

May 27, 1993

Robert MacCrate, Esq.
Sullivan & Cromwell
125 Broad Street
New York, NY 10004

Dear Bob:

Having shared the earlier correspondence on this matter with you, I thought I should close the loop.

Here is the follow-up from Leshner, presumably sent after consultation. The position it takes so firmly is embarrassing for the ABA. However, my goal is not ABA-reform but getting the material out in the same useful form as all the other course materials our institute is publishing on the Internet (the much heralded "Information Superhighway") and on disk.

To that end I have secured a public domain version of the Rules of Professional Code, namely those adopted by a particular jurisdiction. Our institute will publish those rules together with an explanation of the few respects in which they differ from those to which the ABA asserts a copyright. For all the ABA might wish, it cannot, in a case like this, shield itself (and West) from competition.

Thanks for your interest in this teapot tempest.

Sincerely,

Peter W. Martin
Jane M.G. Foster Professor of Law
MARTIN@LAW.MAIL.CORNELL.EDU