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Dear Dan,

I have three letters of yours in front of me, one from December, 2005, one from October, 2008, and one from Christmas, 2009. I am pretty sure I answered the 2005 letter and equally certain that I have not answered the last two, although it has certainly not been from your being absent from my thoughts. It is just that the time seems to be moving ever faster, and I become increasingly aware that at some point the clock stops, although it stopped for my father in his 88th year and for my mother just short of her 102nd. The last eight years of my father's life were lost to Alzheimer's. My mother lived at home until about 5 days before she died playing bridge and Majong with her younger friends in their 70's and 80's. She was lucid until the end and would probably still be alive if the heart valve that was put in when she was about 80 had not sprung a leak.

I passed my 70th birthday two years ago and will be 72 this coming March but am still playing competitive sports with people a half century younger and holding my own and of course still actively practicing law. In fact, I have taken on a young French woman who was admitted to the bar just a year ago, although she had been an intern for the past several years in my office. She has about ten years of study in private international law and an enviable collection of diplomas, and I feel extremely fortunate to have found someone competent and pleasant to assist me and eventually share a practice that I have built up over the past 37 years.

One major piece of news in our family is that our second son who is named after you, after getting several degrees from Oxford in linguistics, French, medical history, and medical ethics and then a PhD in medical ethics from Imperial College in London and then a tenured position as a professor at a London Medical School where he taught for a couple of years, finally succumbed to gentle pressure from his father and his spouse to go into law for which he has an unquestionable talent as a brilliant speaker with a quick wit and a first-class mind. He finishes what the English call the two-year "law conversion course" this June and has already secured a job as a barrister in one of the best chambers.

In your 2008 letter you mention that you were writing a response to the Carrington-Cramton proposal for the Cornell Law Review on the mandatory certiorari idea. If you still have a copy to send me I would much like to see it. I am not sure I like or dislike the idea, although I would favor requiring the Court to decide 120 cases rather than the 80 or so they have dropped down to.

Of course I congratulate you on receiving the McCree Lewis Award. The piece you sent mentions a piece by you in the Sewanee Review "The Wolf's Lair..." which I have not seen. If you have a copy to spare of that, I would of course like to read it.

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You mention in your 2005 letter that you made a trip to the European Court of Human Rights. I went there myself last year with a group of lawyers from the South of France. We heard a case involving France argued before the full court, were given a special tour, and got to spend quite a bit of time with one of the French lawyers who works at the Court. It was particularly valuable for me as I have now had two cases there and hope to have more. I am enclosing my press release from the case which the Court unfortunately (and wrongly in my view) just refused to hear. They now have a system where only one judge determines if the case can be heard whereas before three judges ruled on the initial application.

I have often thought that I would like to try to establish something like the Appellate Legal Aid program we had at Virginia for the ECHR, but the problem is how to get the cases. The 4th Circuit referred cases, but the ECHR apparently cannot do that.

In each of your past letters you mention that your health is excellent, and I hope that continued in 2010 and will do so throughout 2011 and beyond. Junko and I and all our sons and three grandsons with one more on the way are all in excellent health, although I have had no recent reports on the youngest who is only a few weeks old.

I look forward to another letter from you and perhaps copies of some of your recent writing.

With warmest regards as always.



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