



NIABA NEWS

Men and women sharing a common heritage in a chosen profession

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PAYING A DEBT

By Josepha A. Sena, Jr., Esq.
NIABA President

Auguri e benvenuti a tutti. I write to advise all members of another fabulous meeting scheduled for Newport Beach, California from May 19-22, 2016. I urge all members to attend. More information about the specific plans are available in the article below and on our [website](#).



Why do we meet? Is it merely to eat in nice Italian restaurants? Is it, as said in the television show the Soprano's, to dine? Is it merely a travel club?

No, we meet to dine together, to share our common cultural heritage, and to remember the sacrifice that our Italian immigrant ancestors bequeathed to us. By meeting together we pay a debt to those ancestors. By remembering our ethnic heritage we pay

a debt to our ancestors. By promoting the interest of the legal community and the finest traditions of the bar, we pay a debt to those ancestors. Of course, it may well be a debt that can never be fully paid.

Together we can move forward, promote our common interests, and have fun at the same time. May the forza be with us all. I look forward to seeing many of you in California.

SOUTHERN CALIFORNIA IN MAY

NIABA West Region Vice-President Damian Capozzola, and NIABA Member and Italian-American Lawyers of Orange County Secretary Anthony Modarelli, look forward to hosting the Spring 2016 NIABA Board Meeting on May 19-22 in Orange County, CA. As always, the social activities are open to any NIABA member who would like to attend.

A terrific itinerary has been planned around the traditional Friday and Saturday morning board meetings. The weekend kicks off with a welcome

dinner on Thursday, May 19 at [Canaletto Ristorante](#), one of Orange County's finest Italian restaurants!

After the Friday board meeting there will be afternoon free time before an exciting evening of fine food and quality bocce! Sharpshooters from the Laguna Niguel Bocce Club will be on hand to instruct and lead the group in the finer points of "the other beautiful

game" on the bocce courts adjacent to Il Fornaio Irvine.

Finally, for the main event on Saturday evening, we have planned a dinner cruise



of lovely Newport Harbor. We will be serenaded by

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SCHOLARSHIP FUND DRIVE PASSES ONE THIRD OF GOAL



Over the years NIABA has joined with the Order Sons of Italy (OSIA) and the National Italian American Foundation (NIAF) in funding and granting annual scholarships to worthy Italian-American law students. Biographies of some of our prior scholarship recipients are featured on the NIABA [website](#).

With your assistance, NIABA will be able to continue this important program. We have set a goal of raising \$10,000 and are about one-third of the way there! Now we're asking members and friends to open their hearts and make a tax deductible contribution to our Scholarship Fund. Any amount you can afford would be greatly appreciated.

As an added incentive for your support of the next generation

of Italian-American attorneys, NIABA board member Judge **Paul A. Victor** has donated his "Paulie Hots" special blend of hot powered pepper (and custom measuring spoons) to be given to each of the first 10 members who contribute \$500 or more to the Scholarship Fund. You can read more about [Paulie Hots](#) and the health benefits of [capsaicin](#).

In addition, Judge Victor has agreed to match \$100 of each \$500 or larger donation! Let's make sure we take full advantage of this generous offer.

Donors of any size will also receive their choice of either a NIABA coffee mug or a lapel pin.

Open your heart and your wallet. Make a [donation](#)

in honor or in memory of someone who had an impact on your career as an attorney. If you have a special event or recognition coming up, consider requesting that contributions be made to the fund in leu of gifts.

[Donate online](#) now with a credit card, or drop a check in the mail to the address below. NIABA needs your help to maintain this worthy program. The support resulting from your generosity will provide long term rewards to the individual scholarship recipients and to our community at large.

Make checks payable to NIABA and mail them to: 2020 Pennsylvania Ave., NW PMB 932 Washington, DC 20006



SAVE THE DATE ROME CLE

Whether you attended NIABA's CLE in Rome last October or not, you'll want to make the trip next year. We're planning another unique program of specially selected speakers, field trips, and food.

Mark your calendar now for **September 25-28, 2017** and watch for more details.

MEMBER NEWS

R. James Amaro was selected as a Superlawyers Rising Star for 2016, his third year in a row.



Valeria Camboni Miller has joined Family Law Italy as attorney/collaborator. The firm is located in Rome, and Miller will provide services to Italians residing in the United States.

* * * * *

Stephen J. Savva is executive producing *50 Cent Presents*, a variety series starring the rapper and actor Curtis "50 Cent" Jackson, to appear on the A&E Network.

* * * * *

Valerio Spinaci presented a seminar at Florida International University on "Current Opportunities for Italian Vestors, Start-ups, and Entrepreneurs" with the Italian Consulate.

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Send your news to NIABA Administrator Dana Robb at dana@barefoot-marketing.com. We will use items as space permits.

Meeting,

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opera singers while dining and mingling with Italian-American lawyers from San Diego to San Francisco on [The Wild Goose](#), the boat formerly owned by than John Wayne (and often frequented by Frank Sinatra back in the day!).

Thanks to Los Angeles Italian-American Lawyers Past-President, Tom Girardi, for his generous sponsorship of the Saturday evening event!

It will be a terrific weekend and all NIABA members and guests are encouraged to attend and participate, so please [register online](#) ASAP so that you don't miss a minute!

“BEST HOTEL IN TOWN!!!”

The European Legal Battlefield Over False Online Reviews

By Fabio Giallanza

In December 2014, the Italian Trade and Competition Authority (“AGCM”), issued a €500,000 fine against TripAdvisor for engaging in deceptive commercial practices.¹ TripAdvisor published statements claiming the genuine character and reliability of the reviews it hosts. These statements, according to the AGCM, deceived consumers by bolstering their trust on the authentic character of the reviews.²

The AGCM decision contains an interesting reference to the “active role” interpretation of hosting provider immunity, which is in contrast with established European and Italian case law on the matter. On July 13, 2015, the Regional Administrative Court of Lazio (“TAR”, the court which adjudicates appeals of sanctions issued by independent agencies) overturned the AGCM decision and annulled the fine against TripAdvisor.³ TripAdvisor’s role and potential liability for hosting false reviews was also the subject of a recent decision by the Tribunale di Grosseto.

The AGCM decision

Hotel owner unions and consumers organizations are vigorously advocating for a higher accountability of review websites. The case in front of the AGCM saw the intervention of Federalberghi, the trade union of hotel owners, along with Unione Nazionale Consumatori, one

of Italy’s major consumer organizations.⁴ The AGCM, which has authority to enforce the Italian statute on unfair commercial practices,⁵ evaluated the potential deceptive effect of statements found on TripAdvisor, such as:

- *“It does not matter whether you prefer hotel chains or niche hotels: on TripAdvisor you can find several true and authentic reviews you can trust.”*
- *“Millions of travellers have published online their most sincere views on hotels, beds & breakfast, pensions and much more still.”*
- *“TripAdvisor provides reliable trip advice, published by real travellers.”*⁶

To evaluate the claimed reliability of the reviews, the decision analyzes TripAdvisor’s review monitoring system and post-review procedures⁷ as well as findings of misuse reported by Federalberghi, which created a fake account and posted false reviews, to prove the inadequacy of the monitoring system.⁸

The Authority found that TripAdvisor is unable to ascertain the truthfulness of the reviews and, therefore, its claims of reliability are

misleading.⁹ Based on the seriousness and duration

accountable for the effects of fake reviews.



of the misleading practice, the AGCM imposed a fine of €500,000.¹⁰ Recovering damages from TripAdvisor for the negative effect of the false reviews it hosts, however, can prove much harder, if not impossible.

While ordinary principles of tort liability may attach to the individual author of a false review,¹¹ obtaining recovery of damages may be arduous. The costs of identifying the author and executing a judgment may well exceed the amount of recovery. Collecting on a judgment may also be practically impossible. TripAdvisor, instead, is a successful multi-national company with millions of dollars in revenue, and user-generated reviews play a crucial role in its commercial success. The ever-increasing importance of online reputation as a guiding factor for consumer decision-making raises questions as to whether TripAdvisor and other review websites are sufficiently

Hosting provider immunity, its judicial construction and TripAdvisor's position

The European Community Directive 2000/31/EC (“Directive on Electronic Commerce” or “the Directive”) aims at ensuring “the proper functioning of the internal market by ensuring the free movement of information society services between the Member States.”¹²

European directives are not self-executing. Instead, member states are required to “receive” them through an internal legislative act, often a verbatim copy of the document. Italy, for example, received the Directive on Electronic Commerce through Legislative Decree 70/2003.

The Directive disciplines several aspects of online commercial activities, such as the establishment of websites and commercial communications, among the others. Article 14 of the

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Directive protects websites from any liability resulting from information they store at their users' request, when they lack actual knowledge of its illegal nature. Recital 42 in the preamble, specifies that a provider qualifies for the immunity Article 14 when the service it offers "is of a mere technical, automatic and passive nature", which implies that the service provider "has neither knowledge of nor control over the information which is transmitted or stored."

In the 2001 decision *Google France S.A.R.L. v. Louis Vuitton S.A.*,¹³ the Court of Justice of the European Union ("ECJ") broadly interpreted the scope of hosting provider immunity. The issue in front of the ECJ was whether an advertisement referencing service is a hosting provider under Art. 14.¹⁴ The ECJ restated the standard set forth in Recital 42 as the guiding canon to determine whether an internet service consists of mere "hosting."¹⁵

The remuneration that Google receives for the AdWords service, as well as the concordance between the term searched and the keyword selected by the advertiser, were deemed irrelevant.¹⁶ Google's involvement in drafting the commercial message, instead, was found to be relevant in establishing knowledge and control.¹⁷ Thus, editing the stored information certainly crosses the "passive role" line because it necessarily leads the provider to gain knowledge of the stored information.¹⁸

Google France did not discourage some national

courts, and recently the AGCM, from narrowly construing Art. 14. A recurring argument in these decisions is that organizing

The Authority found that TripAdvisor's very own statements as to the genuine and sincere character of its reviews deceived consumers, in violation of the Italian statute prohibiting unfair commercial practices.

and systematizing the stored information constitutes an "active role". In *Vivi Down v. Google*,¹⁹ the Tribunal of Milan found a number of Google executives guilty of "wrongful treatment of personal data," a crime in Italy.²⁰ The Milan court stated that Google had an "active role" and was therefore not protected by Art. 14 immunity, because it organized and managed the files uploaded by its users into several categories.²¹ Further, the video had appeared in the "most viewed" section of the website and, as such, it was possible to infer that Google had knowledge of the video contents.

All convictions, however, were later overturned by the Court of Appeals, which observed that hosting providers cannot be required to exercise control over the enormous volume of information they store.²² The Italian highest court, the Corte di Cassazione, confirmed the Court of Appeals decision,²³ reasoning that Google would "merely provide users with a platform to upload their videos."²⁴

The AGCM decision ignores *Google France* and the *Vivi Down* ruling by the Corte di Cassazione, suggesting that the organization of user-generated

content constitutes an "active role."²⁵ The decision states: "106. Lastly, the alleged status of hosting provider which the professional attributes to itself so as to exclude its own responsibility for the conduct complained of and to valorize the voluntary nature of the checks undertaken, is found to be irrelevant. The professional does not content itself with memorizing the information but, due to the business model developed by it, it also and in fact mainly performs an *activity of classification and systematization of the information.*" (emphasis added).

It should be immediately noted that in the AGCM decision, TripAdvisor's defense is somewhat misplaced.²⁶ The Authority did not fine the website for hosting false reviews. Rather, the Authority found that TripAdvisor's very own statements as to the genuine and sincere character of its reviews deceived consumers, in violation of the Italian statute prohibiting

unfair commercial practices.²⁷ The fine punishes TripAdvisor as the content provider, the author and publisher of the statements.

European courts at the highest level have broadly interpreted Art. 14. A website that organizes content uploaded by its users, in the absence of meaningful editing activity, can avail itself of hosting provider immunity. TripAdvisor's potential for liability due to hosting false and defamatory reviews is therefore minimal. TripAdvisor merely provides a platform where its users can share their experiences and rate travel establishments, whether they actually visited them or not, and falls within the scope of hosting provider immunity.

A recent decision by the Tribunale di Grosseto,²⁸ issued on January 15, 2016, further confirms TripAdvisor's role as a host. A hotel owner in Tuscany sued TripAdvisor for defamation because a review, using profane language, made remarks on the sanitary condition of the premises. The plaintiff claimed that TripAdvisor had defamed the hotel by: 1) publishing the statements because TripAdvisor, by exercising a filter of the reviews that appear fraudulent, allegedly lost the neutrality which is typical of a hosting provider, 2) failing to promptly remove the review upon the hotel's request, and 3) refusing to provide the hotel with the name of the author of the review. The court rejected all of these arguments.

The court strongly refused the argument that hosting provider

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immunity can be lost by exercising a filtering activity of the reviews. The court cited to case law of the European Court of Justice and Italian courts for the proposition that the scope of hosting provider immunity should be broadly interpreted in the interest of protecting freedom of expression and information over the internet.²⁹ If anything, the filtering activity constitutes an ancillary feature that TripAdvisor has in place to improve the quality of its hosting service and does not constitute an editing activity.³⁰

The court also rejected the plaintiff's suggestion that TripAdvisor gained knowledge of the defamatory nature of the review and then failed to remove it for four days. Hosting providers can gain knowledge of the illicit nature of information they store only through a request for removal made by the judiciary, the only competent authority to determine whether the information is defamatory.³¹

Finally, the court excluded that TripAdvisor was under any obligation to provide the name of the author of the review.³² Only the courts can order the release of such information and the plaintiff made no such demand in these proceedings.³³

The decision by the Tribunale di Grosseto applies European case law to logically conclude that TripAdvisor is a hosting provider within the scope of the Directive on Electronic Commerce. In general, however, judicial attempts to bypass hosting provider immunity suggest that there is a lack of consensus on hosting provider immunity, sometimes seen as overly

protective of hosting providers.³⁴ With specific reference to TripAdvisor, European Parliament members have repeatedly questioned the Commission on the issue of false reviews.³⁵ Trade Unions representing hotel owners, such as the Italian Federalberghi or the French Union des Métiers et des Industries de l'Hôtellerie,³⁶ are actively advocating for a higher accountability of review websites.³⁷

Conclusions

The Italian Trade and Competition Authority has recently scrutinized the reliability of hotel reviews hosted on TripAdvisor finding that many reviews were false or unreliable. The Authority fined the website because it published statements that would deceive consumers by increasing their trust in the reliability and objectivity of the reviews it hosts. A subsequent appeal to the TAR of Lazio resulted in the annulment of the fine.

While the fine by the AGCM punished TripAdvisor for its own conduct, any attempt to recover damages from TripAdvisor for hosting false reviews would be automatically barred by the immunity contained in the Directive on Electronic Commerce.

The immunity afforded to hosting providers appears justified for two sets of reasons:

1. The practical impossibility for a review website to verify the truth of allegations made in user-generated reviews³⁸ and
2. Reviews can have beneficial pro-competitive effects.

As such, a change in the current allocation of liability for the publication of online reviews seems impractical and undesirable. Conversely, by its own initiative, TripAdvisor could adopt more credible preventive measures, such as identity verification, to improve the quality of its travel reviews.

Fabio Giallanza is an attorney in Miami. A graduate of the Shepard Broad College of Law at Nova Southeastern University, he holds a law degree from Università degli Studi di Roma Tre in Rome, Italy.

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- ¹ AGCM, 19 Dicembre 2014, n. 25237. The full English text of the Decision is [available](#) on the AGCM's website. For a detailed outline of the decision see also Luca Biffaro, *Unfair Commercial Practices and Online Consumer Reviews: the Italian Tripadvisor Case*, Italian Antitrust Review, Vol. 2 No. 1, 181-185 (2015).
- ² Part II and Part VI of the Decision.
- ³ Tar Lazio, sez. I, 13 luglio 2015, n. 9355 [available](#).
- ⁴ AGCM n. 25237, Par. 3-4.
- ⁵ D.Lgs. 206/2005, which received the Directive on Unfair Commercial Practices 2005/29/EC.
- ⁶ AGCM decision n. 25237, Par. 9.
- ⁷ *Id.*, Par. 46-69.
- ⁸ *Id.* 72-73. The full [memorandum](#) submitted by Federalberghi to the AGCM
- ⁹ *Id.*, Par. 92.
- ¹⁰ *Id.*, Par. 109-111.
- ¹¹ In Italy, defamation is also a crime. Article 595 of the Italian Penal Code, states in relevant part: "Chiunque [...] comunicando con più persone, offende l'altrui reputazione, è punito con la

reclusione fino a un anno o con la multa fino a euro 1.032" translating as "Whoever [...] communicating with others offends someone else's reputation is punished with up to one year of imprisonment or with a fine up to 1,032 euros." For an analysis of criminal defamation in the context of online review websites, under *see* Eugenio Albamonte, *La diffamazione commerciale (anche attraverso i social networks)* GIURISPRUDENZA DI MERITO, 12-2013, 2641-2646 (2013). In Italy, defamation has a broader scope when it comes to civil liability, where a claim for defamation can stand even when the statements were not made with the specific intent to defame but negligently (*colpa*) *see* Giuseppe Cassano, *Parere pro veritate per conto di Federalberghi* [available](#), p. 8 (October 29, 2012).

- ¹² 000/31/EC Art. 1.1.
- ¹³ Case C-236/08, *Google France SARL v. Louis Vuitton Malletier SA*, 2010 E.C.R. I-02417. *See also Trademark Law - Infringement Liability - European Court of Justice Holds That Search Engines Do Not Infringe Trademarks - Joined Cases C-236/08, C-237/08 & C-238/08, Google France SARL v. Louis Vuitton Malletier SA*, 124 Harv. L. Rev. 648, 655 (2010) observing that the same result could be achieved by applying traditional notions of trademark law.
- ¹⁴ *Google France*, C-236/08, Par. 106.
- ¹⁵ *Id.*, Par. 113.
- ¹⁶ *Id.*, Par. 116-117.
- ¹⁷ *Id.*, Par. 118. An interesting English decision moves from *Louis Vuitton* to expand on what constitutes knowledge and sufficient notice, which, in the English statute that received the Directive, is the subject of a specific provision. *See Davison v Habeeb & Ors* [2011] EWHC 3031 (QB) (25 November 2011).
- ¹⁸ *Google France* was followed and restated by

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another important ECJ decision interpreting hosting provider immunity. In Case C-324/09, *L’Oreal S.A. v. Ebay International AG*, 2011 E.C.R. I-06011, the ECJ held that a service provider falls outside of the scope of Art. 14 immunity “where [...], instead of confining itself to providing that service neutrally by a merely technical and automatic processing of the data provided by its customers, plays an active role of such a kind as to give it knowledge of, or control over, those data”.

- ¹⁹ Trib. Milano, 24 febbraio 2010, n. 1972, for a detailed summary of the background of the decision and its merits see Giovanni Sartor & Mario Viola de Azevedo Cunha, *The Italian Google-Case: Privacy, Freedom of Speech and Responsibility of Providers for User-Generated Contents* Int J Law Info Tech first published online August 25, 2010.
- ²⁰ Under art. 167 of D.Lgs. 196/2003.
- ²¹ Trib. Milano 1972/2010 pages 89-99. The court states at pages 95-96 that, while “active hosting providers” should not be subject to a general obligation to monitor and should not be automatically considered accomplices of any crime committed by their users, their control over the stored information subjects them to the general rules of criminal liability set in the penal code. The decision seems to stress that hosting providers profiting from the information they store assume the risks of treating sensitive data.
- ²² App. Milano, 21 dicembre 2012, n. 8611, p. 23.
- ²³ Cass. Pen., sez. III, 17 dicembre 2013, n. 5107.
- ²⁴ *Id.* p. 13. The “active role” interpretation negating hosting provider immunity seems to be quite popular in the Tribunale di Milano. Recently, the Court of Appeals of Milano reversed a judgment from the Tribunale di Milano (Trib. Milano, 9 settembre 2011, n. 10893) in

a lawsuit involving Yahoo and the media company, RTI. The Tribunale mentioned four factors indicating that Yahoo had not a passive role and, therefore, could not claim hosting provider immunity. Citing to ECJ case law, *Google France* among the others, the Court of Appeals observed that the idea of an “active hosting provider” is misleading and that the Directive envisions only options of “ex post facto” liability for hosting providers that fail to remove illicit content upon learning from a third party of the illicit nature of the stored information. See App. Milano, 7 gennaio 2015, n. 29.

- ²⁵ On the Italian trend of carving out an exception for “active hosting providers” see Thomas Margoni, *Did anybody notice it? Active and passive hosting in Italian case law on ISP liability* [blog entry](#) (May 11, 2012). In support of the idea of “active hosting” see Giuseppe Cassano, *Parere pro veritate per conto di Federalberghi* referring to the “profit-making” argument found in *Vivi Down*.
- ²⁶ Likewise, it appears surprising that the Authority considered the merits of TripAdvisor’s defense, coming up with an interpretation of Art. 14 in contrast with Italian and European case law.
- ²⁷ D.Lgs. 206/2005, which received the Directive 2005/29/EC of the European Parliament and of the Council of 11 May 2005 Concerning Unfair Business-to-consumer Commercial Practices in the Internal Market and Amending Council Directive 84/450/EEC, Directives 97/7/EC, 98/27/EC and 2002/65/EC of the European Parliament and of the Council and Regulation (EC) No 2006/2004 of the European Parliament and of the Council (Unfair Commercial Practices Directive) 2005 O.J. (L 149) 22-39 (EC).
- ²⁸ Trib. Grosseto, 16 gennaio 2016, n. 46.
- ²⁹ *Id.*, pag. 6.

- ³⁰ *Id.*, pag. 6.
- ³¹ *Id.*, pag. 8. Art. 16 co. 1 of D.Lgs. 70/2003, the Italian statute that received the Directive on Electronic Commerce specifies that hosting providers acquires knowledge of the illicit nature of the information upon report by the “competent authorities”.
- ³² *Id.*, pag. 8-9.
- ³³ *Id.*, pag. 9.
- ³⁴ Mauro Tesaro, *La Responsabilità Civile dell’Internet Provider in Italia: Attuazione della Direttiva Europea sul Commercio Elettronico contro Tendenze della Giurisprudenza*, *REVISTA INTERDISCIPLINAR DE DIREITO*, Vol. XI, 2014, p. 85, stating that while the Directive may excessively favor providers, judicial activism is inappropriate in a civil law system.
- ³⁵ European Parliament parliamentary questions: Edward McMillan-Scott, TripAdvisor’s refusal to remove businesses from its database, E-011542-13, 2014 O.J. (C 216) (July 9, 2014); Spyros Danellis, Review websites and protection of EU businesses and consumers, E-010029-13 2014 O.J. (C 197) (June 26, 2014); Mara Bizzotto, TripAdvisor: real or fake reviews?, E-008803-13, 2014 O.J. (C 87) (March, 26, 2014); Cristiana Muscardini, Digital liars,

- E-008835/2012, 2012 O.J. (C 293) (October 9, 2013); Sergio Berlato, Fraudulent posting of fake reviews on websites, E-009539/2011, 2012 O.J. (C 68) (June 14, 2012).
- ³⁶ In France, the independent standardization agency AFNOR has published a voluntary standard for review websites to guarantee the authenticity of the reviews (AFNOR rule n. NF Z74-501 July 2013 – Online Reviews of Consumers – Principles and Requirements on the Process of Collecting, Moderating and Displaying Online Reviews). The AFNOR standard demands the adoption of such measures as identity verification of the authors, and the right of the establishment to reply to each review.
- ³⁷ For an example of criticism on hosting provider immunity, from an American perspective, see Vanessa S. Browne-Barbour, *Losing Their License to Libel: Revisiting Sec. 230 Immunity*, 30 *BERKELEY TECH L.J.* 1505, 1560 (2015).
- ³⁸ As noted, for example, by the Court of Appeals of Milan in *Vivi Down*. Although this rationale seems weak with regards to hosting providers of graphic material, like YouTube, whose offensive nature, at least in the most patent cases (e.g. *Vivi Down*), may be more easily detectable.

NIABA "MERCH" AVAILABLE

Show your NIABA pride with our new oversize coffee mug and full-color lapel pin. The mug holds a generous 22 oz. and is perfect for coffee, tea, soup, or tortellini! The lapel pin is professional, attractive, and easy to read. Both are available on our [website](#) -- \$15 for the mug, \$6 for the pin, postage included -- or as our gift with a donation to the scholarship fund of \$100 or more.



U.S. LAW STUDENTS VISIT IN ITALY

Robin Paul Malloy, E.I. White Chair and Distinguished Professor of Law at Syracuse University, NIABA Board Member, and Editor-in-Chief of *THE DIGEST*, developed a new course this spring and took a group of 16 law students to Rome and Florence to study land planning and property law in Italy during Spring Break.

The overall purpose of the course was to give students exposure to an Italian and European approach to property law and regulation. The focus of the course was threefold:

1. Learning about property development and land planning in the context of a World Cultural Heritage location where the need for historic and cultural preservation are highly valued and regulated;
2. Learning about the Civil Law legal system of Italy and Europe as it relates to the particular concerns of property law; and



Law students from Syracuse University pose on the rooftop of Italy's Constitutional Court with Judge Amato, a former prime minister.

3. Evaluating the accessibility of the urban landscape in terms of land use law and disability.

While in Rome the students had lectures from Italian law professors, met with the President of the European Notary Society at the Rome Notary Office (Notaries handle all property transactions in Italy); and went to the Italian Constitutional Court for a tour and a personal meeting with Judge Amato (a sitting Judge

and a former Prime Minister). The meeting with Judge Amato lasted for an hour and a half and covered a variety of topics addressed by Italy's highest Constitutional Court.

In addition to Rome students traveled to Florence, where they had lectures and tours related to the cultural and artistic history of Florence, and about the urban development and land planning of the city. Students also enjoyed a lecture at Villa Rosa, the home of the

Syracuse University campus in Florence.

Their host in Italy was Dr. Luca Arnaudo, Senior Editor of *THE DIGEST* for Italy and Europe. Dr. Arnaudo is a lawyer and PhD economist who works for the Italian Government and teaches at an Italian University.

Copies of several recent issues of *THE DIGEST* were presented to Judge Amato by Professor Malloy.

Affiliate Highlights



NIABA Executive Vice President Paul Finizio and NIAF President and CEO John M. Viola, honoree at the Il Circolo 40th Anniversary Gala.

Il Circolo, Miami, FL

“An Evening In Capri” gala was held March 6 and honored the 40th anniversary of the founding of Il Circolo, the Italian Cultural Society of the Palm Beaches. Nearly 300 guests were in attendance to celebrate.

The evening began al fresco with a silent auction, cocktails and antipasti, then continued in the ballroom, which was

fragrant with the smell of lemons from the Capri-inspired centerpieces.

Pamela Fiori was named Woman of the Year for her dedication to, and knowledge of, Italian culture. John M. Viola received the Distinguished Leadership Award for his role as president and chief operating officer of the National Italian American Foundation.

WELCOME NEW NIABA MEMBERS

Welcome to the following members, who joined NIABA between January 7th and April 17th.

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Volume 23 of *THE DIGEST* law journal, published by NIABA and edited at the Syracuse University College of Law, is now available in two formats:

- A PDF that can be read online or printed is posted on our [website](#) and can be download at no cost to members who are logged in.
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* * * * *

How to Contact Us

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