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1Ls mull pro bono options

by Brianne Kennedy
Law Weekly

Roughly 50 first year students gathered in Room 201 at lunchtime on Thursday, Sept. 21 for the "Pro Bono Opportunities for First Year Students" information session organized by Director of Pro Bono Programs Holly Eaton and featuring several second and third year students who shared their experiences doing pro bono work as 1Ls.

Before introducing the student presenters, Eaton discussed the benefits of volunteering as a 1L and explained some of the opportunities that are available to them. "As a second and third year, you technically will have more time to volunteer," she said, but went on to note that by then most students are kept extremely busy by on-campus activities like journals.

Despite the fact that many 1Ls are just starting to develop their legal research and writing skills, there are more than two dozen organizations

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Food service changes puzzle students

by Benjamin Rubinstein, 2L
Law Weekly

Some menu changes at both the Courtside Cafe and the McDonough's Market Café have left students confused about the on-campus dining options at the Law Center. The changes have also spurred calls for action by student leaders and by staff members responsible for food services on campus.

The changes, in a nutshell, were made to simplify the menu at Courtside while adding a healthier focus to that dining operation, in reflection of its location inside the Sport and Fitness Center. These goals were achieved primarily by streamlining the menu to remove items that Bon Appetit, the outside contractor that runs the law center's dining facilities, considered unprofitable. While the summer menu remake saw the loss of some Courtside sandwiches it also added menu items, including one Asian chicken salad that Bon Appetit's manager, Kimberly Triplett, says is the only salad of its kind on any academic campus.

Triplett noted that business-wise the changes have been well received by students, and that the



photo by Benjamin Rubinstein, 2L

Students show changes at Market Café have not stopped them from eating

operation has seen an increase in numbers at Courtside. The general manager speaks from a position of experience with respect to on-campus food operations, having arrived at the Law Center on April 1 from American University, where she served as executive chef and director of operations. She noted that Bon Appetit is trying to make on-campus dining stretch beyond a merely "cafeteria" vision, pointing

out, "we're trying to do something that is fun, innovative, maybe a little different."

Not all students, however, are amused by the changes, and some student leaders are taking action to reverse changes that they say are widely derided by the student body. Several SBA delegates submitted two separate resolutions to

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General Jurisdiction locks its doors

by Sunil Varghese, 3L
Law Weekly

With little of the fanfare that accompanied its opening less than a year ago, the Law Center's student-run convenience store, General Jurisdiction, closed its doors and emptied its shelves for good. Although rumors persist that the store was shut down due to a large amount of missing funds, its directors maintain the closing was due to the large time commitment the store required of its student leaders.

General Jurisdiction was set up as a non-profit corporation by Law Center students acting through a student organization called Equal Access to Justice (E.A.T. Justice). The idea was to provide low-income community members with training, career counseling and job placement assistance while paying them a "living wage" of roughly \$13 an hour. The location of the store, on the first

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photo by Ben Rubinstein, 2L

The space occupied by General Jurisdiction is now a dark, empty, sad place

floor of the Sports and Fitness Center, was meant to capitalize on the hundreds of student residents who have little options in the way of basic necessities like bread and laundry detergent.

Professor counsels in HP scandal

by Zeeshan Hafeez, 2L
Law Weekly

A scandal of tremendous proportions has rocked the very upper echelon of corporate America. Hewlett-Packard, ranked eleventh in the Fortune 500, has been involved in a complex internal corporate spying scandal. Chairwoman Patricia Dunn resigned last Friday at the request of the board amid reports that she hired a team of independent electronic-security experts. These experts allegedly used a technique known as pretexting to obtain the source of a leak of HP's long term strategy details that were published in a January, 2006 *Cnet* article.

Pretexting, which is the same method used by telemarketing scam

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Nabong's Entreaty to Pro Bowler: Out Thineself
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Briefs Briefs! Briefs Briefs Briefs Briefs! Briefs Briefs Briefs Briefs



New Georgetown Law Center Parents Group

Are you a parent or soon-to-be parent? Looking for child care options? A place to breastfeed on campus for you or your partner? Want to know what Georgetown Law Center can offer you as a parent? Get connected with other parents at Georgetown Law. We are starting a new group on campus to aid parents in sharing resources, information, and social time. Send an email to gulcparents@gmail.com if you're interested in joining or have any questions, and stay tuned for additional information coming soon.



Fall Float

SBA invites you to the Fall Float to be held on Saturday, Sept. 30, from 2:30 p.m. to 5:30 p.m. Beer, wine, appetizers, vegetarian entrees, salmon and sirloin carved to order and non-alcoholic drinks. Tickets are \$25, and go on sale from Sept. 25 to Sept. 29, on the first floor of McDonough Hall.



JLSA Break the Fast

Join fellow law students after Yom Kippur for a potluck break the fast on Monday, Oct. 2, at 7:30 p.m. Get to know other students while enjoying eating after a long day!

Please e-mail aps46@law.georgetown.edu by Tuesday, Sept. 26 with your name, e-mail address, and what you'd like to bring. We'll divide up the staples (bagels, salads, sides, desserts) and JLSA will provide some essentials to ensure no one leaves hungry!



Want to Play Golf?

Join the Golf Club! The club has received student funding and offers FREE range outings and REDUCED FEE 9-holes. Group golf lessons are also available at the nearby East Potomac Golf Course for those interested. Please email golf@law.georgetown.edu to sign up for weekly emails about golfing opportunities here in DC!

Four Sudoku puzzles

Fill in the grids so that every row, every column and every 3x3 box contains the digits 1 through 9 with no repeats.

			6	4	3	2		
5			2	7	4			
4	2	9			8			
2	7		4			8		
8			5	3			6	
	6		2			5	1	
	7				1	3	4	
	2	7	1				8	
5	3	4	9					

V. EASY #3

4	6	2						5
3	7				9			2
	2		7	3				
	3		4	1	7			
			8	2		5		
1	5					2	6	
7				9	5		1	

	7						8	
9		1	8					5
		6	4	7				
3	1	2	5	8			4	
8								6
7	2	4	6	9			1	
		7	6	3				
6		9	2					3
	3							5

EASY #3

				6	1			
		9						7
5	3			4				2
	5		6				3	
		2	3	1	5			
	4		2				6	
4		5					1	9
9				3				
		7	6					

MEDIUM #3 HARD #3

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Pretexting at issue in corporate scandal probe

HP from page 1

artists to steal important personal information by creating invented scenarios (i.e. "You just won a government grant, so please give your social security number and bank account number so that I can wire in the funds"), was used to get the telephone call records of HP board members and journalists by posing as those individuals to the telephone companies.

The scandal has raised numerous legal issues ranging from corporate governance to ethics and professional responsibility. Currently, there are a number of separate investigations on the scandal, including one by the U.S. House of Representatives Committee on Energy and Commerce. The committee is investigating the "lies, fraud, and deception" used in the investigation to acquire personal data on the individuals involved.

The Law Center community has been involved in numerous ways. The media have approached several professors to comment on the scandal from an academic perspective. Professor Viet Dinh is even representing former director Thomas Perkins, who resigned in protest of the leak investigation.

Corporate ethics specialist Milton Regan made it clear that there could be major ethics violations by a number of individuals in HP, "Pretexting could be legal depending upon the state law which applies. In California, it is certainly not legal, as the Attorney General has stated." As the corporation is headquartered in California, a number of the directors reside there and many of the acts in controversy occurred there, California law might apply.

Regan also pointed out that "[George] Keyworth and Perkins were both independent and outside directors.

It is difficult for companies to control these directors, especially with the increasing emphasis on independent directors. Directors do have an obligation of confidentiality and individuals should not breach this confidence, but you have to investigate these leaks legally." As there seems to be doubt about the legality of the investigation, liability could be found. He added, "It is certainly not uncommon for corporate directors to leak information."

Professor Michael Diamond explained that when it comes to the issue of individual liability for the board of directors, the business judgment rule could apply. He said that "if they acted in good faith and relied on counsel, exercised due care, properly investigated the legality of the acts and had no conflicts of interest, then the board would probably be protected by the business judgment rule in a civil matter." Therefore, the business judgment rule may end up shielding the individual board members of responsibility.

Professor Regan conceded, "The board may not have been adequately informed in the investigation and breached the duty of care under the gross negligence standard."

Professor Diamond noted that a structural bias issue may arise in the proceedings. The board members sometimes feel as though they are "all members of the club that treat each other in a clubby sort of way and protect insiders even when they are wrong. Board members don't want to be sued and they usually won't sue themselves." The shareholders will be upset, which increases the likelihood of further litigation.

The actions of HP's in-house counsel is also suspect. Senior Ethics Counsel Kevin Hunsaker approved the investigation. He directed the second phase of the probe and assured HP the tactics

were legal, including the pretexting. Regan pointed out that "Hunsaker is vulnerable to a charge of malpractice because had he done his homework, he would have found that it was not legal." His error has to be proven to be sufficiently egregious by the standards of the jurisdiction where the case is being brought. When it comes to something as significant as monitoring the behavior of the board of the directors, the lawyer should have taken due care to know whether or not that behavior was legal.

Regan added that, "When lawyers use investigators, the question is how much do the lawyers know about what the investigators are doing. The counsel has a responsibility to make an independent inquiry in to the legality of what is going on instead of relying on the decisions of others." Hunsaker was clearly in charge of the investigators and

may not have adequately performed his managerial duties.

Professor Diamond and Professor Regan agreed that the long-term effects of the scandal would be minimal. Regan explained, "It will not have a significant long-term affect and probably will not lead to new legislation. It is mostly an internal corporate situation."

Professor Viet Dinh, summarized his feelings, "I think the whole thing is an unfortunate and sorry saga, made all the more tragic by the fact that all the players had good intentions and were acting in what they thought were in the best interests of HP and its shareholders. Mark Hurd is now in charge of both the board and the company, and I think his gentle and steady hand will guide HP back to where it belongs, as the icon of Silicon Valley and the envy of corporate America."



photo courtesy of duncanentertainment.com
Law Center Professor Viet Dinh represents a former HP director

DPS recovers laptop

by Prashina Gagoomal, 1L
Guest Writer

The pang of losing something you value is indelible, often producing a sinking feeling in your stomach and making you keen to a sense of injustice in the world. But the shock and elation of discovering that the item has been found is far more intense. The story that follows is a true tale of loss and recovery, consisting of a range of characters: a second-year law student, a Department of Public Safety (DPS) officer, a GULC professor, and an Apple PowerBook. Its moral touches upon the limited virtues of technology and upon the potentially unlimited virtues of people.

Two weeks ago, Mike Mancini, 2L, returned to D.C. after a call-back interview, arriving in Dulles airport at 7:55 a.m. Due to a miscommunication with his ride, he was stranded in the airport and, to make matters worse, his cell phone was dead. Mancini went to a pay phone to call his friend, but did not have her number because, well, his phone was dead. That is when he had the brilliant idea of using his laptop to get on Instant Messenger and find out her number. His stroke of genius, however, was shortly undercut by another obstacle: the arrivals terminal in Dulles is the only one that does not offer wireless internet. Mancini was sitting in the terminal trying to get internet service as he saw his ride drive by. In his rush to meet her outside the terminal, he jumped out to the curbside, leaving his laptop open inside the terminal.

Mancini arrived home safely, opened his backpack and, lo and behold, encountered another horrible twist of fate: his laptop was not there. He had left it sitting open, with no password check, in Dulles Airport where he imagined a commotion was stirring - passengers and security guards alike gathering around what would appear to be "a computer bomb." But his bad luck ended there and, in its place, came the kindness of people whose help he least expected.

Mancini returned to the airport where he discovered that a volunteer at Dulles's Travelers' Services, the airport division that helps travelers, had the laptop. The employee returned it to Mancini, being sure to lecture him about the importance of putting a password on his computer. Even this slight reprimand could not diminish

Mancini's joy of being reunited with his laptop. Travelers' Services had also contacted Professor Rothstein, whose name appeared in the student's email account, and DPS. Both Rothstein and DPS Officer Ray Smith called Mancini's phone and left messages informing him that the airport had his laptop. Officer Smith called twice and even offered to send someone to Dulles to retrieve the laptop for him. Mancini did not hear the messages until after he got his laptop back and finally recharged his phone.

When asked why DPS would go to such great lengths to assist a student when it is not required to do so, Smith replied, "The airport would only hold the laptop for 24 hours...We always want to help in anyway possible." DPS, in fact, has a policy when it comes to laptops left unattended around campus. An officer will wait by the laptop for 10 minutes and, if no one appears by then, will take the laptop to the DPS office and place it in lost and found. Smith, a cheery, amiable man, says that such a strategy is preferable to "having the laptop sprout wings and fly away." Hyperbole aside, what DPS calls "thefts of opportunity," particularly those involving bikes and laptops, happen frequently on campus.

According to Smith, DPS's role in this flurry of petty crime is to "protect people's property" through a variety of means: it endorses the STOP (Security Trafficking of Office Property) program for registering laptops in a national database, offers cages where students can securely stow their bicycles, and will even go to the extent of driving to Dulles to retrieve a student's laptop if need be. Yet, in undertaking these measures, along with offering escort services and adding more stops to the Union Station shuttle service since a mugging last year, DPS is also protecting the people behind the property. The greatest challenge that DPS now faces is motivating people to participate in programs like STOP, which are ultimately in their best interest. While they cannot force students to participate in the programs, they do strongly encourage participation.

Mancini surely learned that, at the end of the day, technology does not get a person nearly as far as his fellow human. This lesson was not lost on the student, who expressed his gratitude to both Professor Rothstein and Officer Smith. "I owe them a lot," he said.

General Jurisdiction *forum non conveniens* after a year

GENERAL JURISDICTION from page 1

"Overall, I believe the store was an incredible success. Unfortunately, it was simply not financially viable in the end," commented Shana Haygood, 3L, former Director of Public Relations of E.A.T. Justice.

President Pepper Harward, 3L, agreed "financially the store was not a success, but that may depend on your definition of success. We did less in revenue than we originally projected - in that sense it was not a success. But our revenues increased every month - so we were growing in the right direction." He added, "We were pretty close to breaking even."

However, the profit motive did not force General Jurisdiction to close its doors. Harward explained, "the bottom line is that the operations required too much commitment from the students involved." Indeed, the students of E.A.T. Justice were responsible for every detail of the store's operations. From the hiring of employees to the negotiation of vendor agreements, running a convenience store took more time than the five students of E.A.T. Justice could muster.

"Georgetown simply gave them the space; the students were responsible for everything else," offered Cathy Perry-Jones, Director of Business Operations of the Law Center. "The Board members did everything. It was extremely time consuming."

Because the store lacked the financial backing of the Law Center, vendors would refuse to sign agreements unless they had the personal guarantees of the students. This caused several product disruptions of necessary items like bread. Board members would sometimes find themselves driving to Costco to fetch must-have products.

With all that in mind, it may seem hard to picture General Jurisdiction as anything but a success. However, student leaders are quick to point out that the purpose of the non-profit project in the first place was to aid the employment prospects of community members. In this way General Jurisdiction actually triumphed.

"Overall, I believe the store was an incredible success...We developed strong relationships with our employees, and had several stories of suc-

cess," observed Haygood. She offered the example of Bukasa Sula, a former cashier who is now employed with the Law Center security staff. Sula plans to study economics before returning to his home country in Africa. Armed with the employment experience from General Jurisdiction, Sula has a better opportunity to bring his family to the United States.

What then is to happen to the dark space left vacant by General Jurisdiction in the Sports and Fitness Center? Some students would love to see a convenience store in the same location. "The store was very convenient and added some variety to my meals in the way of soups, snacks and frozen dinners. Now I am stuck with the school cafeteria," said Jessica Shook, 3L.

Other students suggested opening a tobacconist, liquor store, dry cleaners, or a juice bar. Many students have heard rumors that a beauty parlor or a book exchange will go up in the store's place, but most want to see the return of a general school store. The problem with a general convenience store is that Georgetown would have to subsidize much of its operations. Larger outside vendors usually stay away from small communities such as the Law Center because few students translate into fewer profits.

According to Haygood, "the school has given no indication of what they might do with the space. I believe it would be in the student's best interest to lobby for a new grocery to be put in there, possibly with the support of Main Campus."

Surprisingly students have a large role to play in the future of the space. Perry-Jones chairs the student/faculty Food and Fitness Committee. "What we do is collectively come together with ideas from the student body and Law Center community about what could we put into that space. We are opening that up for suggestions." The Student Bar Association is still processing student applications for the committee, but "once students are appointed, we will talk about the E.A.T. Justice space. We need ideas that would be beneficial to everyone and have an impact on the community." It remains to be seen what will be of greater impact than General Jurisdiction.

Corporate Law Association keg taps student interest

by Keith Parsons, 3L
Law Weekly

On Wednesday, September 20, under overcast skies that threatened rain, dozens of students braved the wind to answer the siren song of free beer for the Corporate Law Association Keg on the Quad. The kegs were set up on the terrace in front of the Sports & Fitness Center, ready to be moved inside quickly if it began to rain.

The event was primarily a networking and publicity event for the Corporate Law Association, which is a relatively new club, having only been instituted in its current form four years ago. Jen Hua, 2L, the enthusiastic and energetic president

of the CLA was on hand, along with Vice President Dana Katz, 3E, and the rest of the officers to eat, drink, and spread the word about their group.

Hua explained that CLA, as opposed to many clubs that may be ideologically or socially based, is primarily a career-oriented organization. It exists to help students who will be going into corporate law find contacts and prepare for life as a corporate lawyer. It was revived four years previously by alumni who realized that it would be helpful to reach out to students interested in corporate law.

Because it was created by graduated lawyers reaching in, as much as by students reaching out, almost all CLA events are sponsored by promi-

nent law firms from the area and beyond. Some firms that have sponsored CLA events in the past have included Clifford Chance, Venable, Dechert, Wilson Sonsini, and Davis Polk & Wardwell.

Because of this legal sponsorship, as well as funds from SBA, the Corporate Law Association has no dues and few actual meetings. They primarily put together free networking activities which all students at GULC are welcome to attend.

The club itself also serves as a networking opportunity. Many students put CLA on their resumes, and when employers see this, it helps spread the word about CLA among the legal community. Because the club is so

free-form, and has such a loose membership, there are no elections, with one board simply handing down power to a new set of board members of their own choosing.

Most students in attendance were enjoying themselves, whether or not they were actually making potential business contacts. Hua's exuberant cry of "Beer time!" was a rallying point for those who were ready to have fun. Of course, not all students thought so highly of the event. According to Jacqueline Putnam, 3L, most Kegs on the Quad "don't have enough hard liquor." Perhaps Putnam and others will lobby the SBA to institute a new tradition, "Shots on the Quad," next year.

ILS is GULC's ambassador to embassy

by Victoria Taylor, 3L
Law Weekly

On Thursday, Sept. 21, members of the International Law Society visited the Canadian Embassy, located near to the Law Center at the corner of Pennsylvania and Constitution. The students, who professed an interest in learning about US-Canada cross-border trade and bi-lateral security issues, were both international and American.

The students were first led into the briefing room, where a trade liaison officer educated them on the volume and quantity of cross-border trade. The statistics offered were impressive. Canada and the US have the world's most robust trading partnership. Over \$1.3 billion worth of goods and services and 3 million people cross the border on a daily basis. Other statistics offered by the officer were also interesting. For example, while one might think that it is the northern border states that profit the most from US-Canada trade, Texas benefits to the tune of \$17 billion a year and trade with Canada supports 369,000 jobs in the state.

The liaison officer also spoke about the dispute resolution mechanisms under NAFTA and how the two countries were trying to further strengthen the agreement. An embassy staffer spoke about how US regulatory authorities were increasingly communicating with their Canadian counterparts to ensure that they adopt similar standards for content and labeling of products. For example, the US and Canada require different nutritional information to be printed on food products. The trade liaisons at the Embassy are working

with the FDA on trying to assure that similar standards are adopted. Another example of the discrepancies such as these of technical barriers to free trade are the size of baby food jars in the two countries.

The trade liaison also spoke about how the NAFTA countries are working to adopt similar Point of Origin classifications, so as to determine if products moving in commerce amongst the three countries are subject to tariffs. Offering the example of a chair manufacturer in Canada who imports wood from Germany, table legs from Australia, glue from Thailand and screws from the U.S., she asked from which country the table should be labeled as originating.

The group then met with a representative from the Royal Canadian Mounted Police. He spoke about how the RCMP is communicating with the FBI and other domestic law enforcement agencies in the post-9/11 environment. He explained the difficulty of exchanging classified information in order to intercept possible wrongdoing, but still shielding the information enough so that sources or methods are not visible. The problem of obtaining a wiretap or warrants with such shielded information was also discussed. Unlike the U.S.'s FBI, Canada's law enforcement body, the RCMP, is separate from its intelligence-gathering body, the Canadian Security Intelligence Service. He spent some time talking about the pros and cons of the two systems.

In particular, he spoke about the unprecedented level of communication and assistance undertaken by both countries after 9/11. He noted that since those first few weeks and months after 9/11, more safeguards

have been put into place to ensure that information is not misused, as it was in the case of Maher Arar, recently in the headlines. The RCMP advised US authorities that Canadian citizen Mr. Arar was in some way linked to al-Qaeda. Mr. Arar was detained by US officials when flying through New York and sent to Syria by the CIA, where he was allegedly tortured. The Canadian House of Commons recently offered Mr. Arar and his family a full apology.

The literature handed out at the Embassy noted how Canada and the US are partners in the War on Terrorism. While Canada was not, and is not, in Iraq, 16,000 Canadian Forces personnel are deployed in Afghanistan and the Gulf Region and 20 Canadian warships are in the Persian Gulf. Canadian Forces personnel are also active with NATO troops in the Balkans and in Haiti.



photo courtesy of Canadian Department of Foreign Affairs and International Trade
ILS members visited the Canadian embassy, located near GULC

1Ls find pro bono not just for pros

PRO BONO from page 1

in the D.C. Metro Area that have expressed their willingness to Georgetown to accept them as volunteers, Eaton said. Examples include domestic violence clinics where students can assist victims, the D.C. Employment Justice Center, D.C. Family Court, and the other organizations where the student panelists volunteered.

Kendrick Wilson, 2L, who volunteered at Public Employees for Environmental Responsibility (PEER), was the first student to talk about his experience. He did legal research as part of PEER's effort to save the jobs of the employees of the Fish Passage Center on the Columbia River. One of the things he found most rewarding about his experience was that, "we knew there were people who were going to lose their jobs if we didn't do this."

Francis Chang, 3L, then talked about her experience volunteering as a 1L at the Asian Pacific American Legal Resource Center, where she helped to staff a hotline used by Asian immigrants in need of legal advice and help. Although many of the callers' native languages are Korean, Chinese, Indian, and even Sri Lankan, Chang noted that volunteers need not have Asian language experience.

"A couple of hours a week doing

something out of law school is going to be really, really rewarding...and refreshing," she told the audience.

For Erin Sullivan, 3L, who spoke next, volunteering at the Center for Individual Rights provided experience that she said really helped her as a summer associate later. She agrees with Eaton that making time for a pro bono experience during your first year is a good decision.

"I would have no time to do this now," she said. "If you want to do this, I would take advantage of it this year."

The next pro bono experience that students learned about was that of Paige Willan, 2L, who volunteered at the D.C. Employment Justice Center's Workers' Rights Clinic. In addition to the opportunity it allowed her to assist low-income workers in receiving much-needed legal help, a major benefit of her experience there was the interaction she had with new, "non-law school" people.

"Pro bono was a great opportunity to get out into the community and talk to people I would not normally get to talk to," she said.

Rather than just talking about his experience working at D.C. Legal Aid, David Rosen, 3L, actually demonstrated to the audience how helpful pro bono experience can be in job interviews. He had a member of the audience ask him to mock interview ques-

tions he had written, and answered them by referencing his time spent doing pro bono work.

"Having a sense of balance is important," he added. The way he looks at it, he said, "You have your friends vitamin, family vitamin, and school work vitamin. One of your vitamins should be pro bono."

Throughout the session, Eaton answered students' questions about the pro bono program, including some about the selection process and the amount of time that is required of students who participate, which is usually five hours or less per week.

She also talked generally about the transformation that has occurred in how the legal community views pro bono work. "The culture has completely changed," she said, citing the fact that there are many firms where attorneys can earn billable hours for doing pro bono work and that there is a proven connection between students' participation in pro bono work during law school and later as attorneys.

Sarah Nealen, 1L, who attended the session, was originally drawn to Georgetown by its emphasis on public interest causes and experiences. Because of this emphasis, she said, "I'll have that many more [pro bono] opportunities, and [public interest work] will be part of my education."



CRIMEBLOG
BY BEN RUBINSTEIN, 2L

I got puns to my head, I think I'm going down...

On Campus

Tuesday, Sept. 19: A bag containing a Dell laptop and a cell phone was stolen after being left briefly unattended on a bench outside the Harrison Institute/Mail Room area of the first floor of McDonough.

Around Town

At GWU, ID is apparently a problem (Thursday, Sept. 14): A man who is a permanent resident in Aston Hall became disruptive and yelled at a UPD officer in the lobby of the building. He was apparently upset he had to show his ID to an officer in the building, but calmed down and showed the officer his ID. No word on whether this is the next step in GWU's harsh "vague ID" policy, but it's likely that this young man did not come up with the brightest ID-*ea*.

Also at GW, don't "come on, feel the noise" (Sunday, Sept. 17): UPD officers responded to a loud noise complaint in Thurston Hall and soon came to find a party with alcohol. The 11 partiers were all underage and were sent home. Just goes to show that while you can fight for your right to party, you can't do so by playing "Fight for Your Right to Party" too loud.

At AU, don't bag the keg (Tuesday, Sept. 19): An unidentified resident assistant received two death threats after breaking up a dorm party in Centennial Hall. The fiasco began before 11 p.m., when a person was caught trying to bring a keg into the hall in a duffel bag. A search then ensued, which led the RA on duty to a room in the hall populated by individuals in club attire. The RA attempted to intervene, but as the partygoers dispersed, he allegedly shouted "don't try to escape, we've caught you."

However, the break up was broken up when a fire alarm sounded. After the RA who broke up the party went home, he found a threatening note on his whiteboard. Later in the night, he was awakened by a sound at his door, and found a knife stuck in his door. Those who are responsible for the knife incident could be expelled and face criminal charges.

There is no word on whether the perpetrators, if caught, would be eligible to apply for jobs with New Jersey unions, though he or she might not find any work with secret liquor stores.

Brooks joins Law Center with wealth of experience

by Tiphany Miller, 2L
Law Weekly

In addition to four other new professors, Georgetown Law Center has recently welcomed Professor Rosa Ehrenreich Brooks to its faculty. Professor Brooks has served as a visiting professor at the Law Center previously,

while also serving as an Associate Professor of Law at the University of Virginia Law School, whose faculty she joined in 2001. The previous year she fulfilled a fellowship at the Carr Center for Human Rights Policy at Harvard's Kennedy School of Government. During that same year, from 2000 to 2001, Professor Brooks also served as a con-

sultant to both the Open Society Institute and to Human Rights Watch.

Before her fellowship at the Kennedy School, Professor Brooks worked as a Senior Advisor to the Assistant Secretary of State for Democracy, Human Rights and Labor in the United States Department of State. While working in the State Department, Professor Brooks was an active participant in the United States' negotiating team for the International Criminal Court, and also worked extensively on issues in human rights trouble spots such as Kosovo and Sierra Leone.

Prior to her work in the State Department, Professor Brooks taught at Yale Law School as a Lecturer in Law, and also served as Acting Director of Yale's Orville H. Schell Jr. Center for International Human Rights Law and as the faculty supervisor of the Allard K. Lowenstein International Human Rights Law Clinic.

Throughout her experience as a professor both at the University of Virginia and at Georgetown Law Center, Professor Brooks has maintained her consistently active involvement in a multitude of organizations and foundations committed to advancing human rights and awareness. Professor Brooks has served on the Board of Directors of Amnesty International USA, from 2002 to 2003, and she also continues to serve on the Advisory Committee of the Human Rights Watch Children's Rights Division. Professor Brooks is also a term member of the Council on Foreign Relations and is a member of the Executive Council of the American

Society of International Law.

In the past, Professor Brooks has published on a large range of legal issues from tort and employment discrimination to privacy rights, but her current legal scholarship and research has focused on human rights, post-conflict rule of law issues and the law of armed conflict. Professor Brooks writes a weekly column in the *Los Angeles Times* that focuses on foreign policy, human rights and national security issues, and her articles and opinion pieces have appeared in other publications, including the *Washington Post* and *Harper's Magazine*. In 1994, Professor Brooks authored a book about her experiences at Oxford, entitled *A Garden of Paper Flowers: An American at Oxford*. This fall, a book Professor Brooks has co-authored with David Wippman and Georgetown Law Center Professor Jane Stromseth, entitled *Can Might Make Right?* will be published by Cambridge University Press. The book centers on the incredibly difficult issues that arise when attempting to restore the rule of law in the aftermath of military interventions.

Professor Brooks has received degrees from Harvard, Oxford and Yale Law School. This year at the Law Center, she will be teaching courses including International Law I: Introduction to International Law and a Law and Violence Seminar. Professor Brooks is the daughter of journalist and activist Barbara Ehrenreich (*Nickel and Dimed: On (Not) Getting by in America*) and married to literary critic Peter Brooks, Sterling Professor of Comparative Literature at Yale University.



photo courtesy of University of Virginia School of Law
Professor Brooks is one of five new faculty members joining the Law Center

Food frustration foils power-lunching students

FOOD from page 1

address what they characterize as deficiencies in the on-campus food-service.

One of the resolutions, submitted by Kristen Detwiler, 2L, Jared Joyceschleimer, 3L, Andrea Tazioli, 3E, and Jen Walrath, 3L, calls for the Market Café in McDonough to serve food until 6:30 p.m., thus allowing evening students who arrive straight from work to grab a bite to eat at the Law Center. Although the SBA last year passed a resolution requesting that Bon Appetit keep Market Café open until 7 p.m., Detwiler claims that the Café is not really open in the evenings due to understaffing and station closures. The resolution also calls for a more robust staffing of the dining areas during peak hours to reduce student wait times.

The other resolution, submitted by all four of the students who called for later food service hours, in addition to Henry Hunter, 2L, calls for Bon Appetit to make several changes related to the actual food served in the dining areas. It calls for the use of fresher food ingredients in the preparation of foods and date stamps on all pre-packaged foods, as well as for the separation of condiments from pre-packaged foods. It encourages the dining facilities to make pre-packaged kosher foods available to all students and to make the drinks in the

coolers colder. The resolution also calls for several other menu-specific changes, including the reinstatement of some of the menu items previously featured at Courtside, the use of thinner panini bread and the reinstatement of both Salad Thursday (at Courtside) as well as Taco Tuesday (in Market Café).

Detwiler noted that "we don't necessarily dislike the new additions to the menu, we're just unhappy that they took away the old favorites." She pointed out that the resolutions were not seeking large-scale changes but rather changes to "little things that would not be that difficult."

Joyceschleimer, who also served last year on the joint student-administration Food and Fitness Committee, echoed much of the sentiment expressed in the resolution. He noted that he had personally received negative comments on the changes from students, who had complaints both about slow service and about the freshness of food. He did point out that much of the service problems can be attributed to the high turnover in what is essentially a nine-month food service operation. He did, however, express optimism that Bon Appetit would bring back the big-ticket menu items that had been removed. Joyeschleimer seemed excited about the upcoming changes. "I'm optimistic about what we're going to see." He also said that the committee "want[s] student suggestions."

Meanwhile, he called attention to the success of the new coffee bar in McDonough, which could be a harbinger of the success of other new food service experiments.

Cathy Jones, who is the director of Business Operations at the Law Center and the chair of the Student-Faculty Committee on Food and Fitness noted that the joint student-administration committee generally tended to collaborate to solve any problems with the contracted services, and she was optimistic that any student complaints would be productively resolved by the committee. Jones spends a lot of time walking around the dining areas at peak times, hearing what students, faculty, staff and guests are casually saying to each other about the food service. While she acknowledged that there had been complaints about the lines and the prices, she noted that the organic and local foods that Bon Appetit uses tend to cost more. She also pointed out that many students had complimented the appearance and snacks at courtside as well as the pre-packaged grab and go foods available at both facilities. While she acknowledged that it was tough to please everyone, she seemed positive about the direction in which the on-campus food services were moving.

Among the students eating in the dining facilities on Monday, reactions varied when asked about the state of the food services. Some, like Jen Clark, 2L, didn't see what

all the fuss was about. "I didn't notice the changes. I lived in Gewirz," said Clark, explaining that she prepared her own food in her kitchen when she lived on-campus.

Others, like Jennifer Dillard, 2L, had mixed opinions. "Over the summer, the quality seemed worse than it had been." But, she said that "since school started, I've noticed that there are a lot more vegetarian options, and I appreciate that."

However Ateesh Chanda, 2L, another Market Café diner, was not so kind, complaining that "the sandwiches are sloppy and overloaded with condiments."

Over at Courtside, there were also varying opinions, with Julia Cianfarini, 2L, praising the new choices. "It's better. I feel like they've added healthier choices."

Mike Molowan, 3L, was not nearly as thrilled with the changes. "I feel like they should bring back last year's menu," he said.

Given the wide divergence of opinions on this contentious issue, students might be happy to hear that General Manager Triplett would love to interact with the students regarding food choices. "We're here to serve the students," she noted.

Soccer club gets its start in intramural league

Adam Taylor, 1L
Guest Writer

Soccer balls were literally bouncing off the walls. They were ricocheting off of the pads on the walls and off the curtain hung across the middle of the gym. The goals, nothing more than PVC pipe and netting, fell apart anytime a hard shot hit the post instead of the back of the net. Teammates standing at corners of the court shouted encouragement and advice at the players on the court before ducking out of the way of a fast-moving ball. Shins were bruised, and goals were scored. Indoor soccer had arrived at the Law Center. Intense was a common word heard during and after the match. In the end, the *Well Hung Jurists* topped *Benfica* by a score of 7 goals to 6, holding off a late charge from the team of 3Ls.

The indoor league, which plays on the basketball courts of the Sport and Fitness Center, pits teams in a 5-on-5 match for two twenty minute halves. Unlike the outdoor variety, there is no goalkeeper in indoor soccer. No players can use their hands. And where you would normally find a sideline painted on the grass, there is a wall instead.

Chris Dolan, 3L is the captain of *Benfica*, named for his favorite Portuguese soccer club. Dolan is enjoying the league, and his excitement shows. "I wish the season was longer, and I hope they do it again in the spring." *Benfica's* opponents in the match, *Well Hung Jurists*, comprise the

core group that founded the soccer club here at the Law Center.

Georgetown Law is known for, among other things, its strong international presence. It might be surprising, then, that until recently, there was no club here for the world's most popular sport. Of course, that all changed when D.D. Davis, 2L, and some friends started FC GULC, the soccer club. The "FC" moniker is a common mark among soccer teams around the world, standing for "football club" and typically followed by the name of the club's home city or neighborhood.

The core group of FC GULC formed last spring to compete in a post-graduate indoor soccer league on Main Campus. The Law Center's team defeated the Medical Center's representatives to win the championship in that league. Many of the players from that team, including Davis, Eric Charleston, 2L, and Olisa Anwah, 3E, are still together, playing as the *Well Hung Jurists* in the Law Center's own inaugural indoor soccer league.

Soccer reached a new height in American culture last summer, during the FIFA World Cup. All sixty-four matches were broadcast in high definition on ABC, ESPN, and ESPN2. Unlike the 2002 World Cup in Korea and Japan, when American fans were forced to wake up at two or four o'clock in the morning if they wanted to watch, the matches this year were shown in America during the late morning and afternoon, a fact that certainly helped boost the ratings. The

excitement over the sport stemming from the World Cup extended beyond the television. "I think there's a soccer fever in America right now," said Anweh. He hopes that the soccer club can build on that momentum and increase its membership and activity.

Not that the club's membership is particularly lacking. At present, the club boasts over 90 members. Outside of the intramural indoor league, many law center students play together in a city outdoor league every weekend. Because of this familiarity with one another, they seem to know where their teammates will be on the floor, making plays that look almost practiced.

The club and league might never have happened, though, had it not been for the efforts of Davis, who played soccer during her undergraduate years at American University. "D.D. is the engine behind all of this," said Charleston, about FC GULC and the intramural league. "She pulled me out of retirement."

Davis has been playing soccer as long as she can remember, as has Charleston. They each played for traveling teams when they were younger and then for their high schools. Anweh got a later start. His family moved from the U.S. to Nigeria when he was five, and, not having played soccer before that, he was behind the other kids. When he moved back to the United States in high school, he was suddenly one of the best on the field. "They all thought I was really good,"

he explained.

Of course, the club does more than field its own team. It hopes to form more competitive and recreational teams to play both within the Law Center community and in the greater D.C. community. It plans to organize viewing parties to watch big matches. More than anything, it wants to spread the love of soccer that its members all share. Said Davis, "Playing soccer has provided a great opportunity to meet and interact with students from other years and sections. In addition to winning soccer games together, we have also formed many lasting friendships."

FC GULC is always looking for more people to play, especially girls. Students of all skill levels are welcome, from those who have played enough to have retired and come back to those who have never even kicked a ball. To get involved or find out more information, email D.D. Davis at dld25@law.georgetown.edu.



photo courtesy of D.D. Davis, 2L
D.D. Davis, 2L (top-left) and Olisa Anweh, 3E (bottom-left), after winning the indoor soccer league championship last spring

This week's GU sporting events

Women's Volleyball

v. Marquette
Friday, 7 p.m.
@ McDonough Arena

v. Syracuse
Sunday, 2 p.m.
@ McDonough Arena

Mens's Tennis

v. George Washington
Friday, 2 p.m.
@ McDonough Tennis Complex

Men's Soccer

v. Seton Hall
Wednesday, 1 p.m.
@ North Kehoe Field

Softball

v. George Washington
Saturday, 9 a.m.
@ GW Mount Vernon campus

v. George Mason
Saturday, 11 a.m.
@ GW Mount Vernon campus

Football

v. Colgate
Saturday, 1 p.m.
@ Hamilton, N.Y.

Georgetown Law Sports

Georgetown Law Softball

Saturday, 11 a.m.
@ West Patomac Park

Georgetown Law Rugby

Friday & Sunday, 2 p.m.
@ 3rd and Madison, National Mall

Hafeez Hoya Report - Winners

Zeeshan Hafeez, 2L
Law Weekly

Apparently, our readers don't care anymore for the Division I-AA football team's weekly "almost victories" and would like instead to hear about a greater diversity of sports. So this week I will not tell you in great detail about how the Georgetown Hoyas (1-3) nearly overcame a 20-0 halftime deficit against the Columbia Lions (2-0) (they ended up losing 23-21 in case you were wondering). I will also skip trying to convince you to go to main campus this Saturday for the free game against Patriot league rivals the Colgate Raiders (1-2) (a game the Hoyas can and should win). Instead I will devote more coverage to the winners, as in the two undefeated Georgetown Law intramural football teams participating in the graduate league on main campus, the J Deez (won 35-0 this week) and 12b6ers (won 14-13 this week).

Unfortunately, it was a losing week for Georgetown sports, as I will show in my roundup of the major Georgetown sports teams' news of note. First, the Hoyas suffered two losses in college soccer, one of the sports where the Hoyas usually perform well and are a part of the DI Big East Conference. The men's team (2-6-0) faced off against the Connecticut Huskies (5-2-2), and played them closely for forty-five minutes. After a little over ten

minutes, however, the Hoyas were down 2-0 after two quick strikes by the Huskies. The Hoyas ended up scoring one goal, but they finished behind 3-1. The other losers were the Lady Hoyas (3-5-3), who continued their scoring drought and by their fourth straight game in a lackluster performance at home against Seton Hall Lady Pirates (5-5-0).

In other losses, the Georgetown



photo courtesy of guhoyas.com
Georgetown men's soccer fell this past weekend to UConn 3-1

Volleyball team dropped its Big East Opener to Seton Hall 3-1. Following the path of the soccer team, the Hoyas lost their fourth straight game falling 5-8. The women's golf team didn't exactly lose, but it did finish 12th out of 14 teams at the Lady Irish Invitational. No one can really call that winning and everyone can see that there has been a lot of losing. So, it seems like for the most part, the Georgetown

undergrad campus is full of losers. At least that is, when it comes to Fall Sports.

However, don't worry all you Georgetown undergrad alums, I'm not dissing all of you. We all know that the basketball team made it to the Sweet 16 last year and will win it all this year (yes, I said it and yes, I believe it). And thank goodness for the Lady Hoyas Field Hockey team, which believe it or not pulled off a win against Bucknell Lady Bisons on Saturday 4-3. The Hoyas, down 3-1 at halftime, scored three unanswered goals in the second half to win the game. Perhaps it comes as no surprise that it was in a sport that both Harsha Rao's and my people both are historically superior at. I'll try not to focus on the teams 3-5 record, but I will point out that Bucknell was 4-3 going into the game.

Law school sports news haven't heated up much more since last week's report. A dance club has formed and had its first practice this past Saturday with a local hip hop dance coach. The next lesson will be in belly dancing and is open to the law center community. One thing I can tell you about the dance team, it's a win-win situation for everyone involved. You'll have to attend the next session to truly understand what that means. The best thing about going is, well you just can't lose, and that's saying a lot if you're a Hoya.

The way to see hockey - front row seats at a Caps preseason opener

Victoria Taylor, 3L
Law Weekly

Hockey season is upon us. For those of you new to hockey or for those of you new to D.C., preseason is a great way to get to know the Caps. The stands are empty, the seats are cheap and the Washington Capitals have one of the league's true superstars, last year's rookie of the year, Alex Ovechkin. Over the summer, the team let longtime captain Jeff Halpern lapse to free agency and picked up some journeymen, notably Richard Zednik and what may be the league's last old scrapper, now that Tie Domi has retired, Donald Brashear.

Now, smart people will disagree about the best way to see hockey. Some say you need to be midway up in one of the 100s sections. These are usually well-heeled partners at law firms. Purists say to learn the game there is no better way than sitting in the nosebleeds, seeing the game from above and getting uproariously drunk. Anyone with small children, or whose reflexes have been sharper, will want to make sure they're out of errant puck range.

I, on the other hand, maintain that the best seats are in the first row behind the player's bench. I tested my theory last Wednesday, at the Caps' preseason opener against the Tampa Bay Lightning. Coincidentally, it was also Ovechkin's 21st birthday. My brother and I sat down directly behind Coach Glen Hanlon. From our vantage point we could see Hanlon's plays on a cheat sheet and hear him call out lines from behind the bench. We could have, had we had the guts, reached through the spacing in the Plexiglas and grabbed ourselves a shirtful of our favorite Cap. Considering the way Brashear stared down one Lightning goon, we were pretty sure we were not going to attempt to offend anyone on that bench.

Other interesting notes: Coach Hanlon's heart must have skipped a beat every time Ovechkin tucked his shirt into his shorts on one side only, Gretzky style. Why, you ask? In his youth, as a former pro goalie, Hanlon surrendered Gretzky's first NHL goal. Alexander Semin nearly

knocked himself over at least twice after getting a hit of the smelling salts after two separate shifts. Very few things are funnier than a large sweaty man on thin blades of metal stumbling backwards in an enclosed area and nearly eating it after reviving himself.

The new Caps team is definitely still Zamboni-like: smoothing out the rough parts and trying to glaze over some pretty deep lineup gashes. It lacks a really solid supporting cast for Ovechkin. Its defense, while strengthened by Brian Pothier, really



photo courtesy of www.msnbc.msn.com
Ovechkin takes over for the Caps

has no big guys - guys you desperately need when you've got talent like Ovechkin up front and Olie Kolzig behind them. Kolzig is 36, but at 6' 3" and 235lbs, makes up what he may - and that's a big may - have lost in agility with some serious space-eating in the net. Hell, he's the second heaviest player on the team. However, he still puts up the worst stats of any starting netminder. And all their good players, for some obscene reason, are left-wingers.

On the upside, they have some serious talent out there. Left-winger Ovechkin defies virtually all hyperbolic superlatives I want to throw in his direction. He is so good it hurts to watch. Brashear (another left-winger) can move with such surprising speed and grace that you're immediately reminded of why this brawler is still in the new, squeaky-clean NHL. But he's keeping one eye on Ovechkin, just to remind anyone on the other team that he's still got what it takes to come up with a mean jersey pull. Yet another solid left-winger, Alexander Semin was signed by Washington in 2002, but went back to Russia to play after a year in the NHL. He's back and has the skills to get himself some serious points, particularly if he puts on some pounds. They've also got some decent talent in their farm team, defenseman Sasha Pokoluk in particular.

For the Caps to make it to the playoffs, as Ovechkin has promised they will, they're going to need to start gelling, stat. Playoff runs, contrary to popular opinion, are made in the first few weeks of the season. This Caps team has the experience to go out strong, as well as the youth to power through in the spring. The key is to get the machine working together now, rather than having it fall into place by Christmas. For this to happen, they're going to need to get the lines down quick, start winning face-offs and learn how to shovel the puck up to Alex.



photo by Victoria Taylor, 3L
Ovechkin sits within striking distance of nearby fans and writers

Harsha Rao is better than you

How to lose your way to the top

Harsha Rao, 3L
Law Weekly

It's amazing that the defending champion Chicago White Sox are on pace to win more than 90 games, yet this season will go down as a complete disaster. Now don't get me wrong, I'm still basking in the reflected glow of the White Sox' dominant postseason run last year. They went 11-1, tied for the best record in history and also ran off a string of four straight complete games just to humiliate the Angels. But the downside of that success was that the Sox heaped high expectations on themselves for this year. See, that's the worst part: the false sense of hope created by the White Sox victory last year. It's like on *Family Matters*, when uber-nerd Steve Urkel kept pursuing Laura Winslow. Urkel was so lame that he made fellow *Law Weekly* writer Erik Kenerson, 3L, seem cool, but at least you knew what you were getting: a skinny kid with big glasses and terrible fashion sense. But then Urkel invented a machine (if you've never seen the show, stick with me here) that enabled him to transform from geeky Steve Urkel into the ultra-suave Stefan Urkel. Laura loved Stefan, but, invariably, nerdy Steve Urkel would always return. That's what happened to the White Sox. They were always the Steve Urkels of professional baseball, but then last year they somehow transformed into Stefan Urkels and won the championship. But like Stefan, the champion White Sox had to revert to the phenomenal underachievers they really are, and, like Laura, I feel shafted. But then again, to be a true Chicago sports fan, you always have to expect that your team will fail, and then drown your sorrows in Chicago's very own Old Style, the nastiest beer ever created by man.

What hurts the most is that the White Sox created hope when they finally won the World Series. But despite a successful off-season where GM Kenny Williams reloaded the offense while maintaining the exact same pitching staff, the Sox actually have a worse record than last year. I mean, that's as confusing as the *Law Weekly's* decision to give Zeeshan Hafeez, 2L, more articles. But, in an effort to understand, I've analyzed the reasons why the Sox have been hurting.

1 - Ozzie Guillen was silenced. Earlier in the season, the Sox' loud-mouth manager Ozzie Guillen ripped one of the most hated sports writers in the nation, Chicago's very own Jay Mariotti, calling him an epithet for a homosexual. Homophobic insults aside, Guillen did what every sane person in America wants to do: tell Mariotti to shut the hell up. And besides, the Sox were winning when Ozzie was angry, unrepentant, and public enemy number one. The moment he was called out by his GM, and was effectively told to shut up or be fired, the Sox stumbled to a sub-

.500 record over the rest of the season. Am I going to blame a sports-writer for the Sox' demise? Of course.

2 - Frank Thomas, unifying force of hate, is traded. Frank Thomas has two things going for him: an amazing swing and a personality that makes you want to take a swing at him. Whenever Thomas played, he could carry the Sox with his bat, but his prima donna personality inevitably drove the team to pieces. When Thomas was on the bench last year, he served as a rallying point for the rest of the team. Latin pitchers, black hitters, Ozzie Guillen, all were linked by their shared hatred of Frank Thomas. But the Sox chose not to re-sign Thomas in the off-season, ignoring the Hate-Rallying-Points (HRP) Thomas gave them. Thomas's new team, the Oakland Athletics, with their keen eye to statistical analysis, are now bound for the playoffs with a superior HRP score, while the Sox are set for a long off-season.

3 - Mark Buehrle's arm fell off midway through the season and was surgically reattached by a drunken Marion Berry. There's really no other explanation for Buehrle's baffling failure in the second half of the season. Buehrle, the rock of last year's pitching staff, has been pitching like Jose Canseco over the past two months. Case in point: before the All-Star Break, Buehrle had a 4.02 ERA; after, he has over a 6.00. There are no signs of injury - it's just that Buehrle's been awful. The 2005 Sox won with strong frontline pitching. Buehrle and his reattached arm have been bad this year, but he's just representative of the Sox' crappy pitching as a whole.



photo courtesy of www.kellie.de
White Sox = Steve Urkel

The Sox put up a good fight, but are now officially out of contention to make the playoffs. Both the hated Minnesota Twins and the Detroit Tigers, a team that lost 119 games three years ago, are ahead of the Sox. In the end, Stefan Urkel seems too good to be true because he is. You're glad he showed up, but he makes the real Steve Urkel seem even worse than before. Oh well, at least the Bears are still undefeated. At least until Rex Grossman breaks his leg in five places. And the cynical Chicago sports fan comes back out.

High School as High Entertainment

by Devin Cain, 1L
Guest Writer

There is one especially compelling reason to dislike *Laguna Beach*: it's terrible. I admire people who are willing to be turned off by this caveat. For the rest of us, this fact might be offset by others, and we are left to decide for ourselves whether to continue watching.

In the event that you have not enjoyed the privilege of this program, here is a brief rundown. Attractive high school students in Laguna Beach, CA allow their social lives to be filmed by MTV. The resulting show purports only to document the drama and faux glamour of their lives.

In its defense, *Laguna Beach* has "characters" and a sort-of plot; is relatively entertaining; makes you feel strangely better about your own staid, plain life and only consumes about twenty minutes on the half-hour. This last asset, brevity, is essential. Even when you watch the show it requires no burdensome time commitment or mental strain. In fact, it tends to be more enjoyable if watched while doing something completely unrelated (reading *People* tops the list).

Hopefully this helps to rationalize my decision to continue watching, so we turn now to the juicy rarebits of the current season, which is largely different from its two predecessors.

In the August 16th *New York Times*, Virginia Heffernan argues that the shortcomings of the current season are dual. First, the new narrator, Tessa, has a whiny voice. Second, instead of letting us glory in the high living that is rich Southern California, this season makes us ask social questions that have no business weighing on this show. Heffernan: "The innovation of *Laguna Beach* has been to present hermetic court intrigue with its own logic, sidelining entirely the scullery maids and pageboys who have no chance at the upper ranks." Both of these charges are true, but, I would stress, easily ignorable.

How you view this current crop of clips of the nouveau riche depends more on another issue - the prevalent self-awareness of all the characters. More so than in the previous two installments, everyone on camera in this go-round seems hyper-conscious of the popularity this show confers. Even the parents seem more determined to wind up on screen at every possible chance.

The most glaring egoist of the younger set is Jason, who just ended his stint on Laguna spin-off *The Hills*, where he wooed former *Laguna* narrator Lauren (who was certainly whiny, if demonstrably less so than Tessa). His decision to appear in the new *Laguna* can only be explained by his desire to stay on television screens all year. MTV's decision to keep him on was obviously influenced by his status as a known commodity.

Occupying a similar position is Jason's ex-flame Jessica, who presents a delightful conundrum. Clearly she has some vested interest in remaining on the show, but her general awkwardness on camera and ability to come across as a needy, nagging *enfant*

terrible make one question what this interest could be. The show simultaneously shows her getting hurt and implicitly blames her for it. Her presence, as possible suitor to gad-about-town Cameron, tends toward obnoxious.

Both Jessica and Jason were on last season's installment. So what about the new characters? The best of the bunch is Cami, an only moderately attractive queen bee who seems intent on using the show to further her platform as "Bitch of the Universe." This sort of shameless promotion of self-image is, to my mind, a masterstroke. It's as if she doesn't want anyone to like her, or even be remotely sympathetic to her. She's trading in these valuable high school commodities so she can use ruthless image in future tense negotiations - of which sort, I have no idea (although I reserve the right to imagine that she'll need to use this cutthroat persona to befriend a feral kitten).

The aforementioned Cameron enjoys playing up his image as a "player," something that might not actually exist in Orange County, and also lifting weights on camera. His sometime love-interest Kyndra, trailer-trashy-attractive best friend to Cami, occupies a stock role and might be excluded from a dissection of personal motives. There was no way to leave her off the cast.

And finally we have Tessa. Her interests seem to lie in that nebulous area of "class-consciousness" that Virginia Heffernan suggests. Her performance looks orchestrated to impress college admissions boards and other outsiders, as if to say, "Look! I live here, too, but I'm different." Only Tessa seems to harbor any inclination to believe there is a world that operates beyond the Orange County lines.

Yet she hooks up with Cameron - a brilliant tactical move on the part of the producers, as it effectively sucks this young aspirant back down into the world of surfaces and not-education.

And a glorious world it is, at least when the characters seem to forget that the show is being taped to view before a national audience. In perhaps the most enduring scene of this season, two couples go out to some chichi eatery. One of the girls was told to try the *foie gras*, a word she mercilessly butchers with a series of over-aspirated r's and ungraceful uh's. She avers that upon finding out what the item in question actually is, she, of course, could no longer eat it. The scene achieves a sort of uncomfortable hilarity you might think actual living people would not allow to transpire on camera. Herein lies the true beauty of this show - those moments when the characters' shamelessness transcends their self-consciousness.

For such choice scenes alone, I would whole-heartedly recommend the minimal time commitment involved in following this show. In any event, *Laguna* has at least taught me that my own shamelessness has few bounds.

Neumeyer's Direct

by Christopher Neumeyer, 3L
Law Weekly



photo by Christopher Neumeyer, 3L
Professor Michael R. Diamond

Why did you come to Georgetown? Two reasons. I wanted to be at this kind of institution, which is large, prominent, and entrepreneurial in having so many programs. I also wanted to fill the position in the housing and community development program which had become available.

Should Supreme Court sessions be on television? Probably yes. I think they often deal with social and political decisions with which the country and the people should be involved. It is also important for people to see these big questions being debated, when the court is not dealing with some technical issue, so on the whole yes.

What should Congress do to reduce the federal debt? Resign.

Is space really the final frontier? No, law practice is the final frontier.

What is worse: a world without books or a world without the internet? A world without books, because I read books and I don't always read the internet, and I come from a generation where books were what we had, and I still love the feel of a book in my hand.

Would you rather have it raining cats or raining dogs? Raining dogs. I would take a few of them home as pets.

If you could spend one day with any historical figure, who would it be? Socrates comes to mind, but there must be someone else.

Would you rather attend / lecture in a room too cold or too hot? I'd rather have it be too cold. I move around as I teach, so I can warm up, but too hot is unbearable. You can wear a coat in a cold room, but it is harder to accommodate a hot room.

Under what conditions should you buy a pig in a poke? When you are good and drunk.

Are you excited about Katie Couric becoming the first female primetime anchor? Nope. Doesn't excite me.

The roadrunner or the coyote? I don't remember either one very well, but the coyote kept falling off cliffs and being hit on the head with rocks, right?

Should tort liability have a statutory ceiling? No. Despite the potential or occasional abuses of the process, it is one way that consumers can discipline wrongdoing by corporations, and putting a cap on liability simply creates a cost of doing business that can then be worked around.

What is a book or author you recom-

mend? There are dozens. Edwidge Danticat's *Farming of Bones*, an amazingly written story that deals with overcoming oppression and written incredibly beautifully, or *Ways of Dying: A Novel*, by Zakes Mda, which is a story of magic, again amazingly written, where the main character is magical in a variety of ways that transports people.



photo courtesy of GULC Facebook
Natalia Napoleon, 2L

Why did you come to Georgetown? I want to say because of all the programs, but it really was one of the best schools I got into. UCLA was too far and the people from NYU are kind of weird.

Should Supreme Court sessions be on television? Yes, but would anyone watch them other than law students?

What should Congress do to reduce the federal debt? Don't spend more money on our military. Most people wouldn't mind debt for food and education.

Is space really the final frontier? Depends on who you are. Most people don't travel much, but space travel is cool to think about.

What is worse: a world without books or a world without the internet? I don't read much anymore, so I think the world would be worse without the internet. Besides you can download internet books anyways.

Would you rather have it raining cats or raining dogs? I hate cats.

If you could spend one day with any historical figure, who would it be? Probably Chris Farley. I never thought he was funny. I would like to see what everyone else sees in him.

Would you rather attend / lecture in a room too cold or too hot? I'm sure I could get a jacket, so I'll go with too cold.

Under what conditions should you buy a pig in a poke? What?

Are you excited about Katie Couric becoming the first female primetime anchor? No, I don't really care.

The roadrunner or the coyote? The Coyote kind of sucks, he's been chasing the roadrunner for years, if he was smart he would chase something slower.

Should tort liability have a statutory ceiling? I am tempted to say yes, but what if I had to sue someone? Assuming I never have to sue someone, there should be a ceiling.

What is a book or author you recommend? *Krik? Krak!* by Edwidge Danticat. It is a brilliant book full of short stories by Haitian women. It's full of raw emotion and appeals to all.

October Movie Preview

by Tiphanie Miller, 2L
Law Weekly

Of course, October brings out the scary movies, but given the amount of lame, by-the-numbers gore-fests that came out over the summer (*The Covenant*, *The Wicker Man*, *Pulse*, *Material Girls*), next month's rate-o-horror really isn't that high, with one bloody sequel, prequel or J-horror remake hitting theaters each week. Well, one per week, if *The Nightmare Before Christmas: 3-D* counts as a horror flick, and not just a horribly bad idea. (Having Fall Out Boy revamp the soundtrack? Now that's scary.) So, even in the face of Halloween, October brings not only ghoulish screams, but also some quality filmmaking, to movie theaters everywhere.

October 6

The Texas Chainsaw Massacre: Beginnings

Jordana Brewster, Taylor Handley, Diora Baird and Matthew Bomer star as two couples who get into an accident during one last road trip before the two men are called to serve in Vietnam. The foursome is eventually taken to a secluded house, filled with horrors, including the nurturing of a young, wannabe mass murderer. Director Jonathan Liebesman, who also directed 2003's Tooth-Fairy-as-evil-murderous-spirit-themed *Darkness Falls*, adds a new spin on the genesis tale of Leatherface, but it's doubtful that any chainsaw massacre can be more worthwhile than just renting the original. However, *Rings*, a short written and directed by Liebesman, was better than the actual sequel to *The Ring*, so maybe a tiny sliver of optimism is warranted.

The Departed

Martin Scorsese is never going to win an Oscar if he keeps trying this hard. Leonardo DiCaprio and Matt Damon star as two men working undercover on both sides of the law in gritty Boston. Early buzz is going towards Jack Nicholson's Frank Costello, but the film's incredibly violent final third is likely to turn off some moviegoers.

Also out: *Alex Rider: Operation Stormbreaker*; *The Queen*; *Employee of the Month*

October 13

Man of the Year

Anyone with a "Jon Stewart/Steven Colbert 2008" bumper-sticker probably wishes this movie were more reality than fiction. Robin Williams stars as a late-night political talk show host who enters the presidential race on a whim. Barry Levinson has also directed the skewering political satire *Wag the Dog*, and has hopefully restored his talent, as well as whatever Williams had pre-RV and the *Patch Adams* nose, when Levinson directed him in *Good Morning, Vietnam*.

Little Children

The last novel written by Tom Perotta that was transformed into a feature film was 1999's darkly comic *Election*. Now, Todd Field has adapted Perotta's look at suburban adulthood,

and how the arrival of a convicted child molester sends ripples through their lives.

Also out: *The Grudge 2*; *The Marine*; *Shortbus*; *Infamous*; *Driving Lessons*

October 20

The Prestige

No way there can ever be too many movies about dueling nineteenth-century magicians. Christopher Nolan, after surprising many commentators with the strength of his *Batman* prequel, whisked Christian Bale, Hugh Jackman and Scarlett Johansson to the L.A. set of *The Prestige*. After being exposed in a phony séance, Bale and Jackman's magicians become rivals intent on destroying each other's careers, leading to disastrous consequences for each of them. Look for David Bowie's turn as Nikolai Tesla, who teaches the magicians some devious tricks.

Marie Antoinette

One of the more controversial entries this year at Cannes, this is Sofia Coppola's revisionist look at the teenage queen and her hip, stylized entourage. It's a high concept, modern vapid celebrity culture mapped onto Marie Antoinette's life of privilege and frivolity, a concept that left many booing after the first screening. Living up to the expectations of the rabid cult following Coppola earned after *Lost in Translation* can't be easy. But just seeing Kirsten Dunst and Jason Schwartzman wrapped in costume pieces standing in the actual Hall of Mirrors makes the movie intriguing, if none of the controversy piques interest.

Also out: *The Nightmare Before Christmas: 3-D*; *Flags of Our Fathers*; *Running with Scissors*; *DOA: Dead or Alive*; *Flicka*; *Sleeping Dogs Lie*

October 27

Saw III

When *Saw II* cleared \$37 million in its opening weekend, *Saw III* was greenlit. Unfortunately, soon after the release of *Saw II*, its producer, Gregg Hoffman, passed away. But Jigsaw lives on, to torture more victims in intricate and lesson-imparting fashion. The evil mastermind now relies on a doctor to keep him alive while a new apprentice carries out the torture. Tobin Bell, Shawnee Smith and Angus Macfayden are directed by Darren Lynn Bousman, who also directed *Saw II*.

Babel

While *Marie Antoinette* got boos, Cannes adored this fable about the myriad and far-flung ways that two boys playing with a bullet can change the world, causing a tragedy that ripples through the lives of six families. Gael Garcia Bernal, Brad Pitt and Cate Blanchet are directed by Alejandro Gonzalez Inarritu in what is sure to become an Oscar darling in a few months.

Also out: *Catch a Fire*

Yo La Tengo is not afraid

by Jeff Hayes, 2L
Guest Writer

Let's get one thing out of the way: Yo La Tengo's *I Am Not Afraid of You and I Will Beat Your Ass* currently stands as the best album title of the year. For a band now enjoying its undisputed and well-deserved status as a venerable indie-rock institution, the title comes across as a surprisingly ballsy and invigorated choice.

Like fellow indie grandfathers Sonic Youth (who released the equally excellent *Rather Ripped* earlier this year), the Yo La Tengo of 2006 shows few signs of stagnation. *I Am Not Afraid* presents the band at their most comfortable and confident, their strongest effort since 1997's equally eclectic *I Can Hear the Heart Beating as One*.

Early in the album, frontman Ira Kaplan sings "Why don't you meet me on the dance floor / When it's time to talk tough" - yet *I Am Not Afraid* sounds less like the party than the blissfully woozy walk home. The majority of tracks retain the punchdrunk, late-night quality that's defined the bulk of Yo La Tengo's recent work, but the band approaches this general aesthetic from a variety of different sonic angles, deftly sidestepping the repetitiveness that plagued their last few albums.

This newfound sense of eclecticism emerges as *I Am Not Afraid*'s greatest strength. Despite the band's generally mellow approach, they're not afraid to turn up their amps this time around, a strategy more than evident in the album's lead-off track, the cryptically-titled "Pass the Hatchet, I Think I'm Goodkind." Over an unwavering ten-minute groove, frontman Ira Kaplan delivers the kind of frenzied, cacophonous guitar work that comes as naturally to the band now as in their earlier, noisier days.

After this dizzying opening, Yo La Tengo veers sharply in a more classic pop direction, playfully jumping from style to style. From the organ-driven garage rock of "I Should Have Known Better" to the dreamily orchestrated "Black Flowers," the band displays a vibrant potpourri of influences, from soul to country to psychedelia.

One of the most surprising aspects of the album is Kaplan's newfound falsetto, providing the Charlie Brown bossa-nova of "Mr. Tough" an

unexpectedly soulful edge. Similarly, Kaplan's vocals combine with rolling piano to give the gently lilting "Sometimes I Don't Get You" a gorgeously fragile quality.

"The Race Is On Again" finds the husband-and-wife team of Kaplan and drummer Georgia Hubley sharing lead vocals in a duet enveloped by chiming guitars and insistent percussion. Additionally, Hubley lends her understated voice to three distinctly varied tracks: the plaintive "I Feel Like Going Home," the Neil Young country-rock of "The Weakest Part," and the buzzy, bongo-driven "The Room Got Heavy," featuring retro-keyboard bursts that echo Stereolab's best work.

"Daphnia," a lengthy instrumental, serves as a late intermission of sorts, casting rain-like static over fluttering guitar and subdued piano. Following this excursion into peaceful near-ambience, the album's final third kicks off with the energetic one-two punch of "I Should Have Known Better" and "Watch Out For Me Ronnie," which represent the album's most straightforward rock songs. "Ronnie," in particular, stands out as one of *I Am Not Afraid*'s peaks, with a clatter suggesting rockabilly by way of the Velvet Underground.

"The Story of Yo La Tengo," the album's concluding track, summarizes the band with such artful precision that it wouldn't feel out-of-place as a career-ending final bow. Both rocking and sensitive, wistful and forward-looking, the song touches upon all the key elements of Yo La Tengo's success, ending with a mantra-like lyrical encapsulation of the band's staying power: "And we tried, we tried with all our might / We tore the playhouse down / We ran headlong in a way / We tried so hard." Yet the tone is less resigned than appreciative - the band wants to recognize and celebrate past triumphs while refusing to slide into nostalgia.

Thankfully, "The Story of Yo La Tengo" is not the end of Yo La Tengo, but merely a conclusion to one of the high points of their twenty-year history. *I Am Not Afraid of You and I Will Beat Your Ass* joins the long line of willfully diverse rock albums that have been a mainstay of the genre since the Beatles' *White Album*, firmly establishing Yo La Tengo as uniquely gifted torchbearers for the indie-rock tradition.

Sudoku solutions

from page 2

7	1	6	9	6	4	3	2	5
5	3	6	2	8	7	4	1	9
4	2	9	3	1	5	8	6	7
2	7	5	1	4	6	9	8	3
8	9	1	5	7	3	2	4	6
3	6	4	8	2	9	7	5	1
9	8	7	6	5	2	1	3	4
6	4	2	7	3	1	5	9	8
1	5	3	4	9	8	6	7	2

1	7	6	5	3	9	4	8	2
9	4	3	1	2	6	7	6	5
5	2	6	8	4	7	3	1	9
3	6	1	2	9	5	8	7	4
8	9	4	3	7	1	5	2	6
7	5	2	4	8	6	9	3	1
4	1	5	7	6	3	2	9	8
6	8	7	9	5	2	1	4	3
2	3	9	8	1	4	6	5	7

2	5	9	1	3	4	8	6	7
4	6	6	2	9	7	1	3	5
3	7	1	8	8	5	9	4	2
5	2	4	9	7	3	6	1	8
6	3	8	4	5	1	2	7	9
9	1	7	8	2	6	4	5	3
1	9	5	7	4	8	3	2	6
7	4	2	3	6	9	5	8	1
8	6	3	5	1	2	7	9	4

8	7	4	2	5	6	1	9	3
2	6	1	9	3	8	4	5	7
5	3	9	1	7	4	6	8	2
1	5	8	7	6	9	2	3	4
6	9	2	3	4	1	5	7	8
7	4	3	8	2	5	9	6	1
4	2	6	5	8	7	3	1	9
9	8	5	4	1	3	7	2	6
3	1	7	6	9	2	8	4	5

Universal Law

Libra (Sept. 23 - Oct. 23)

A man named Strike will knock on your door - pretend you're not home.

Scorpio (Oct. 24 - Nov. 21)

You will drink alone on Thursday. It will be sad.

Sagittarius (Nov. 22 - Dec. 21)

You will be pleasantly surprised with your own performance in Torts this week.

Capricorn (Dec. 22 - Jan. 19)

You will fight with your roommate this week. No matter how convincing her argument, hold fast to your beliefs, you are right: smooth peanut butter is definitely better than chunky.

Aquarius (Jan. 20 - Feb. 18)

A trip to the book store will prove more eventful than you anticipated.

Pisces (Feb. 19 - March 20)

It may rain on Wednesday, it may not - either way, wear your galoshes.

Aries (March 21 - April 19)

Your electronics are planning a coup, the cell phone hasn't decided whose side she's on yet - you must get the cell phone on your side to have any hope of success.

Taurus (April 20 - May 20)

Be nice to the librarians - they've got what you need.

Gemini (May 21 - June 21)

You will have a seemingly meaningless dream tonight, but is it really meaningless? (Hint: Yes, it is.)

Cancer (June 22 - July 22)

You will have a revelation of momentous proportions on Wednesday.

Leo (July 23 - Aug. 22)

Don't hit the snooze button tomorrow, you're going to need those extra seven minutes.

Virgo (Aug. 23 - Sept. 22)

Avoid legumes at all costs.

Horoscopes by Sarah Hale, 2L

Got Questions? Quotes?

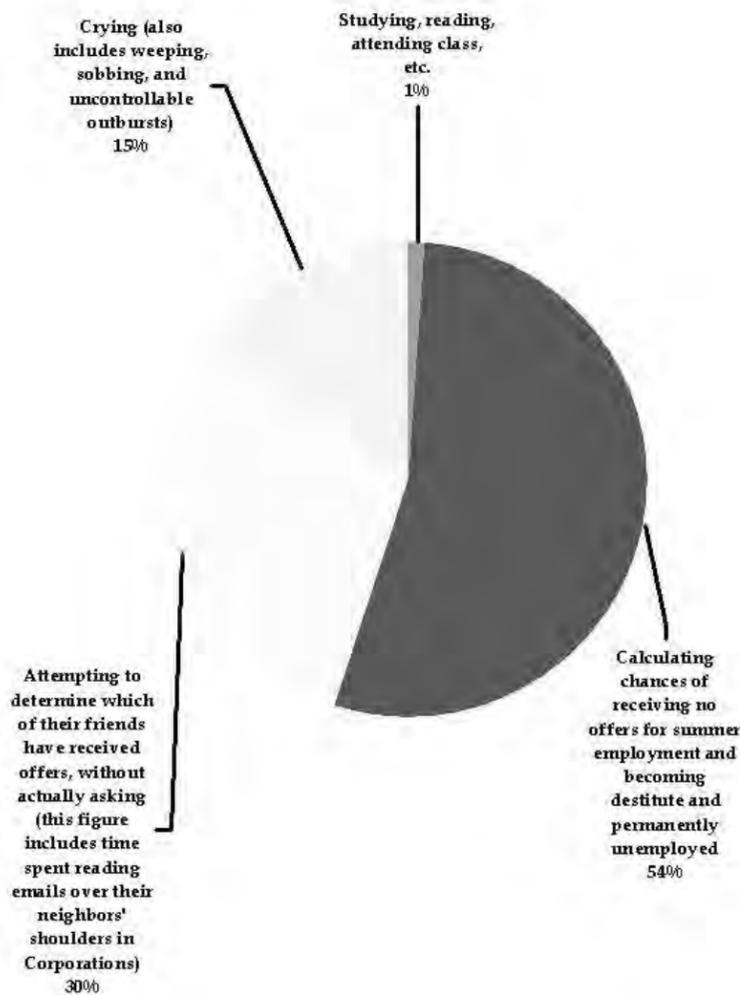
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laweekly@law.georgetown.edu
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*Please Note:
Advice columns are intended for amusement purposes only.
Writers' names are fictitious.
Some question scenarios are fictitious, and written by members of the Law Weekly staff.*

2L Activity Chart

As this year's class of 2Ls embarks on the world of callback interviews, journal assignments and general tiresomeness we thought we'd do a quick check of exactly how they are spending their days...



The Quotable...

"Anyone here divorced? Ahh. I can't say it's bad. But it is reprehensible."
- The Quotable Professor Mattar

"I may ruin your life, be prepared for that." -- The Quotable Father Drinan

"'Chutzpah' is when a young man convicted of murdering his parents asks his sentencing judge for clemency because he's an orphan." -- The Quotable Judge Silberman

"I am, in general, anti-rent-seeking." - The Quotable Professor Elliot

"If you are in Herndon, you probably are drinking." - The Quotable Professor Katyal

Sage Advice for 1Ls

by Ono Youdidn
Guest Writer, 1L

Caffeine is the best study partner.

Exciting and worthwhile news is rarely delivered via the McDonough mailboxes.

Cheer up, Fall break is coming soon. I should inform you, though, that the word "break" is used rather loosely in law school.

An early morning trip to the Billy Goat can make your 9 a.m. Contracts class considerably more enjoyable.

Heat on the Hill

The Laws of Love by Logan & Lucy

We've received several letters this week on how to deal with the long distance relationship ("LDR"). Dumped asked how you know if the relationship will last. Guilty Mike and Depressed in Tulsa want to know how to make LDRs work. Dumped, Mike, Tulsa - this column is for you.

Quality over Quantity

Make each phone call, visit, or web cam exchange really count. Spend some time getting into the mood, listen to relaxing noises on your alarm clock before calling. Don't underestimate the sound of your voice. Sounding sexy is, well, surprisingly seductive. Don't just ramble on about your Torts or Corporations reading. Make them relate to your day. Try hard to recount some interesting tidbit. Perhaps you saw the newest Paris Hilton music video or some guy being carried off in the ambulance. Seriously, anything works.

Yours,
Lucy

I must agree with my co-star Lucy. Don't call your long distance lover every five minutes and bore her with the minutiae of your life. You barely care what you discussed in Torts today, why would some normal non-law school person want to hear that crap?

Flipside,
Logan

I'll take the sandwich, pass on the Swiss.

Lucy says... Don't obsess over the petty problems in the relationship. Sure every relationship has its issues, but don't get so bogged down and dissect every little one. He didn't call one night? Let it slide. Didn't show enough appreciation for your brilliant answer in Tax class? Reminisce again tomorrow, but let it go tonight. While you two might have as many problems as Swiss cheese has holes, when added to meat, lettuce, and mustard, the sandwich sure tastes fabulous (assuming you like lettuce and aren't allergic to mustard). Make sure you tell that to your significant other.

Yours,
Lucy

I'm a little confused by this sudden and unexpected reference to Swiss cheese, but I must admit I'm not completely disappointed, I do love cheese. Back on topic, though, Lucy is once again basically right. Every relationship has problems, but don't hound your other half on every issue. Okay, so he slept with your old roommate. Is that really fight material? No, it's nothing more than a tiny speed bump on your road of love.

Flipside,
Logan

Log on to our anonymous email account, lucyandlogan@gmail.com (password: georgetown) to send comments, questions, and problems to laweekly@law.georgetown.edu. Confidentiality guaranteed!

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Posner: Not a Real Federalist?

The John Galt Line
Jacob Cote

The Honorable Richard A. Posner is a brilliant and witty Circuit Court judge, prolific author, and professor who deserved his Lifetime Achievement Award, but he is not a Federalist. If he were right about anything, it was that he does not necessarily agree with all the ideas the Federalist Society endorses. As enumerated by its president, Galen Thorp, the three tenants of the society are 1) the state exists to preserve freedom; 2) there should be a strict separation of powers and 3) the province and duty of the judiciary is to say what the law is. After that, according to Thorp, "everything's up for debate." But for Posner, the tenants themselves, with the exception of separation of powers, also seemed up for debate. We should reject judicial activism, but not for Posner's "pragmatic, structural, constitutional self-restraint."

Politically, Posner appears to believe that the state exists to preserve freedom, but this does not seem to factor into his "pragmatic, structural, constitutional self-restraint" doctrine. The state comprises the legislature, the executive, and judiciary, and if the former two are supposed to preserve freedom, why can't the judiciary play a role, albeit a different, more limited role, in preserving freedom? Posner properly preaches self-restraint for the judiciary, but why not for the other branches? The experimentation he encourages is certainly more appropriate for the legislature and the executive, but the court has a role to play in ensuring the experimentation does not get out of hand, that the experimentation is conducted within the context of the Constitution and the purpose of the state, and that the other branches also restrain themselves.

Conservatives and liberals alike rightly criticized the Supreme Court's decision in *Kelo v. New London*, the contemporary archetype of judicial activism, but Posner was hesitant. He was right that the decision did not require, but merely permitted, the states to use eminent domain to transfer private property from one man to another, but so what? If the court

ruled that the First Amendment did not protect flag burning, the court would not and could not require states to criminalize the practice.

He was also right that, following the decision, many states amended their laws to preclude exactly what the court permitted. But not all states. Many Americans, particularly the poor and middle class, still live under the justifiable fear that their property will be given to wealthy corporations. And even if all states adequately protected their citizens, why should they have had to amend their own statutes and constitutions when the federal Constitution already did? If the court had ruled the other way, yes, it would have stifled experimentation. But New London's experimentation was unconstitutional and immoral, and the aforementioned states' experimentation was unnecessary.

Of course many experiments should be allowed, like the school voucher program that Posner mentioned. He was right in praising the decision that upheld the program, but for the wrong reasons. The decision was correct, not because it allowed experimentation for the sake of experimentation, but because the program did not violate the Establishment Clause.

Experimentation is important, and the most important experiment - the greatest and largest experiment in liberty and equality ever conducted, the experiment that is the United States of America under the Constitution - is still going strong. In experimenting with social and economic policy, we must never lose sight of that larger experiment.

At first glance, it would seem that Posner's "pragmatic, structural, constitutional self-restraint" incorporates the third tenant of the Federalist Society - the province and duty of the judiciary is to say what the law is. But judicial self-restraint is not necessarily the equivalent of deferring to the law, the highest of which is the Constitution, just as striking down laws is not necessarily synonymous with judicial activism. The relativism of Posner's doctrine makes it difficult, if not impossible, to say what the law is.

Posner goes beyond asserting his belief in a loose interpretation of the Constitution. His assertions that it is impossible to say if any Supreme Court decision is correct or incorrect,

and that there is no single correct interpretation of the Constitution, may be brave, but they are incorrect. There are absolutes, in life and in law. This is not to say that any decision is entirely correct or incorrect. There are degrees of right and wrong. This is also not to say that it is easy to interpret the Constitution. This is why I am in law school studying law and not yet a judge, and why judges painstakingly research (or have their law clerks research for them) what the law is. And this is not to say that context does not matter. There is contextual absolutism.

But relativism, on the other hand, rejects all absolutes, no matter how much information exists about a given context, because there is no right and wrong, there is no objective reality, period. Relativism is a cultural problem that is usually associated with morality. But the legal or constitutional relativism inherent in, although not exclusive to, Posner's "pragmatic, structural, constitutional self-restraint" is as irrational as moral relativism. How can one say what the law is if there is no "is," if A does not equal A?

In coming up with law in a relativist framework one could resort to his or her personal or political predilections, but then one runs the risk of *Dred Scott*-esque legal reasoning. As Justice Curtis asserted in his dissent from the majority in *Dred Scott v. Sandford*, "political reasons have not the requisite certainty to afford rules of juridical interpretation. They are different in different men. They are different in the same men at different times. And when a strict interpretation of the Constitution, according to the fixed rules which govern the interpretation of laws, is abandoned, and the theoretical opinions of individuals are allowed to control its meaning, we have no longer a Constitution; we are under the government of individual men, who for the time being have power to declare what the Constitution is, according to their own views of what it ought to mean."

Or one could rely on pragmatism, the pragmatism of "pragmatic, structural, constitutional self-restraint." But pragmatism toward what end? In discussing *Clinton v. Jones*, Posner criticized a lack of pragmatism on part of the court. He seems to think that, in being pragmatic, their end should have been to prevent the system of government system from being derailed, not loyalty to the letter of the law. But what better way to derail the government system than to disregard the law? And why should the court have adopted this end of preventing government derailment? How can one say that end is correct? Furthermore, how can Posner criticize that decision at all, if it is impossible to say whether any decision is correct or incorrect?

The ultimate relativism of Posner's "pragmatic structural constitutional self-restraint" is demonstrated by his suggestion that judicial self-restraint itself is not an inexorable demand of judicial philosophy. It looks like self-restraint is up for debate as well.

Jacob Cote is a 1L, he can be reached for comment at jtc27@law.georgetown.edu

Letters

Dear Editor,

Not that I'm a big Posner fan, but I did get my JD at Chicago, so I couldn't let this go...

Sure, Posner made the mistake of teaching for a year at Stanford, when he was young and didn't know any better. But he saw the light, and went to Chicago in '69, and has taught there ever since, even after taking the bench. He is not officially a professor; since becoming a judge, he has been a "senior lecturer."

Mark Herlihy, LLM
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Another Correction:

Due to editorial error a potentially offensive word was left in Matthew Schwartz's column "Speed dating promotes speedy exit" last week. The editorial staff would like to note that the author expressly requested that the word be cleaned for publication. So if you are one of those types who can't handle words that even the FCC allows on television, don't take it out on Matthew.

E-mail us instead at
lawweekly@law.georgetown.edu.

Information Overload in the Information Age

Brianne Kennedy

I know what a girl I went to college with and probably never once talked to, who now teaches English in Japan, did to celebrate her birthday half a world away. I've seen pictures from the wedding and honeymoon of the older brother of someone I went to elementary school with and haven't seen since. With a few clicks of the mouse I could probably tell you exactly where on the UC Berkeley campus my sister is and what she's doing there. And it creeps me out.

While it would be easy to write me off as some kind of stalker, the truth is that much of this information has, in many ways, come to me. Between Facebook, MySpace, AOL Instant Messenger, and the blogs that are freely linked or posted on them, the seemingly bottomless pool of personal information that they provide is almost impossible not to fall into.

But the fact that so many of us know so much about so many people that we don't even regularly (or maybe ever) talk to is, in my opinion, a symptom of a bigger, and perhaps much more frightening issue: our society's growing addiction to information.

High-speed internet access, 24-hour

news channels, cell phones, constant access to email; these have all become things we consider standard. Things many of us are convinced we need, at least if you take into account how we behave when any one of them is missing when we want it.

I once had a college roommate literally break into tears when her computer wouldn't connect to the internet and she wanted to check her email. Which, I'll admit, is sort of what I felt like doing all of those times I've been at my parents' house and had to use dial-up internet to get my daily fix of local, national, and global online news sources. It sounds pretty pitiful now, but it goes to show just how appropriate the word addiction is in this situation.

Still, I'm torn about which may have come first: our addiction to information or it's ever-present companion, information overload. Of course my effort to research information overload started like every good inquiry made in the 21st Century with a Google search. A search of "information overload" yielded 15,900,000 results. Seriously. Luckily the first result was for a Wikipedia page about it, so I know that it's a legitimate topic for discussion (half-kidding, of course).

In any case, if the amount of personal information I was able to glean almost effortlessly sounded scary, the statistics

related to the amount of information we're being inundated (and, accordingly, overloaded) with are downright frightening.

Even almost 20 years ago, in 1987, S.A. Wurman published the statistic that a daily issue of the *New York Times* contained more information that someone living in the 17th Century would have encountered in his or her entire life.

According to a study released in 2003 by UC Berkeley's School of Information Management and Systems, "Print, film, magnetic, and optical storage media produced about 5 exabytes of new information" just in the year 2002, which "is equivalent in size to the information contained in 37,000 new libraries the size of the Library of Congress book collections."

The study also cites information from the Population Reference Bureau, which found that, assuming a global population of 6.3 billion, almost 800 MB of information is produced every year for every person on earth; the equivalent of a 30 foot stack of books per person.

In 1997, Reuters Magazine reported that in the previous 30 years mankind had produced more information than in the previous 5000 years combined, and that the total of all printed knowledge was doubling roughly every five years, a rate that is sure to have increased in the last decade.

Additionally, we all have our own examples of how information overload is at work in our lives, whether it's receiving hundreds of emails a day, the number of passwords and phone numbers that we memorize, or even just the number of television channels that we have the option of watching at any time.

The effects of the combination of information overload and our (quite possibly resulting) addiction to the product of it are powerful and widespread. In fact, information overload has been linked to everything from depression and increased stress to reductions in productivity and an increased tendency among authors, journalists, and students to engage in plagiarism.

Fortunately, there are apparently many things that can be done to reduce the impact of both information addiction and overload. Unfortunately, "many" in this case means 392,000 (the number of Google results for "overcoming information overload", I'm afraid).

Now, pardon me while I update my blog.

Brianne is a Program Coordinator in the CLE Department. While writing this column, she repeatedly checked her email, chatted online, watched cable news, and talked on the phone. She can be reached at bsk32@law.georgetown.edu, but her email account is likely over-quota...again.

The Holy Grail of the Class of 2007: The PBA bowler

Mark Nabong

Two years ago we 3Ls sat in Hart Auditorium waiting for Dean Aleinikoff to address us. We were excited, nervous, and \$150,000 richer than we are now. I suspect that his speech was inspiring, uplifting, encouraging, and challenging; I don't know for sure because I don't remember a single word of it. Actually, that's not precisely true. I remember one bit from the speech, and it has stuck with me: one of us was a PROFESSIONAL BOWLER.

In case that did not come through, let me repeat: a professional (as in paid) bowler (as in the Fred-Flintstone-Kingpin-What-angels-do-to-make-rain variety) is a 3L or 3E at Georgetown University.

I must find this person.

Someone who got a paycheck doing what my parents did three nights out of seven during my childhood woke up one afternoon three years ago and decided to go to law school. Someone turned down a run at the PBA championship for the chance to write onto *The Tax Lawyer*. No disrespect to the good people who staff *The Tax Lawyer*, but in a three-way choice between bowling, reading tax law submissions, and eating nails, I would have to put eating nails as the middle preference.

I don't know if you read this column, Professional Bowler Woman or Man, but I call to you. Please, please, please stand up and claim the title you

deserve, "Coolest Job Before Law School EVER." I don't know who you are, exactly, or even if you are still in law school here.

"What did you do before transferring to Yale?"

"I was a 1L at Georgetown."

"Oh? How was that?"

"It was like my time as a professional bowler, but with less locker space."

I am reminded of the fact that we have a bowler in our midst whenever I notice a fellow law student with talent; I find myself thinking "Wow! That is some talent!" and in the next thought, a picosecond later, "almost as cool as the Bowler!" Most of us had something we were reasonably good at before coming to law school; we may not have gotten paid or had specially dedicated shoes, but we had enthusiasms before matriculating here.

The existence of the bowler puts to bed the old stereotype of law students being just failed pre-med students. Some of us are also failed professional athletes, failed artists, failed writers, and failed lovers. All of us have stuff we enjoyed doing "before law school" that we hope to take up again "after law school." There are talents and interests we had that we have almost forgotten about. (1Ls: you are in the process of forgetting your talents now. The beer helps.) We put off doing what it is that we love because we "only have to make it through the next few years" and "there'll be time for doing that later." I call shenanigans on that. If you can't make time to write/paint/direct a pornographic film now, while you have a student's schedule, you will never get around to it as a lawyer.

Here's a thought you can take home: right now, as a student, you have the most free time you will have until you retire or die.

There will never, in your entire life, be a better time to learn kickboxing, take up a language, or enter an eating contest. If you used to play harpsichord, keep playing it. If you have corporations reading to do that would prevent you from practicing, it is vitally important that you learn this phrase: "Aw, **** it. I'm gonna play harpsichord."

The typical 1L thinks thusly: "I have to get through this year. Everyone says it's the toughest year. I just have to work and read and binge drink and work and read and next year it will all be different."

The typical 2L thinks thusly: "Wow, this year is even harder than last year. I just have to improve my grades so I can get more call-backs next year. No more binge drinking; I need a job. I just have to work and read and then I'll get a job this summer and I'll be set and then take it easy."

The typical 3L thinks thusly: "Man, firm life sucked this past summer. I don't want to work that hard. I'll have to take it easy this year, because then I'll have to pull 70+ hour weeks for the next few years until I make partner. I'll relax for the next few months, then I'll just work and write and work and write and pay off some debts. Maybe then, in my mid- to-late-30's, I'll go to grad school."

I was reading an article the other day about CEOs of big companies.

They are mostly type "A" women and men who need to be the best at everything that they do. They all try to be authors, musicians, skydivers, etc. That is not what I am suggesting you do; you should not just take up hobbies so you can be well-rounded. I'm saying you should do the things that you wish you did more of RIGHT NOW. If it's playing basketball, cheers. If it's cooking at home, cheers. If it's getting yourself or someone else pregnant, cheers. For me, I just want to sleep for 14 hours a day and eat bacon, because that is what I wish I had done more of these last few years. We don't have to have the most impressive life resumes; we don't all have to be a lawyer/politician/scientist/fighter/mage/thief to pursue what it is we're good at. We just have to do something, now.

I hope that the Bowler still bowls.

Mark Nabong needs to move his crap out of our office. His article can be found online at chicago-typewriter.blogspot.com.

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