreements, such as NAFTA and GATT. "I've come at it from the perspective of Mexico and Chile for the past three or four years," she says, but takes note of Buffalo's proximity to Canada and the consequent importance of international trade issues to the community. "A lot of chapters of NAFTA deal with investment and financial services," she says, "and it's a good thing to know if you're going to do business with countries across the border."

At UB Law, she'll use that expertise in teaching a course on international transactions, "highlighting what's different in your transaction when it crosses borders. It probably will also draw more on the international trade arena."

And she's looking forward as well to having more time to devote to legal research and writing. "I have been a practitioner for the last five years," she says, "but I haven't done a lot of writing. I really want to get back into that." ■

rhino and tiger parts. (His experience of the natural world isn't just theoretical. Westbrook has done a lot of skiing and has climbed in Peru, Alaska and the Alps.)

At UB Law, he will teach a course in corporate finance, focusing on how start-up airlines raise money. "About half my practice is for clients in the aviation industry. I think it will be helpful for students to look at financing within the confines of a single industry," he says. "It should help make more clear the sorts of choices that are being made. Financing is not an abstract project — simply deciding to take on debt or issue stock. It happens within a business context, and a lot of the parameters are set by law. Moreover, the

competitive environment of airlines is complicated and not entirely understood. So getting the deal done, the job of the lawyer, requires the ability to operate in a complex environment. I hope to teach students something about how to do that, and as a bonus they should learn a little about what makes the airline industry tick."

From practitioner to professor — maybe not so surprising a leap after all. "It's an exciting move," Westbrook says. "Washington has been good to us and for us. But we have been meaning to make this change for a long time.

"We are just very, very excited about it." ■

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The New Curriculum