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The Dueling Andrews on: Capital Punishment

By Contributors Lauren “LT” Andrews (3L) and Andrew “Blaze” Gordon (3L)

On the Right, Lauren “LT” Andrews:

I freakin’ love the death penalty. Go ahead, judge me. Now let me explain. Despite the problems inherent in the imposition of the death penalty (and the criminal justice system itself), the prospect of death as a punishment is necessary in a society that wishes to adequately punish its offenders and deter future like conduct. If someone intentionally, viciously murders another, they should get what’s coming to them. The victim did not have the choice to die. Eye for an eye, buddy. I am not into this Andrew “Pansy” Gordon “let’s let the murderer hang out in prison, eat, make friends, and watch Teen Mom” kind of treatment. I mean, seriously, I didn’t even have cable TV until I was 16 (thanks, rural Virginia). CABLE TV=LUXURY. This is not celebrity rehab.

People claim that the death penalty does not deter future conduct; that’s bologna. Every person has a natural fear of death—pure and simple. If that was not the case, we would live in a much more reckless society. Do you want to die? No? That’s deterrence. If every individual who murdered another died instantly (honey bee style), the homicide rate would be much lower (believe it or not, Coach, deterrence is less-than-effective when it takes 15 or more years to actually inject the goods...thanks a lot, liberals).

Actually, let’s consider the honey bee. Honey bees die when they sting. The stinger gets stuck and, when they try to fly away, it rips off half of their body. Yep. Gross. But, I read that honey bees, more than other bees, swarm in large groups to ward off attacks rather than sting. Intimidation. Why do they do this? I don’t know. Probably because they DON’T WANT TO be forced to sting for protection, rip off half of their bodies, and DIE. If it works for honey bees, then why not for humans? That’s nature, Andrew “we are all vessels of our genes” Gordon. Bring on the lightning.

On the Left, Andrew “Blaze” Gordon:

Alright, Lauren “I get my facts from Country Music Television” Andrews, let me hit you with some knowledge. The average cost of the death penalty is up to five times greater than life in prison. Although it’s hard to figure out the exact cost of death penalty cases because of the variety of costs involved, estimates indicate that California spends $140 million each year pursuing these cases. Estimates also indicate that Virginia could save up to $2 million per case by abolishing the death penalty. WHERE ARE YOUR SILLY PROTESTS NOW, TEA PARTY?

Deterrence? States without the death penalty consistently have a lower murder rate per capita than
those with it. No credible study has demonstrated an actual deterrent effect from the death penalty; and no, Toby Keith songs are usually not considered credible scientific studies. If no deterrence, why do we use the Death Penalty? To make victims and society feel good?

The only time we should feel good while watching people die is in a Saw movie or The Human Centipede. The Human Centipede actually teaches us an important lesson — there are some things far worse than death. Instead of the death penalty, maybe we should force death row inmates to be the middle piece in an all-prisoner human centipede — THAT might actually deter some people.

Also, I'm not afraid to play the race card. Black defendants get the death penalty at three times the rate of white defendants when the victim is white. And defendants rarely, if ever, get the death penalty when the victim is ginger. In conclusion, I will leave you with the actual last words of Thomas J. Grasso before he was executed by Lethal Injection: "I did not get my Spaghetti-O's, I got spaghetti. I want the press to know this." We heard you, Thomas, and we are outraged.

Death to all moderates,
The Dueling Andrews

Meet Tamar Gurchiani, LLM from the Republic of Georgia

By Contributor Eileen Earnhardt (3L)

Every year, the law school hosts a number of exceptional international students from all over the world. To assist in introducing these accomplished students to the rest of the law school, NWS asks different LLMs or international students to share their experiences from home and here in the United States.

Tamar Gurchiani comes to William & Mary from the Republic of Georgia. She is the recipient of an Edmund Muskie Graduate Fellowship, a program funded by the State Department that brings professionals and students from former Soviet states to study in American universities.

Tamar has worked for an NGO called the Georgian Young Lawyers Association since graduating from law school in 2003. Its mission is to protect human rights and promote the rule of law in Georgia. In her job managing the Association's Georgian Media Legal Defense Center, Tamar was on the front lines of protecting the freedom of the press by representing journalists in the Georgian courts.

Her biggest challenge at the law school has been adjusting to the common law system. Georgia has a civil law system, so Tamar is still getting used to the change in perspective. Otherwise, William & Mary has been a great fit, especially because she enjoys U.S. history. She was excited to learn about the impressive alumni of the law school. She is only slightly disappointed that her favorite historical figure, John Adams, is not among them. Tamar is also a fan of the American novel To Kill a Mockingbird. She decided to read it after Dean Douglas mentioned the book on the law school's website. Luckily she found a Georgian translation and says she's glad the book is available in her own country, which struggles with issues like an independent judiciary and transparency.

NWS asked Tamar how the school can make LLMs and international students feel more welcome. She suggests having more events for both international students and the regular student body, so there are more opportunities to get to know each other. As Tamar explains, "we are here not only to study, we

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have a unique chance to explore this country, with its history, tradition and so on. So for me it's important to make connections not only with international students but with Americans." So be sure to invite the LLM student in your class to the next bar review!

When Tamar is not fighting for important liberties at home, she enjoys relaxing with a bottle of famous Georgian wine, perhaps with some Khachapuri (a national dish of bread and cheese). Look for her at the next wine night at Blue Talon.

**Marshall-Wythe High School: This Wasn't in the Brochure**

**By Contributor Robert Murdough**

Your day starts with a morning jog around Lake Matoaka and a quick cup of coffee from Aroma's. Then it's off to Legal Skills (finally, oral arguments!) and a lunchtime meeting of the International Law Society. In the afternoon, it's Constitutional Law with Professor Van Alstyne (flag burning is the topic for the day), dinner with friends back at the Gradplex and an evening of engaging intellectual debate (in between pints) at the Student Bar Association's Thursday night 'Bar Review.' See [http://law.wm.edu/studentlife/index.php](http://law.wm.edu/studentlife/index.php)

Apparently a lawyer can make a "false statement of material fact," as long as it's for law school admissions. (Lies on the internet?! I never heard of such a thing!) Then again, maybe it's "puffery," whatever that is. Let's rewrite this to make it more accurate:

"Your day starts at 9:27, which you have calculated as the last possible moment you can get out of bed and still make it to class on time as long as you sleep in the 'good' gym shorts you can wear to class, and there are no red lights, school buses, or pedestrians on the way to school. You haven't been jogging (or done anything that could even qualify as 'exercise') in months. You grab a ridiculously overpriced cup of coffee from Java City, but are mollified because it's 'fair trade' (even though you're not really sure what that means). Then, it's—oh crap, oral arguments for legal skills. That jerk from Lederer and Posey probably has a forty page outline ready; you wrote yours last night on a Wawa receipt. Man you can't wait for 3L year. Next comes a lunchtime meeting of...well, you have no idea what club, society, or organization it is; you're just there for the free pizza, and you'll play Tetris on your laptop while a nationally-renowned expert in your chosen profession provides free advice. In the afternoon, it's Constitutional Law with Professor Van Alstyne (flag burning was the topic for the reading two weeks ago, the last time you did it), wolfing down whatever scraps of leftovers you can find for dinner, and an evening of you and six others simultaneously hitting on the girl who sat behind you in torts (in between pints) at the weekly school-sanctioned drinking binge. Next week in legal skills you'll talk about the dangers of substance abuse in the legal profession and the possible reasons why lots of lawyers are alcoholics.”

Ok, so the law school wasn't entirely truthful. But their version could happen, if you wish hard enough. And really, what was the alternative? Go out into the world and try to make a living with your degree in...oh, right. Nevermind. A few more years in high school isn't so bad after all.

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**The Editor's Brief**

**By The Editor-in-Chief Joy Einstein, 3L**

I hope you enjoy the second issue of the NWS, the law school newspaper, for the 2010-2011 school year. Back by popular demand are some of our regular columns from last school year.

We are always looking for new writers and new ideas for monthly columns, so if you think you might be interested, please email me at NotWytheStanding@gmail.com.

We are also still looking to fill the Business Manager position. This person will handle advertising, billing, expense reimbursements, and related issues. No specific experience is necessary.

We are also always on the lookout for photos to include in each issue. If you have any pictures from various law school events or if you would like to take pictures for the paper, we would love to have your contributions!
Welcome back to the latest edition of Bob Tells You About Sports, where I keep you up to date on the only sports and teams that matter and you don’t give me any back talk because you aren’t smart enough to have found a platform for your frothing rantings like I have.

In sad New York Mets news, Carlos Beltran’s knees exploded over the weekend, killing three and injuring two, and he was forced to ... no wait, this can’t be correct, because Carlos Beltran’s knees retired in 2008. To be honest, who really gives a shit about the Mets anymore? They’ve been on the receiving end of so many savage beatings in the last two months it’s been like a family reunion at K-Rod’s house.

In personal sporting news, I managed to cripple myself playing Softball in Williamsburg (the Brooklyn one) in early August, prematurely ending my burgeoning Major League career. I had agreed to play with my friend, figuring that the best way to improve my self-confidence would be to play softball with a bunch of hipsters so covered in jean shorts, plaids and koi-fish tattoos that they wouldn’t be able to see past their own pretentiousness. On the first play to me at short, I dropped my 64-ounce Margarita, smoothly fielded the ball, pivoted, and air-mailed it over the first base dugout with my shoulder making the kind of ungodly ripping sound normally reserved for tearing a phone book in half. Which I do all the time. Rehab is likely to be a long, hard slog, particularly since I fired my first doctor after he told me that he couldn’t tie my ligaments extra tight so I could throw 105 mile per hour fastballs like the kid in Rookie of the Year. IT WAS A DOCUMENTARY DOCTOR DON’T BULLSHIT ME ABOUT “MEDICALLY IMPOSSIBLE.”

On the Tribe front, William & Mary put a brutal curb stomping/Chelsea-smiling on VMI on Saturday, Sept. 11, winning 45-0. Things went better for VMI over the weekend in the 2010 War of Northern Aggression Re-enactment Conference Semi-Finals, where they narrowly beat out fellow Confederacy hard-ons The Citadel in a nail-biting contest. VMI won with their creative re-interpretation in which Stonewall Jackson kills President Lincoln by riding a golden eagle into the Oval Office and savagely dismembering him with the laser beams he could fire from his eyes.

Liverpool Football Club has begun their glorious march towards mediocrity with a bang this season, intrepidly winning one, losing one, and drawing two of their first games in the season. I rewarded them by buying all three of their game jerseys with all available customization for a total of $8,000 dollars. This intrepid reporter was actually on the scene in August at Liverpool’s home of Anfield Road, where I got a stadium tour with behind-the-scenes access. I also got a restraining order and three tazings when my attempt to hide naked in Steven Gerrard’s locker was discovered with extreme prejudice by the Anfield security team. Worth it.

Ping pong: the closest thing the law school has to on-campus sports
Dining Review: Bavarian Garden

By Staff Writer Diana Cooper (1L)

After a late legal skills session, a classmate and I decided to go out for dinner. Our goal was to find delicious comfort food, but also something a little out of the ordinary. Suggestions like Fridays, The Olive Garden, and anything fast food went out the door quickly. We needed a place where it was comfortable, relatively quiet, and slightly unusual. Enter Bavarian Garden. It was a restaurant we passed a few days before, with little afterthought. Bavarian Garden, located on Prince George Street, is better recognized as “the new place next to Alize Martini Bar.” After my experience, it is obvious that it will soon be able to stand out as a high quality, comfortable German restaurant.

Entering the Bavarian Garden is like entering another world. The hostess and wait staff wore traditional German dirndls, and waltzer music played softly in the background. The tables looked freshly made and welcoming, and the ambience in general was very relaxing. We sat at our table, where water and delicious cheese bread were quickly brought to us. Then the waitress came over and offered to tell us about their selection of imported beers and other drink selections, and take our order if needed. By then, we had a chance to look at the brief, yet delicious, menu. In addition to traditional German dishes like bratwurst, wiener schnitzel, and Hungarian goulash, the restaurant also offers mainstream American cuisine, such as jumbo lump crab cake, panko fried shrimp, and kobe beef burger. As usual, I was torn between three dishes: the German sausage sampler, the wiener schnitzel, and the pan seared Norwegian salmon.

I asked the waitress which was the most delicious. She was more than happy to explain that all three were delicious—depending on what you felt like eating. She talked about the preparation of all three dishes, her personal favorites, and recommended the sausage sampler. She was both informative and brief with her description, which I really appreciated. I took her advice and ordered the German sausage sampler.

Bavarian Garden prepares their sausages fresh, and cooks them when you order them, so the wait was a bit longer than waiting at a traditional chain restaurant. That being said, our glasses were refilled before we could even think of asking for a refill. The manager stopped by our table to talk to us on two occasions, creating a welcoming atmosphere. The restaurant was about two thirds full, so the refills and visits were much appreciated.

When our meals came out, my mouth immediately began to water. My classmate ordered the wiener schnitzel with butter potatoes, which she absolutely loved. I had their pommes frites and three different types of sausage: bratwurst, knockwurst, and weisswurst. The pommes frites were decent, but had a bit too much oil on them to be fully enjoyable. Regardless, those were probably the best German sausages that I’ve ever had. The bratwurst, a mixture of pork and beef, was delicious. It was savory, salty, juicy, and delicious. The knockwurst is a beef sausage that tasted like a high quality beef hot dog. That is honestly the only way I can describe it... Finally, the weisswurst. This sausage scared me. Unlike the reddish toned brat and knock, this sausage was a very pale brown and looked a bit suspicious to me. I was afraid that I would cut into it and unspeakable horrors of liquefied veal and pork would fall out. Thankfully, I was wrong! The weisswurst had a completely different taste than its brothers on the table. The veal taste was evident in the sausage, and had a softer, smoother consistency than the bratwurst. Overall, all three were delicious, and I would encourage anyone to try out the sampler—but with the delicious buttery potatoes instead of the oily pommes frites.

After dinner, we ordered the Black Forest cake and apple strudel. Both desserts looked and felt like they were homemade in the best way possible. The Black Forest cake was chocolate with raspberry sauce. The apple strudel had a crème anglaise (custard) that complemented the apples and raisins in the strudel. The dessert was, overall, a little better than chain restaurant desserts, but not good enough for one to go to Bavarian Garden just for the dessert.

One of the things I liked best about Bavarian Garden is that nothing is rushed. Twenty minutes after we finished dessert, my classmate and I were still talking about legal skills and classes in general, and never felt like they were trying to kick us out. They brought us the check promptly when asked, and continued to fill our glasses until we left.

In the end, Bavarian Garden did exactly what I needed it to: serve home cooked meals in a calming atmosphere. This is a restaurant that every law student should go to once before leaving Williamsburg. The prices are not too bad ($14-18 entrees), the atmosphere is great, Alize martini bar is right next door, and the food is absolutely wonderful.

Melissa Guttridge (3L) on the computer
Assassins Can Be Boring

By Staff Writer Sarah Aviles (1L)

If you eagerly awaited the premiere of *The American*, it was probably either because you love spy flicks or you think George Clooney is hot—in my case, I’ll admit it was both. Everyone loves a good spy movie: the excitement, the danger, the fiery explosions, the inevitable random sex with strangers. *The American*, while it has all of these elements, is not a typical spy thriller. Ninety percent of the scenes are of George Clooney watching, if only taking moonlit strolls down deserted alleys. Clooney plays Jack, a seasoned spy/assassin—less James Bond, more silent loner—who, after an opening scene shoot out, goes to Italy to lay low. The movie is worth watching, if only for the beautiful shots of rural and small town Italy. Jack poses as a photographer who is quickly pinned by the local priest as being a sinner in need of help. The two men strike up a boring friendship full of emotional discovery and all that jazz. More intriguing are the two women in Jack’s life: one, a prostitute named Clara (Violente Placido), and the other, Mathilda, a fellow assassin (Thekla Reuten). Jack, ever vigilant, visits Clara to avoid “making friends” who could compromise his position. Clara is a sweet, world-weary girl who can’t help hoping that Jack is the one to take her away from her livelihood to the dream that is America. When she and Jack are together, Jack’s yearning for a normal life and love slowly seep through his guarded façade and humanize a man who might otherwise seem robotic and soulless. Jack’s new ‘associate,’ Mathilda, appears as a cool femme fatale of unclear intentions. Her appearances are made all the more fascinating because every time you see her she has a dramatically different hairstyle—you never know what you’ll get! (Personally, I preferred hairdo #3). While not particularly comedic, her scenes with Jack lighten the plot considerably and help things move along through an element of danger.

The movie avoids being as dull as paint by the cunning use of camera shots and silence that keep the audience on the edge of their seats waiting for someone to jump out and open fire. A warning to those who are easily startled: when there is shooting, it is abrupt and coldblooded without music or adrenaline to distract—the movie is rated R for a reason. Of course, the action scenes are few and far between, so most of the tension is empty and unfulfilled. However, the climax of the movie—i.e. the last five minutes—is everything you could want in an action thriller: a flurry of action and a heart rending ending.

If you’re looking for a good spy movie, may I instead direct you to *The Long Kiss Goodnight*, a classic from the nineties involving amnesia, badass girl spies, and exploding machinery. Geena Davis plays a housewife who begins to have Jason Bourne-like flashes of memory and skill. Of course, the inclusion of Samuel L. Jackson as the wise-cracking sidekick may tip you off that this movie is a corny guilty pleasure—think *Die Hard*. Best line: “We just jumped out of a building!”

Yes, it was very exciting; tomorrow we go to the zoo. All in all, it’s a better choice for those looking for a thrilling, dramedy to interrupt their study break. Bottom Line: Don’t waste your money on the theater. *The American* is rated R for explicit sex and violence. 1 hour, 45 minute run time.

If you have time for another movie, also playing is: *The Switch* – Rated PG 13, 1 hour, 40 minute run time. Despite having Jennifer Anniston as its female lead—let’s face it, generally her movies either suck or are quickly forgotten—*The Switch* is a cute, original take on an otherwise predictable romantic comedy. Jason Bateman plays the role of Anniston’s best friend (who, of course, secretly loves her) with his usual dry humor and a pathetically cute neurosis. Kassie (Anniston) decides to take charge of her unfulfilled desire for offspring by finding a sperm donor and becoming a single mother. Wally (Bateman), as her best friend/secret lover, is against this idea and his feelings come out (in more ways than one) during an insemination party, resulting in a little boy who shockingly resembles Wally. The winning relationship in this movie is the adorably amusing bond that develops between Wally and the seven year old who may be his son. This movie is perfect for a girls’ night out and will leave you with unrealistic visions of single motherhood and a desire for best friends of the opposite sex. Bottom Line: Worth a matinee price.

Finally, there is *The Last Exorcism* – Rated PG 13, 1 hour, 40 minute run time. The previews to this movie were so disturbing that my roommate now has nightmares. If you go to see this, you know what you’re in for and I’m not willing to sleep with the lights on for the next month. Bottom Line: Bring a Crucifix.
The Creepiest Place in Williamsburg: Marshall-Wythe Monster Movie

By Contributor Paul Gibson (3L)

Reading this article will ruin your day, maybe even your whole year, so if I were you I'd stop reading when you see the period. Still here? Alright, you were warned. Just outside the law school is a facility you've seen a hundred times but have never really noticed. I'm going to point out to you precisely how creepy this thing is, and that knowledge will haunt you every day and night until you leave this place.

Skeptical? I bet you didn't know that the law school parking lot is the second-creepiest location in Williamsburg. This is because it is directly adjacent to the number-one-creepiest location: the Laboratory of Endocrinology and Population Ecology. If you park in the back lot you walk by it every day. You've never given it a moment's thought. We're all so busy with school and jobs and friends and family and money and sex that we mill around all day, like ants in a hive, chasing down whatever chemicals our brain needs to get through the day. We're oblivious to things that are right in front of us, including the creepy laboratory next to the parking lot. And the creepiest thing about the lab is that you have NEVER before realized how creepy it is.

I like to go on walks at night. I've been here two years and I only discovered the lab last week, around midnight. Go there around midnight. You've got a darkened cinderblock laboratory with trespassing warnings. It's not very big, but you know it has to have a basement. You've never seen anyone coming or going, and yet it's well-maintained and obviously in use. There's a "Motorcycles Only" parking space nearby, presumably for the Austrian-born scientist with a facial scar and ethics charges who conducts his experiments there.

What does "Endocrinology and Population Ecology" even mean? Sounds like biology, but I can't find much information about the program on the W&M Biology Department website. Google the lab if you want to; you won't find much. "Endocrine" means hormones, so the lab must manipulate hormone levels in subjects, possibly resulting in freakish mutations or mind control. And "Population Ecology?" That's the science of what happens to the environment when you've got two billion too many human beings walking around...and how best to get rid of those two billion. It gets freakier. You know that big building in the middle of the parking lot? You know, that suspiciously large building with boarded-up doors and windows, the one right in the middle of the parking lot? You mean you park there every day and didn't notice there are no doors or windows? Hidden in plain sight—ingenious! It's very tall, and there appear to be ventilation holes near the top. There's something inside. Is it just a cache of bioweapons, or something more sinister? My God, what if there's a human centipede in there? I triple-dog-dare you to Google "The Human Centipede." You won't like what you find: that's why it's a dare. And since there are no doors or windows, the only way to access it must be from some underground tunnel...from the lab.

I wanted to get this printed because I'm sure someone's noticed my nightly patrols by now, and is waiting for the opportunity to take me away somehow, I guess. To my friends at school who are in the armed forces: if I disappear abruptly I'm going to need you to be alert, and to break me out if necessary. Although, now that I think about it, you might be in on it too. In which case...don't.

I'm sure it's nothing like that. They probably just test mice in there, no problem. Completely legit and I'm sure very necessary. But profanity, that place is creepy. Sorry to ruin your drive home. Overall, the law school is not a creepy place. I'd put it in the Williamsburg Top One Hundred, sure, but it's in the high double-digits. The Gradplex is number three. Sorry. You might think it's because of the lab—because when the lab monster breaks out, it's heading to the Sadplex—but frankly it's there on its own merits, for reasons best left unsaid in these pages.
Interview with a Gunner

By Contributor Ryan Ruzic (3L)

If you're like me, and I'm sure you all are, you've noticed that some of our classmates are a little different. It's not their clothes or hobbies, it's not their backgrounds or beliefs, it's an approach to class that the rest of us find, well, annoying. They raise their hands for every single question, and sometimes when there wasn't even a question asked. They pontificate at great length about how their undergraduate major, usually a top 10 school, gives them penetrating insight that the professor lacks. They are, in a word, gunners. It might be fun to make some jokes about gunners and their tiresome and long winded diatribes, but that would be easy, and this is a serious column with ambitions beyond the cheap laugh. We're better than that. America is better than that. So instead of writing an article of gunner jokes, like "You can tell you're a gunner if you literally run up to the professor after class" and "If you read and take notes for legal skills, you're a gunner," I'm going to go straight to the source, and speak with a gunner, anonymously, to get the inside look into the mind of these most serious and annoying of law students.

Ryan: "First I wanted to thank you for agreeing to talk to me about gunners."

Gunner: "No, really, when I went to [top ten private school], we had gunners, I had a friend who would check out and read the books of every professor he had. That's crazy. By the way, did you know that Professor Green wrote a book about Nietzsche, it's called Nietzsche and the Transcendental Tradition, since philosophy was one of my majors, I checked it out. It was..."

Ryan: "Ok ok, gotcha. So, why do you talk so much in class anyway? The grading is anonymous."

Gunner: "I just hate how slow everyone is to get to the point. We never get through all the material, when I worked in the [government agency] I worked 160 hour weeks and..."

Ryan: "I don't think that's possible..."

Gunner: "Oh, it's possible. It just takes some commitment. I remember when I was talking to Nance..."

Ryan: "I'm sorry, who?"

Gunner: "Nance? Oh, I mean Professor Combs, sorry, so anyway, N-dog and I were talking and I was telling her how I spent fall break outlining my outlines and..."

Ryan: "Sorry, I, um, I think I've got all I need."

Gunner: "Really, I was thinking I could tell you about this great law blog I read every day."

Ryan: "No, no, I'm good, it's a short column. I think I'm going to go to bar review tonight though, if you're interested."

Gunner: "Oh, you're taking review classes for the bar too?"