It's a Girl!

Jesse, on Friday. Professor George (above) proudly allows the Advocate Glenn George and Gene Nichol became doting parents of a baby girl.

Clariett Controversy Ends in Settlement

By Charles Fincher

A series of personality conflicts have caused the resignation of Charlotte Lamont from the co-chair of the Graduation Committee and forced the removal of Mara Clariett by the SBA Executive Board. At a subsequent meeting, the removal was rescinded in return for her resignation and John Basilone was appointed the new Graduation Committee chair.

The matter has been further exacerbated by allegations of procedural impropriety regarding the removal. Prior to her resignation, Clariett had reapplied for the vacant chair, but withdrew as part of the resolution/resignation compromise.

Citing “personal differences” and “lack of trust,” Lamont submitted her resignation as co-chair. The rift in the committee is the result of Clariett’s unilateral decision to invite Jerry Brown, former California Governor, to be the commencement speaker at graduation. Clariett explains “I didn’t realize it would cause a problem.”

Furthermore, neither party was able to communicate with one another. Clariett contends Lamont and Leigh Ann Holt, President of the SBA, were not receptive to any of her suggestions. She claims they refused to work within the committee. Lamont cites the unauthorized invitation of Jerry Brown as the reason for the lack of trust.

Upon Lamont’s resignation, Holt requested removal proceedings before the executive board citing “fairness” and “effectiveness” as grounds for removal. Clariett contends Holt’s motivation stemmed from personal dislike for her.

Regardless of the grounds, Clariett argues that the procedure for removal was defective. Given the current lack of guidelines in the SBA constitution, Clariett points to 2.1-544:12(d) and (e) of the Code of Virginia as providing the proper procedure for removal of chairpersons on committees receiving state funds.

The relevant sections of the code require that the subject be discussed in executive session, be announced prior to excluding the public from the meeting. Furthermore, executive session may be called only during a “public meeting for which notice was given pursuant to § 2.1-380.”

Decisions of the executive board are not effective until the board reconvenes in open meeting and takes a “vote of the membership.”

Clariett was concerned that none of these procedures were followed. Clariett received notice only moments prior to the open meeting. The officers neglected to announce the purpose of the executive session. Clariett further charges that it was improper for Holt, a sitting board member, to be excluded from the hearing. She also felt that a vote by secret ballot was an unconstitutional means of ‘‘hindering members from public accountability.’’

Holt contends that the board proceeded with due regard for the interests of all parties concerned given the sensitive nature of the issues at hand with the goal of protecting the privacy of the parties, free speech, and ‘‘reputation of the parties.’’

Clariett was expected to make a bid for reappointment. But at Tuesday night’s SBA meeting, the board moved to rescind the resignation in exchange for Lamont’s resignation. Holt received notice only moments prior to the open meeting. The officers neglected to announce the purpose of the executive session. Clariett further charges that it was improper for Holt, a sitting board member, to be excluded from the hearing. She also felt that a vote by secret ballot was an unconstitutional means of ‘‘hindering members from public accountability.’’

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SBA President Leigh Ann Holt (L) directs the Tuesday Executive Board meeting which accepted the resignation of Mara Clariett (R) from the Graduation Committee Chair.

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Faculty Profile

Civil Rights Expert Comes to M-W

By Jean Hernon

A newcomer to the Marshall-Wythe faculty this past fall is Professor Neal Devins. This semester Devins has been teaching a course in Family Law as well as a seminar in Education Law. In the spring, he will be teaching both Constitutional Law and Civil Rights.

Raised in New York, Devins did his undergraduate work at Georgetown, where he majored in economics. He attended law school at Vanderbilt University in Nashville. Graduating in 1982, Devins remained at Vanderbilt for two years, first as a research associate and later as project director for the Vanderbilt Institute for Public Policy Studies. There, Devins was able to satisfy his interest in education with research in such areas as the regulation of religious schools and desegregation.

In 1984, Devins went to work for the U.S. Civil Rights Commission as an attorney advisor, and was later promoted to Assistant General Counsel to the Commission.

At the Commission, Devins prepared and appeared for federal civil rights enforcement by other agencies such as the Equal Employment Opportunity Commission, as well as the Justice and Labor Departments. In addition, Devins researched affirmative action, fair housing, and minority business set-asides. Devins also served as the Commission’s jurisdictional advisor in determining its grant of authority under the enabling statute.

The Civil Rights Commission is essentially an advisory, fact-finding agency with no enforcement powers. Although Devins believes the Commission “potentially can, and did, have great influence,” the fact that it is not an enforcement agency means that the ideology plays a larger role than at other agencies. Ideological divisions were compounded by the tension between Presidential and Congressional appointees to the Commission. This mixed appointment scheme and the conflicts between career employees and political employees impeded the Commission’s effectiveness, he said.

Calling his tenure at the Civil Rights Commission “a learning experience about the problems of government,” Devins went on to emphasize his many rewarding experiences at the Commission. Looking back, Devins calls it a “good transitional job” for someone who always intended to teach law.

Devins is enjoying teaching at Marshall-Wythe and describes the students as “challenging.” Saying that the “reason you get into teaching is to learn,” Devins has been especially impressed with the good points raised in his Family Law class, and is pleased with the class’s ability to keep him “on his toes.” Devins described his own attitude as a law student as “relaxed.” Now, as a teacher on the other side of the desk, he is surprised to realize how much he learned about being a homeowner. He and his wife, Dean Deborah Vick are also the proud owners of two Lab puppies. Although recognizing some of the limitations, Professor Devins is happy with the quality of life in Williamsburg.

Fund Clears Its Name

By Kathy Hessler

What do mugs, donuts, t-shirts, “power-lounging” and three Deans have in common? The William and Mary Public Service Fund. The name of this organization has been tossed about quite a lot lately, without much understanding of exactly what it means. Finally, to clear up this hot debate, here are some definitive explanations.

The William and Mary Public Service Fund was created last semester by a few students and faculty in response to the difficulties in obtaining legal summer jobs in the public interest field. Although there are many jobs in this field, as many of you know, there is not a corresponding financial base. Many of the jobs in this area provide little or no salary. It is, therefore, very difficult for law students to afford to explore this field as a potential avenue of career options. This is where the mugs, donuts, etc. come in. The Fund is simply an organization which will receive funding and grant summer stipends. For the time being, it has little fundraising capability of its own. Another student organization, Law Students Involved in the Community, is helping with the fundraising effort by giving the proceeds of their Monday Donut Sale and the Power-Lounge-a-thon to the Fund.

Dean Vick is likewise donating the proceeds of the mug and T-shirt sale to the Fund, and has been more than receptive to any ideas which may help improve the school’s ability to broaden career opportunities for the students. Dean Sullivan has allocated $2,000 from the general Alumni Fund for what he sees as “another form of student scholarship.” Dean Sullivan feels that this money, which will guarantee at least one summer grant, is an “important beginning for a program that ought to grow because public service is a critical part of legal professional responsibility.”

Dean Kaplan has made a very concerted, affirmative effort to increase information and resources in the Office of Career Planning and Placement in the area of public interest, especially with regard to innovative funding sources for summer jobs for students with financial need. He had worked with the students since the organization’s inception and has helped create its foundation so that it will continue to exist for future students and continue to grow. The commitment of the administration and faculty to this organization and to the field of public interest law has been commendable. They, and a few dedicated students, have created the possibilities. It is now up to the student body to show its commitment, both to the field of public interest law, and to their fellow students, by supporting the various programs sponsored for the benefit of the Fund.

Now that you all know what the Fund is about, I hope to see lots of you lounging in November with mugs, t-shirts and Deans!!

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Memo? What Memo?

219-18-0125

The last page of your memo was left in the copy room.

Check at the desk.

Clockwise from the top right corner:

Another peep at Jesse.

Harriette K. Dorsen, General Counsel for the Bantam, Doubleday, Dell Publishing Group, Inc., addresses the “Libel on the Editorial Pages” conference last Friday. The Institute of Bill of Rights Law sponsored the two-day event held Nov. 6-7.

John Roberts (L) in a contemplative mood as he joins his partner, George Stevenson, in assembling pages of their App. Ad. brief minutes before the 4:00 p.m. deadline.

The entire law school is rapt with curiosity as to the identity of the unfortunate soul shorted by RICOH.

The multitalented Matt Rau (L) and Steve Mulroy (R) thrilled a coffeehouse crowd with their rendition of “I Found Buddha on the Back Seat of a Bus,” a Steve Mulroy creation. In the background, Bo Sweeney anxiously awaits an opportunity to clear the stage.
Inter Alia—

Glasnost

After the SBA’s most recent closed executive session, one junior member of the council is purported to have said they were doing the right thing, but didn’t know if they were doing it the right way. The senior members of the council did share their thoughts. As Chief Justice Burger said in Richmond Newspapers v. Virginia (apologies to all second-years: “People in an open society do not demand infallibility from their institutions, but it is difficult for them to accept what they are prohibited from observing.”

On Oct. 29 the SBA voted to dismiss Mara Clarrett from her position as co-chairperson of the Graduation Committee. (See story, page one) This editorial does not examine the merits of that decision. Rather, the purpose is to question the decision-making process with respect to the dubious practice of ‘star chamber’ politics among organizations at Marshall-Wythe. The SBA is not the only transgressor. Although the removal was later rescinded and replaced with a retroactive resignation in a compromise move, the procedural impropriety—closing meetings during every controversy—remain.

It is ironic that Clarrett’s activities as co-chair can be classified as under ‘star chamber’ as well. Making a decision on the outcome of a controversy without consulting either the other co-chairperson or the student voters is not acceptable under the present Graduation Committee system. But the procedure followed by the SBA to punish Clarrett for her crime, that of alleged inability to work and consult with others, mimicked the crime itself. The SBA voted to dismiss Clarrett at the Oct. 29 meeting in response to Clarrett’s action is not acceptable under any system. The reason is simple: accountability.

Secrecy and accountability do not complement each other. An organization is going to go to the trouble of setting up a republican system with representatives who are supposed to be responsive to their constituency, they establish an expectation of accountability and must be true to that system.

Accountability was suspect in another recent star chamberlain’s actions. Will Murphy asked Chief Justice Jude Klena of the Judicial Council for a copy of the minutes of a Judicial Council meeting that Klena had cited as an example of an organization. Klena acknowledged he was in possession of the document, and that there was a right of access, but then invoked the 9/10ths of the law that they don’t teach at M-W and refused to produce a copy of the minutes. The appearance was that of a public official taking arbitrary actions to render himself unaccountable for his decisions. This decision could not comment on the merits of Murphy’s claim. The route taken by Klena should have stifferd any approval of the ultimate outcome.

Judicial Council abuse of secrecy codes does not stop there. Prosecuted by bite, by-laws, or a combination of both, Klena did not reveal the Judicial Council vote to either the appellant or the Advocate reporter who requested the information.

The individual votes of the council members are not made public. As Klena painted the Murphy appeal to be, there was no need for the justices to guard themselves from public opinion. The only purpose cloistering served was to take the council one step further away from credibility.

In a less formal instance, a second-year student who had donated to the class award project asked an organizer hardly surprising. Unfortunately, Fraulein Holt’s Machiavellian tactics have not ended there. Not only have many people been led to believe, erroneously in my opinion, that there really was some cause (beyond at this point Fraulein Holt’s personal antipathy for Mara) for Mara’s removal, but Das Holt has very dishonorably used the device of a “closed, executive” meeting to avoid having anything on the record. She continued to use this device to avoid answering straight questions—

Dear Editor:

Never let it be said that the Class of 1988 graduate was some of the most special people or ever do anything the easy way.

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Mara Clarrett, a member of the executive board, was not invited into the executive session where she was ousted from her position as Co-chair of the Speaker Committee. She was told it was for her own privacy interest, even though she waived any such interest and wanted to take her normal seat on the board. To further stifle the definition of Mara’s role, she was granted a secret ballot, so that the members of the board did not even have to face each other in making their decision. Above all else, students who elect representatives are entitled to know how their representatives vote.

Here the Graduation Committee matter has been disappointed. By retreating into executive session and then casting votes by secret ballot the elected members of the SBA removed any vestige of personal accountability for their decisions. For the Chief Justice of the Judicial Council to make such a decision is to question the decision-making process with respect to officials to do so is inexcusable.

The closedness demonstrated by elected officials at the members of our class have stirred the SBA’s most recent closed executive session was to take the council one step more, whether they realize it or not. Prompted by spite, by-laws, or a combination of reasons, the SBA voted to dismiss Clarrett without appeal.

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**Manumission**

By Jeff Yeats

THREE WEEKS! I just finished the Brief (for crying out loud... for crying, period.

Now it’s Exams. This is turning into a lot of work. I figured it would be a nice, three-year vacation on borrowed money.

There was a time, not long ago, that I had a job. I gave it eight hours a day and packed it in, cooked a decent meal and took the rest of the night to my own devices. Wretched though they may have been.

At least I didn’t have all these inci-
dential demands upon my evenings. Three weeks. Just what I haven’t done this semester. It’s Nutshell time.

By Will Murphy

In Dallas, you can ask around for a good night. In Orlando, you can ask around for the glamorous, swashbuckling joy of flying Cross while commanding a bomber squadron against Nazi Germany. In El Paso, only to discover that your friend has no valid driver’s license and that a trooper will be better understood. A great deal depends on the fact that Connie Karasaus and similar “saviors of our future,” although I doubt Mary Jo shares Mr. Potatoehead with bird droppings.) The point here, and I’m sure you all know how: using an algebraic formula involving Steve, Tom and Ty.

People don’t always appreciate what I gave up to come to law school. And that’s OK, because I personally have trouble getting excited about anyone who looks like Mr. Potatoehead with bird droppings. The point here, and I’m sure you all were waiting for one, is that America suffers from a virtual dearth of bona fide American heroes. Of course there’s still a few of the old heroes around—like Bob Hope, Ronald Reagan and Jimmy Stewart, but who will fill the hero vacuum when the millions of dollars of America finally perish? A comparison of today’s “saviors” with those of yesteryear will illustrate the magnitude of the crisis.

Compare FDR, Martin Luther King and Dwight Eisenhower with today’s crop. During World War II, Clark Gable was a machine gunner on a B-17; Robert Montgomery commanded a destroyer at D-Day; Jimmy Stewart was a Distinguished Flying Cross while commanding a bomber squadron against Nazi Germany. Let alone that he was wounded on Saipan; and Victor Mature spent eleven months on montage duty in the United States Guard. Bob Hope put on USO shows in Vietnam knowing that the Viet Cong would not kill him. John Wayne risked personal fortune releasing “The Green Berets” at the height of the anti-Vietnam sentiment (fortunately, it was the third highest grossing film of the year). John Wayne entertained enemy troops and “Rambo” Stallone, the big stud that he is, set out the Viet Nam War in Europe.

Is this the beginning of the end for America? Will we resemble the Roman Empire? Will we become like the French? Will we elect Kennedy?

I say its not too late! The tide can be turned, but it’ll take a levee in mass. Rent more tapes like “Rio Lobo” and “Back To Ba-
tana.” Pry your children away from those embarrassing shows as All and Mr. Rogers and make him/her watch “Tour of Duty.” Encourage Massachusetts to secede from the Union. Make the Army-Navy game an annual event. Buy U.S. savings bonds and most importantly, vote Republican.

This is the last Issue of the Advocate until next semester.

See you in 1988!

**Baby Barristers**

By Will Murphy

It frightens me to think how close we recently came to destroying our proud nation. What if we hadn’t found out that Supreme Court Justice O’Connor drank his smoked grass? What if his appointment had gone through? A potential President—what would have become of us?

As we all know, school kids are always counting the days until Christmas and New Years. I’m a closet liberal and I know that sounds sexist, but you’ll get it. Many parents worship the fellow who invented the “tree and forget” disposable diaper. When not wor-
shipped Dad, young children (and most Marines) are mesmerized by Big Bird, Bert, Ernie and Alf. A quick glance around the law school will reveal the special affinity Naval Academy graduates have for Tom Selleck of “Magnum P.I.” (Army over Navy by 7 on November 28th). Etched forever for the anal of time, the names Steve Frazier and Tom Kohler ap-
ppear in the impression marble of the second stall from the door, first floor men’s room—placed there by some young impressionable pseudo-pseudo-mathematician expressing his hero worship in the only way he knew how: using an algebraic for-
mula involving Steve, Tom and Ty.

Number 5— Has premarital sex.

And, from the Home Office near Scottsdale, Arizona, the Number One Criteria for Automatic Rejec-
tion of Supreme Court Nominees: Number 10—Got a parking ticket.

See you in 1988!
Poetic Justice

By Tad Pethybridge

It was simply too much to bear. After 24 hours in which I had been confused at Law, tortured in Torts, and confronted in Contracts, there I was, sitting in a room with 100 other people, hearing about finding work (as I didn't have enough already), the possibility of working for the military, ("Well, Dear, he can always join the Army.") and the importance of not sitting back and wondering why you decided not to take the easy way out. I decided to pull up the roots and move, having several "houses in motion" at one point. Abner got involved in one transaction described as a "once in a lifetime" deal for which he later had to "face his music" at an IRS audit. All of the quoted phrases are Talking Heads song titles.

Abner was the last opinion drafted before the end of Riggs' tenure as clerk. One friend called it Riggs' "swan song." Elaborating on Riggs' motives, the friend said, "I think he was hoping to get concert tickets out of it." (Submitted by Bruce McDougal)

BENCH CLASSICS

Burning Down the Court

Who says legal writing can't be fun? A clerk for Judge Reynaldo Garza of the Fifth Circuit Court of Appeals made a personal statement in an opinion he drafted. The clerk, Stephen J. Riggs, filled the opinion with about 25 references to the Talking Heads. They went by the judges unnoticed.

The case, United States v. Abner, 825 P.2d 335 (5th Cir. 1987), concerned the conviction of Richie Abner of failure to file a currency transaction report when he wired money to a bank in another state. Each of the opinion's sections is titled with a Talking Heads album or song name. The facts section is "True Stories." The others, in order, are titled "Fear of Music," "Speaking in Tongues," and "Remain in Light."

Defendant Abner, wrote Riggs, had led a "wild, wild life" of corporate alter egos. He decided to "pull up the roots" and move, having several "houses in motion" at one point. Abner got involved in one transaction described as a "once in a lifetime" deal for which he later had to "face his music" at an IRS audit. All of the quoted phrases are Talking Heads song titles.

"I was Unconvinced by her conclusion, I was wrong. After a few moments with the Moderns, with whom I have always felt a special affinity I, not, as some have suggested, because we both go on at length with saying anything, it became horribly clear to me that all these guys were talking about law school! There was Ezra Pound, warning that I would become "One dull man...One average mind—with one thought less, each year." ("Portrait of Ulyseus Poeme")—a result that seemed borne out by the second-and-third-years I've met. And T.B. Ellis, master of the show-off metaphor, mocking in one phrase not only law school but William's "Streets that follow lie a tedious argument/Of insidious intent." ("The Love Song of J. Alfred Fredrock"). It was now clear to me that William Butler Yeats could only have been talking of the effect on law students of the first year when he said, "Things fall apart; the center cannot hold...The best lack all conviction, while the worst/Are full of passionate intents."

And yet, the more I read, the more I was amazed, indeed awed, by the beauty which with the great poets of every period had pondered the subject, Alfred, Lord Tennyson foresees only too poignantly the experience of being called on in Dean Sullivan's class: "I would that my tongue could utter The thoughts that arise in me." ("Break, Break, Break").

We can only wonder if Alexander Pope traveled forward in time before peening the immortal lines, "A little learning is a dangerous thing:Drink deep or taste not the Pierian spring. There shallow draught intoxicate the brain, And drinking largely sober us again." (An Essay on Criticism, p.II. It's a little known fact that Pope's handwriting was so bad that later scholars sometimes had to guess at his lines, thus, we'll never know for sure whether "Pierian spring" was really "Graduate Thing" or not.

Restaurant Review

Gastronomie

By Mark Raby

You can find a review of Tavern-on-the-Green's R.L. Restaurne o in any fancy, uppief-ecent case for periodical literature. Realizing that a student's limited budget precludes him from seeking such stratospheric sustenance, the Advocate sent your reporter, at great personal and gastronomical risk, to check out some of the local dives. The first of these was Shoney's on Richmond Road.

We were seated after a brief, unnecessary wait behind one of those plastic signs requesting we "Please wait for Hostess." The waitress, Matilda (no lie), was pleasant and efficient, despite having a hairstyle that made her look like the wife of an astronaut. My companion and I began with the soup and salad bar at $2.80 each (actually, it was much less, but while ducking under the spilt shield to reach for a radish I accidentaly knocked the still in "the Lite Italian" dressing, so I'm including it for the price). It had fair variety, unlimited trips, and the soup (choice of two, I had Beef Cabbage) was surprisingly good.

For the main course, we had a new menu item: "Pa-s-fajitas." Ignoring the silly title, we ordered them anyway. The portion was fairly generous, and the fajitas weren't bad. In case you're wondering, a fajita at Shoney's is beef, chicken, or both in a tortilla with tomato, lettuce and salsa. It led us to reflect on the odd fact that almost every culture, regardless of geographic concentration, has some analogue to this dish. The Zapajnfs have fajitas, the Greek has souvlaki, the Chinese mushi, etc. Some researchers point to fajita analogues as conclusive evidence that somewhere, in the early dawn of history, earth was visited by extraterrestrial migrant farm workers. Our fajitas came with a rice pilaf only slightly drier and more tasteless than a Coven tax."
The Love Song of J. Alfred Hitchcock
(with apologies to T.S. Eliot)

By Karin Horwatt

The yellow fog that rubs its back upon our tired brains,
The yellow smoke that rubs it mizzle down the coffee drains.
Kicked its butt into the corners of the Digest
Lingered, while in Contracts someone went in flames
Let fall upon his class the soot that falls from books of Horn
Slipped by the terrace like the night will do
And, seeing that Con Law could be read all night
Curled once about the house, said “Can I sue?”
We wonder if there will be time
For the yellow drink that fizzes, tastes so sweet,
That lift and drop
And, seeing that
Curled
Time is due and do for T.
[and] A., and time yet for a hundred indecisions
And for a hundred visions and revisions
And for asking “Is this all for free?”

In the room they drink their coffee, eat their toast,
Talking of Pierson versus Post.

And believe: there will be time
To wonder, “Do I dare?” and “Do I dare?”
“Do I dare?” and “Do I dare?”
All while falling down the stair,
With a worn spot in my study chair—
(They will say: “How her wit is wearing thin!”)
My morning coat, my hair dryer—God knows where they’ve been
My T-shirt rich and modest, but asserted by the smell of gin
(They will say: “It makes her arms and legs look thin!”)
Do I dare
Disturb the Universe?
In a minute there is time
For decisions and revisions which class rank reverse.
For I have known them all already, known them all—
Have known the Contracts, Con Law, afternoons,
I have measured out my life in coffee spoons;
I know the voice freaking, “So when for God’s sake will he call?”
So shall I finish soon?

And I have known the arms already, known them all—
Arms that are statutory, long, and bare
[But in the courtroom, might as well just not be there!]
Is it trespass on the case
That makes me lose my face?
Arms that lie along a state line, the judges have a ball.
So shall I finish soon?
And how shall I begin?

Shall I say, I have gone at dusk through narrow streets
And watched the smoke that spills out from the ears
Of spastic 2Ls in brief-heaves, jumping out of windows:
I should have penned myself an escape clause
Scuttling along from foot-in-mouth disease.
And the casebook, the statute, sleeps so peacefully!
Smoothed by long arms,
Actual...open...for funny farms,
Stretched out, hostile, here beside you and me.
Should I, after Tort, Contracts, Commerce prices
Have the strength to call ourselves in three years, shysters?
But though I have wept and fasted, wept and prayed,
Though I have seen my head (grown slightly used)
Brought in upon a platter.
I am no lawyer—and here’s no great matter;
I have seen my life before me flicker
And I have seen the eternal Law Prof. hold my coat,
And snicker;
And in short, I was afraid
And would it have been worth it, after all,
After the Contracts, marmalade, and fee,
Among the law review, among some talk of summers free,
Would it have been worth while,
To have blown apart the Blue Book with a smile,
To have squeezed the fucking thing into a ball
To roll it toward some overwhelming question,
To say: “It’s like Lazarus, come from the dead,
Come back to tell you all, I shall tell you all”—
If one, settling a Walkman by her head.
Should say: “That is not what this is for at all.
You don’t have a prayer, at all.”

And would it have been worth it, after all,
Would it have been worth while,
After Restatements and Pennoyer—and the manur’d streets,
After the garbage for New Jersey, after the statutes that trail along the floor—
And this, and so much more?—
It’s impossible to learn just what they mean!
But as if a magic lantern threw the nerves in patterns on an overhead:
Was it really worth the while
If one, settling an issue or throwing off a law,
And turning toward the classroom, should say:
“That is not right at all
“You don’t have a prayer in here, at all.”
No! I am not John Marshall, nor was meant to be;
Am an attendant feeb, one that will do
To swell a gradebook, start a scene or two.
Advise the Prof, no doubt, an easy tool,
Hypothetical? Glad to be of use!
Politic? brain-dead! and ridiculous;
Full of long sentence, but a little loose;
At times, indeed, almost like a moose—
(Well, hell, at least it rhymes!)
This school is old...this school is old...
This school does well in USN&WR polls.

Shall he part his hair behind? Does he dare to call you “Peach”?
I shall wear white flannel hose, and walk upon the beach.
I have heard the lawyers singing, each to each.
I do not think that they will sing for free.
I have seen them riding money on the waves
Combing the green hair of White House hack
When the rank blows the call-back Washington and back.
We have lingered in the chambers of the fee
By adverse wreaths with hems, open-frown
Till other voices wake us, and we drown.
Puckin' Around For Four Wins

Continued From Page Ten

Puckin' Around rocketed through their floor hockey division to finish the regular season at 4-0 and lock up a berth in the top flight playoffs. In game two Jeffrey ("don't call me Jeff!" Leonard) Lowe came alive in the third period, scoring three of his four goals in the opening minutes as STIX went down 4-3. Greg "Bulldog" Hare and Greg "Pitbull" Paw punished anyone foolish enough to step into the defensive zone. John Neff gave a top performance as rover, thanks to his superior physical conditioning. As always, Bonnie was out their busting her butt and keeping her men alive.

In game three the Puckins won by the same score, but played the entire game shortened. Demoralized without the inspirational Bonnie, the team drew strength from the surprise absence of Wayne "but coach, I just come in" Melnick. Jeff Maznee put on a scoring clinic against the hapless opponents. On the other end of the floor Gerry Gray snoozed in goal while the Bulldog delved out high checks like sell orders on the stock exchange to keep the undergrads at bay. Puckin's fourth opponent fled and was out their in a Halloween night part in a house outside Washington D.C. if you know him drop a note to 2201 Va. Ave N.W., FO Box 701 WDC 20037 Soon.

Fair Notice

EEC Delegate

Mr. Anke Haagena, Counsel for the European Economic Community (EEC) Delegation to the United States, will be speaking at the Law School on Thursday, November 19, at 7:00 p.m. in Room 124. His talk is entitled: "What is the European Economic Community?" He will be describing the trend toward a United States of Europe, as well as EEC trade law. There will be a reception afterward. The presentation is sponsored by the Marshall-Wythe International Law Society, and is open to the public.

Bloodmobile

On Friday, November 28, the First Annual Marshall-Wythe-Power Lounging Championships will be held in the lobby of the law school. The bloodmobile is being sponsored by College of William and Mary ROTC. Donor hours are from 1:00 p.m. - 7:00 p.m. To advise of your plans to attend, please call 253-0228.

Privacy

Continued From Page Nine

tion" was extended to single adults in later cases. But, in Flowers v. Hardwick, the Court rationalized that this right did not extend to homosexuals. The Court upheld a Georgia statute which criminalized sodomy with another adult male, making this conduct a felony with a long prison term, citing historically moral justifications. Is this distinction between intimate associates justifiable?

A few members of the audience suggested that the state has an interest in controlling the moral tone of our society, but homosensual conduct may be injurious to others in the public and thus subject to state control.

The issues surrounding the right to privacy and autonomy will be debated for years to come. As Prof. Nichols points out, however, "it is not the government's job to save our souls... the question is not do we have these rights, but how can we protect and preserve these rights."

The last lecture of the series will be held on November 12 at 8 p.m. at the Williamsburg Regional Library. Admission is free. "The Public's Right to Know" will be discussed by William B. Spong, who is the former Dean at Marshall-Wythe and a former U.S. Senator from Virginia.

Fair Notice

Superdance

On Friday, November 28, the First Annual Marshall-Wythe-Power Lounging Championships will be held in the lobby of the law school. The bloodmobile is being sponsored by College of William and Mary ROTC. Donor hours are from 1:00 p.m. - 7:00 p.m. To advise of your plans to attend, please call 253-0228.

Privacy

Continued From Page Nine

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JAMESTOWN RD—NEXT TO FARM FRESH

Holt

Continued From Page Four

Das Holt is as welcome as anyone else to contribute her ideas regarding graduation but where the majority of the class has spoken she should not be permitted to intervene as she has done. At this point I think enough is enough. Franklin Holt has gone too far. Considering the procedural flaws in Mars's original removal from office, that decision should be rescinded and Mars should be reinstated. At one point, I heard a rumor that someone had started a petition to recall Das Holt. As with so much else, that turned out to be only rumor. However, if someone decides that such is an appropriate action, for one would be inclined to sign.

Joyce L. Redon
Snow Policy Adrift

By John Fagan

Ah, fall in Williamsburg! First years looking for the best outlines from years past, tourists looking for a clue, and the rest of us looking for a better way. Unfortunately, fall in Williamsburg leads to winter in Williamsburg. In past years, January meant more snow, but plenty of confusion when we were visited by the white stuff (I mean the snow). This year Marshall-Wythe is hoping to implement a snow policy that will alleviate the confusion.

Dean Timothy Sullivan has asked the SBA to develop guidelines for a new policy. Although no final decision has yet been made, it appears that M-W will have some formal snow policy come first snow.

In previous years, there has been no way for students to know whether or not to brace Tide-water's unplowed roads as there was no way of knowing which classes had been cancelled. Additionally, there was always the chance of having some classes cancelled but not others, which meant if you did come into school, you were waiting around all day to attend a reduced schedule. At time last year, students came in for 8 a.m. classes that were cancelled, but could not salvage the effort since the library was not open.

According to 3rd year representative Mara Claritiod, student complaints center around having individual snow policies for each professor, and having nobody to call to find out what was going on. In sum, she found that students don't mind having to come to school, they just want to know that it will be worth the trouble.

Several solutions have been suggested to Claritiod. For determining whether or not classes should be cancelled the State Police should be consulted for their assessment of travel conditions which might include checking to see if the parking lot is passable. Once it has been decided to cancel classes the word has to get out. For this purpose an answering machine could be set up or the closing could be announced over the radio.

There are many considerations that have to be taken into account in developing the new snow policy. There is often a great deal of difference between weather in Richmond and in Norfolk. The needs of the professors as well as the students need to be factored in. Many times the decision will need to be made before classes begin.

If you have any suggestions that you think might be helpful you should contact your student representative as soon as possible.

Professor Ponders Privacy Privilege

By Steven Minter

Dean Sullivan held his third open meeting of the semester on Monday, Nov. 9, addressing concerns that ranged from the height of restroom stalls to the construction of new parking spaces. One student complained that the height of the restroom stalls is too short to provide privacy, especially for tall people. The dean promised to confer with the Office of Buildings and Grounds and inquire whether this architectural decision is unique to the construction of the law school.

On the question of parking spaces, Sullivan said construction would begin next week on 35 additional spaces at the far end of the current parking lot. According to Sullivan, a section of curbing will be removed to allow access to the present grassy area which will be covered in gravel to accommodate more cars. The dean did note that during especially inclement weather, the administration may close the new parking lot to avoid creating "a madhouse."

Sullivan told students that efforts are already underway to replace professors Gene Nichol and B. Glenn George who announced their departures in October. Law school representatives will attend a recruiting conference in New York this weekend and the administration is reviewing resumes already received. A new snow policy for the law school should be implemented before winter. Sullivan said the Dean has requested that SBA President Leigh Ann Holt submit student recommendations for the policy and he is waiting for her proposal before drafting the final policy.

On another topic, Professor Edmonds told students that he anticipates a WestLaw representative will visit Marshall-Wythe next spring to conduct beginner and advanced training sessions for students on the computerized database. Edmonds also hopes to acquire three more personal computer terminals and another printer.

Edmonds also noted that at students' request, a new hole punch has been purchased for the library and a new paper cutter is being ordered. Dean Sullivan said that new tables for the student lounge were ordered and may arrive before the end of the semester.

One student asked about requiring professors to remain in the law school during their examination periods, recalling that during last spring's Torts exam the power failed. Sullivan responded that no requirement existed, but that professors would be "encouraged" to proctor their own exams.

Edmonds expressed hope that creation of a 24-hour study room in Swem Library should reduce that number of undergraduates who study at the law school. However, he noted that recent headcounts have not identified that the current situation has caused any significant noise problems or shortage of study areas in the law library.

Sullivan commented that the open meetings are very helpful to him to identify problem areas and student concerns. He plans to resume these periodic meetings again during the spring semester.

The presentation focused on the question of whether the Constitution guarantees a right to privacy and personal autonomy, as well as whether the court in a democratic society is the proper body to define these rights. The cases examined were Griswold v. Connecticut, Roe v. Wade, and Bowers v. Harwick.

Prof. Nichol examined the textualist claim that the right to privacy and personal autonomy are not protected by the Bill of Rights. Noting, however, that "even Bork found out that Senators liked their privacy as well as the next guy, making it difficult for him to get on the Court," he argued that the textualist view ignores the Ninth Amendment which states that "the enumeration of certain rights shall not be construed to deny or disparage other rights retained by the people."

This controversial role is highlighted by the Court's application of the notion of fundamental rights and liberties implicitly protected from government intrusion. In Griswold v. Connecticut, the Court held a statute to be unconstitutional which prohibited the use of contraceptives. It declared that this law operated directly on married couples, an intimate relationship not subject to state regulation. This right to "intimate association..." was...
Ambulance Chase Results, Finally!

10K Female

1. Mary Munson 47:41
2. Patti Jennings 49:09
3. Jen如何去 last sighted 11/10/87
4. Karin Wendelen 50:29
5. Paul Murphy 52:33
6. Kelly Cunningham 52:31
7. Karen Howatt last sighted 11/10/87

10K Male

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<th>Place</th>
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<td>1.</td>
<td>Brendan McCarthy</td>
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<td>Doug Smith</td>
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<td>J. Martin Wagner</td>
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<td>Rick Adams</td>
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<td>Anthony Walley</td>
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<td>Matthew Cambell</td>
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<td>Peter Flora</td>
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<td>Herbet Bell</td>
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<td>Jim Britik</td>
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<td>Richard Campbell</td>
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<td>J.B. Zepfien</td>
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<td>26.</td>
<td>Jack Carter</td>
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<td>27.</td>
<td>Mike Davidson</td>
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<td>28.</td>
<td>Graham Shirley</td>
<td>54:50</td>
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5K Female

1. Jackie Waymack 21:47
2. Lisa Cahill 23:39
3. Olga Surnaj 23:52
4. Janet McGee 24:12
5. Laura Walsh 24:15
6. Laura Kakel 24:46
7. Susan Walker 25:37
8. Judy Steole 27:17
9. Lynne Strobel 28:06
10. Bonnie Shelton 28:07
11. Connie Haas 28:23
12. Cheryl Peterson 28:37
13. Kelly Titus 30:01

5K Male

1. Brian Mount 16:21
2. Mike Bergland 16:49
3. Manuel Alvarez 16:51
4. Bob Lewandowski 17:35
5. Peter Burr 18:34
6. Randy Repecheck 19:17
7. Ed McNelis 19:17
8. Mark Broadwell 21:02
10. Philip Lingafelt 21:43
12. Craig Mason 22:23
14. Joe Gerbasi 23:00
15. Paul Barker 23:46
16. Steve Malroy 24:09
17. Chip Turner 26:15
18. John Ehler 26:16
19. Joe Steele 27:16
20. Kevin Vienna 27:18
21. Lauren Gross 27:19
22. Michael Collins 27:48
23. Bruce E. Titus 30:04
24. Donald Owens 30:04

Fast Track Females: Women winners of the Ambulance Chase catch their breath. Left to right: Lisa Cahill (2nd place, 5K); Jackie Waymack (1st place, 5K); Angela Farley (2nd place, 10K); Mary Munson (1st place, 10K).

Sporty Briefs

Sewer Service Mops Up

by Spike Inmuthkaf

Sewer Service, headed by the dapper third-year Steve Buck, won the William and Mary intramural volleyball crown on Wednesday night. After remaining undefeated in regular season, the sewers finished out a victory against the Rude Ones on Sunday to make the "final four" of this prestigious competition. In Tuesday's semifinal, third-year Anne Fealey served the ball as strong as she serves drinks at Drakes; racking up 10 points in a row. In the final, third-year Keith "Careem Abdul" Krusz showed no mercy as he unplugged his amazing sky-hook spike. Series MVP went to second-year Jim "Golden Spike" Goldman. Former king of the beach game, who now rules a new court: The rest of the 1M champion team: Third-years Peter "Deadly Dinker" Burr and Phil Lingafelt, and second-year wonderwomen Pam McCabe, Mary Munson, and Liz McGrail. Captain Buck, whose heroic efforts in the final cost him a seriously sprained ankle, commented "It took three years, BUT I FINALLY HAVE A T-SHIRT!" All agreed that this team is outstanding in its septic field.

Continued on Page Eight
Andrew Livingston foots the ball for the Nads. The mostly first-year city league soccer team battled powerhouse Dirty Mayonnaise to a 0-0 tie last Monday.

Tennis Tournament Wraps Up

By Mary Munson

The finals of the mens' doubles and mixed doubles tennis match were played last week in the exciting, yet somewhat interminable Phi Delta Phi Law School Tennis Tournament.

In a dizzying nail-biter, third-year Lee Bender and second-year Pat MacQueeney defeated Glenn Moore and Carlton Brown, two second-握们, 26, 6-2, 6-4. The crowd, which turned up for the event was impressed by the show. Remarkable second-year Pam Piscatelli earned the PDP womens' singles bragging rights by defeating Mary Warner in three sets. When asked about her newly acquired champion status, Piscatelli responded with a big, "Yay!"

The PDP tournament directors are MacQueeney and Lee Bender. The same duo who triumphed in the doubles division. Bender proudly boasted that this was the first time in recent memory that the tournament has been completed before Thanksgiving. MacQueeney remarked, "This year there was an excellent turnout and high level of play in each division, except in the mixed doubles category, which regrettably degenerated into an insignificant series of winny, mezzonato matches, void of any real tennis talent." MacQueeney's remarks may or may not have anything to do with the fact that he lost in the early rounds of the mixed doubles tournament. "There was some fine play all around," commented Bender, who then added cryptically, "and some good problems for the real world." In keeping with that profound thought, it is apparent that in the tennis tournament of life, Marshall-Wythe has served up some real winners.

Little Willy's Picks

By Willy Burgess

Well, well, well. Look! the goings-on in the NFL. The Rams save their emotional carcasses by getting rid of or for only offensive threats and promptly extend their post-strike losing streak to three. The Colts finally resolve their rushing production problem, only to have Dickerson's humble coat them sole possession of first place.

You heard that right: the Colts are in the midst of a 5-way (Count, 1-1-VE-B) tie for first in the AFC East. Like the Jets, the West Patriots, and the Dolphins are 6-4. And there are the Bills, after dominating Denver with a ground game. (O.J.?)

Pittsburgh, despite Mark Malone, won again and they're tied for first. Only God knows what is going on in Cincinnati and New Jersey.

Speaking of the NFC East, what are those teams on? Gibbs refuses to use Doug Williams, so the 'Skins lose to the Eagles. Dallas follows up their redemption over the Giants with a totally improbable loss to the lowly Lions. And St. Louis' Lomax showed his brilliance in a great 4th quarter comeback over a solid Tampa Bay club. While the crowd remained enthralled, Moore and Brown's doubles took a hit. Moore's incredibly imaginative "powerful" second-year Pam Piscatelli earned the PDP women's singles bragging rights by defeating Mary Warner in three sets. When asked about her newly acquired champion status, Piscatelli responded with a big, "Yay!"

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Detroit at WASHINGTON Sure Dallas. Now the Lions are going to go after Schroeder with some confidence. But the Redskins wouldn't dare lose—Skins 31, Dallas 20.

BUFFALO at CLEVELAND It's time for the Browns to act like a playoff team, which comes to think of it, could mean anything in the AFC this year—Browns 27, Bills 20.

DALLAS at NEW ENGLAND Miss V. says it's gonna snow up north this weekend. Sorry Tom—Patriots 20, Cowboys 17.

L.A. RAIDERS at ST. LOUIS The Cardinals are better. Wildcat won't even look at an upset Specialist from a team that has not won a "real game" yet—Cards 28, Rams 13.

N.Y. JETS at KANSAS City The young Chiefs will soon begin to win; it's a matter of practice. But not this week—Jets 24, Chiefs 17.

CINCINNATI at ATLANTA Heads, it's the home team; tails, it's the team that has really let people down. Tails it is, but this won't be a blowout for Boomer—Bengals 24, Falcons 16.

GREEN BAY at SEATTLE Typical Packers luck. They just miss with their arch-rivals, the Eagles. But they have to play an angry team in the Kingdome. Seahawks 27, Green Bay 20.

HOU STON at PITTSBURGH This game will be interesting, a tough intra-di­visional game. Winning a share of first place will be the other...Osiers, 20, Steelers 19.

INDIANAPOLIS at MIAMI When did the Colts last win in Florida? Not that it matters, because Miss Hansenpout, likes the Colts' jerseys better—Colts 27, Dolphins 21.

Tampa Bay at MINNESOTA And here go the Vikings toward a wildcard spot in a wild one—Vikings 44, Bucs 31.

NEW ORLEANS at SAN FRANCISCO Are Montana and Company really back? Wildcat insists it doesn't matter because of the Saints' rushing game. Little Willy insists on Big Mo (momentum). Miss Hansenpout thinks Dwight's a cute name—49s 28, Saints 24.

NEW YORK GIANTS at Philadelphia Despite the records, the world champs are still favored. Why can't people admit that? Randall Cunningham is a new kind of quarterback? He will do it again, despite LT—Eagles 24, Giants 14.

L.A. RAIDERS at SAN DIEGO Dan Fouts is so much better than Hagar and Wilson (put together). Only Silver and Black pride can rescue L.A.'s year. And guess what? On the road, with a little help from Bo J., they will—Raiders 21, Chargers 17.

CHICAGO at Denver Are the Bears just having fun? You bet. And unless the heavy scrumblers for 100 yds or so, the Broncos will have a hard time scoring—Bears 30, Broncos 19.

Little Willy's go to. Ole' Miss Hansenpout keeps calling Wildcat her "spicy little catfish," which is enough to send a man to San Francisco, crawfish, swamp juice, and all.

Have a great weekend! And watch out for black Cain and spilled salt this Friday...
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