

# Justice Kennedy will speak at Hruska institute session

From Staff Reports

U.S. Supreme Court Justice Anthony Kennedy will be the keynote speaker for the inaugural session of the Roman L. Hruska Institute for the Administration of Justice today at the University of Nebraska-Lincoln Law College.

Kennedy will speak on "Jury Trial Reform" at the institute, which will be held from 9 a.m. to 12:15 p.m. in Ross McCollum Hall on East Campus. The institute is free and open to the public.

Appointed by President Ronald Reagan, Kennedy has served on the Court since 1988.

Prior to Kennedy's presentation, Chief Judge Richard Arnold of the 8th District Court of Appeals will introduce former U.S. Sen. Roman L. Hruska, the institute's founder.

Kennedy's remarks will be fol-

lowed by a presentation from Steven Penrod, a professor of law and psychology at UNL, covering empirical studies on jury trials. Penrod will then moderate a panel discussion on jury trial procedures.

The panel members include federal judges William Cambridge, chief judge of the District of Nebraska; and Warren Urbrom, senior judge of the District of Nebraska. Other panel members are Thomas J. Monaghan, U.S. Attorney for Nebraska; David R. Stickman, federal public defender; and Gail S. Perry, chair of the Federal Practice Committee.

The institute will conclude with a presentation by C. Arlen Beam, U.S. circuit judge for the 8th Circuit, and Richard Kopf, U.S. district judge for the District of Nebraska, discussing recent U.S. Supreme Court decisions relating to jury trials in federal court.

# Accusations fly in Senate race

Nelson defends against Republican advertisement as Hagel's business practices come under fire

By CHAD LORENZ  
Senior Reporter

U.S. Senate candidates Chuck Hagel and Gov. Ben Nelson launched public attacks against each other late last week, each denying the others accusations and calling the attacks desperate and outright lies.

Nelson responded to a national Republican Party television commercial by alleging that Hagel was involved in a corporate scandal to fund his cellular phone company.

The advertisement, which began airing Oct. 24, said Nelson proposed an increase in property tax valuations, and increased office travel by more than 400 percent.

Nelson said the advertisement, which was funded by the National Republican Senatorial Committee, was a breach of a promise Hagel made in June.

Hagel vowed that he wouldn't allow the state or national party, or anyone else, to make outside attacks on Nelson.

Hagel's campaign office said they were unaware the NRSC would be running the advertisement.

Deb Fiddelke, communications director for Hagel, said Thursday she had heard Nelson's campaign talking about the advertisement, but that she had not seen it or heard that the Hagel campaign was involved with it.

Nelson's campaign released a statement responding to the NRSC's claims. The statement said Nelson voted with Republican members of the Board of Equalization for fair property tax evaluations. Equal property tax evaluations are required by the Nebraska constitution.

Some counties had lower property taxes because of the equalization, according to the statement.

Responding to the claim that Nelson increased travel by 433 percent, his campaign said the increase included travel expenses of three other state offices: the policy research office, travel office and energy office. Those offices were kept separate until Nelson became governor.

The day after the advertisement, Nelson held a press conference during which he released a two-inch thick packet describing a scandal involving Hagel's cellular phone company, Vanguard.

Nelson said he uncovered the alleged scandal because Hagel was using his business resume as a campaign tool.

"The implication is that he built his business from the ground up," Nelson said.

People should know exactly how he built his business and the allegations involved, Nelson said.

In 1986, the Federal Communication Commission held lotteries for ownership of cellular phone licenses.

Vanguard won a five-city license, but the runners-up in the contest accused Vanguard of rigging the lottery.

The runner-up companies filed a complaint with the FCC and later filed a lawsuit against Vanguard.

In the lawsuit, the companies alleged that Vanguard submitted 52 "dummy" applications in the lottery to increase its chances of winning among the total 138 applicants.

Each of those 52 applications was filed in the name of a smaller company, which was "merely a passive investor in a cellular venture intended to stack the lottery in numerous markets for the benefit primarily of a few key players," the lawsuit said.

The FCC dismissed the complaint and the objectors withdrew their legal suit.

Hagel adamantly denied the accusations. He said the other 52 applications came from separate companies that had partnerships with Vanguard, but Vanguard didn't have control over them.

The applications submitted were legal, and that's why the FCC dropped the complaint, Hagel said.

The objecting companies filed the complaint and the lawsuit because they didn't get what they wanted, he said.

"Anybody can file a complaint," Hagel said.

Nelson said the objecting companies withdrew the complaint because Vanguard settled with them by trading a franchise worth \$133 million in San Juan, Puerto Rico for a small franchise in Huntington, Va., worth \$2 million.

When an objecting company profited by more than \$130 million, it dropped the suit, Nelson said.

Hagel said that trade was not any kind of settlement.

"Everybody was trading markets in those days," Hagel said. "We trade all the time."

Vanguard wanted the Huntington franchise because it was closer to its other franchises in West Virginia and Pennsylvania, Hagel said.

Localizing the franchises was more efficient for Vanguard than setting up a new, separate phone system in Puerto Rico, he said.

And Nelson's comparison of a \$2

# Hagel tries to get votes out at rally

HAGEL from page 1

Hagel campaign because he was staying civil and Nelson was pulling out the attacks.

"We're going to win because the slime-machine is out," Maurstad said. He said a sitting governor should not have to stoop to attacks like his accusations about Hagel's business record.

On the lighter side, Bauer said Hagel was an outstanding student and the one of a few of her students that she would have endorsed.

"He was a definite leader even when he was 9 years old," she said.

Reichel said she was giving her support to Hagel partly because of a Nelson veto that eliminated \$3 million in funds to the university. Tuition rose after the funding cut caused by the veto, she said.

million franchise for a \$133 million franchises is wrong, Hagel said.

"I've never heard those values. Those weren't the values when we traded it."

Cellular phone franchises can't be valued in dollars, Hagel said. Some valuations include start-up costs and the ability of people to buy cellular phones.

In Puerto Rico, start-up costs would have been huge, and people would have had to pay a high price for the phones, Hagel said.

Hagel said Nelson's allegations were lies and distortions and were signs that the governor is nervous about losing the race.

"The governor has done this in a desperate attempt to salvage a sinking campaign," Hagel said.

"I won't respond by lying about him more than he lies about me. It's demeaning to the citizens of the state, and everyone should be ashamed of their governor."

Nelson defended his release of the information Friday, saying that the NRSC advertisement was an outright lie. The information he released was fact and documented in lawsuit files, newspapers and company reports, he said.

"If I have a punch thrown at me, I counterpunch and I throw a lot stronger punch back."

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