

2010

## Not Wythe Standing: The News (Vol 1, Issue 3)

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# NOT **Wythe** STANDING

THE NEWS

## **Barrister's Ball**

By Contributor Nicole Benincasa, 1L

It was another great prom at Marshall-Wythe High. Last Saturday, the Kingsmill Marriott was transformed into a classy and sophisticated law school formal. Barrister's Ball is a spring tradition for students at the law school, and this year kept with the tradition of flowing alcohol, formal dresses, and limitless chicken tenders. Before the Ball, students stayed true to the prom-like atmosphere by visiting elegant restaurants, having group photo shoots, and pre-



gaming. Nicole Benincasa (1L), Christa Barber (1L), and Dominique Church (1L) at Barristers Upon entering the

Marriott around 9 p.m., students were greeted with a large spread of hors d'oeuvres and an empty dance floor. Unfortunately, the limited amount of delicious food was not enough to last. However, the dance floor was jam-packed for the majority of the night.

For the most part, the DJ at Barrister's had a great playlist. Early in the night, DJ Skywalker jumped from Bon Jovi to Taylor Swift to the Black Eyed Peas. He played the always essential Journey and the always entertaining Cupid Shuffle. Whenever the DJ played a song that cleared the dance floor, he quickly transitioned to a more dance-worthy tune. All in all, DJ Skywalker was pleasantly entertaining throughout the night. [Editor RPP's note: I disagree.] The same can be

said for the brave souls who left their dignity on the dance floor. For those students who preferred to be wall flowers, the dancing queens and love machines were hilarious to observe.

For those students at the Ball who forked over at least twenty extra dollars to purchase drinking tickets, the drink lines were obnoxiously long. Four bartenders simply could not handle

hundreds of law students in the heat of Barrister's passion. This was especially true after students realized that they could grab two or three drinks during each trip to the bar. When one of the four bartenders was noticeably more generous with his alcohol-to-mixer ratio,

law students flocked to his counter.

Despite the amount of dancing time lost while waiting in lines, the drink choices were respectable, and the service was excellent.

Students danced their cares away until the Ball ended around 1:30 a.m., upon which time taxis lined up along the Marriott driveway to cart partygoers to their respective destinations. With engraved bottle opener party favors in tow, most students ended their nights knowing that they would never forget the law school prom of 2010. You will not want to miss out on this event next spring, and it is never too early to start thinking about your perfect outfit and your perfect date for the law school's most elegant night of the year.

## **A 3L's FINAL GOOD-BYE TO LAW SCHOOL PROM**

**By Contributor Elyse Simmerman, 3L**

"So do you have an event to go to tonight?" my unknowing hairstylist asked as she prepped me for the evening's festivities. "Actually yes, law school prom," I answered. She burst out into laughter and responded: "No, really." Me: "Yes, really. It's a real event." But this made me realize something: most people are still fooled into thinking we are boring library dwellers most of the time. Little do they know. As a 3L, and a former sorority girl, this means I'm very glad I chose a law school that presents the option of not only one law school prom a year, but two. That's right ladies and gentlemen, while most esteemed law schools only have one open bar formal a year, we here at W&M have two. I mean, really, who's counting us as #28?? With two formals/"bad decision" nights a year, we should at least be top 25.

So, since I'm 6 for 6 on the law school prom front, I have learned some wise things for how to survive a law school prom with your dignity intact. That is, if you want your dignity intact. Because, honestly, at \$40-\$50 a pop – do you?? At least this year the intact dignity was included in the price of admission. As the average wait time in each bar line was 30 minutes, really, there was only so much you could do to get yourself liquored up.

With that said, here is a list of ways to KEEP your dignity at Law School Prom, should you want to (you might or might not, based on personal and/or friends' experience):

(1) If the song "I'll Make Love to You" is being played by the DJ, GET OFF THE DANCE FLOOR. You have consumed one too many if you think that this is either 1) romantic, 2) sexy, or 3) fun. It is too late in the night for you to have coherent thoughts.

(2) If you find yourself in a deep conversation with a member of the opposite sex and it's someone you've never really talked to but admired from afar, your mind might tell you to say things about how attractive you find them. Tell your mind to shut up.

(3) If you are trying to use your friend's house key to unlock her car, you are really not in a state fit to drive.

(4) When the night ends at the Wawa ordering sandwiches at the computer screen and you are

with your friends, this is a success. Don't make any other phone calls or texts. Just let it be.

(5) If Five Forks doesn't make the special you love the weekend of Law School Prom, call in the week ahead and tell them that you want whole wheat pancakes, dammit!

(6) If you don't know where you live, and it's "somewhere around Hooters," don't get into a stranger's car, have them search for hours to find your house, and then dart out of the car after you've thrown up in it, and run away into the bushes near Bypass Road.

(7) And finally . . . sometimes throw all

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THE NEWS

*The Newspaper of the William & Mary  
Marshall-Wythe School of Law*

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caution to the wind, don't listen to your friends, make a new "special friend" at law school prom, and end up moving in with him, adopting dogs, and living happily ever after.

## **The Editor's Brief**

**By The Editor in Chief Stan Jackson**

If you think you can, not to mention if you know you can write material that is funnier, more interesting, or more creative than the stuff I have managed to produce under my name thus far, please let us know! We need more writers and photographers! Our miracle editors will transform your worst writing into the perfect piece! Not really, but they can do wonders if you have the underlying concepts of something worth sharing; whether it be funny, offbeat, serious, newsworthy, or not. Again, still not really, but give us your best shot and they will clean it up nice.

E-mail us at [icanwritetoo@notwythestanding.com](mailto:icanwritetoo@notwythestanding.com). Got an idea but your writing is not so great? Tell us what you want to read at [writethis@notwythestanding.com](mailto:writethis@notwythestanding.com). And note that we will not transition to a new e-mail system between issues on you.

**NWS also has two new Editorial Board positions that we wish to fill!**

Please contact us at [howtohelp@notwythestanding.com](mailto:howtohelp@notwythestanding.com) regarding these positions:

The Business Manager will handle advertising, billing, expense reimbursements, and related issues. No specific experience is necessary.

The Web Designer will be in charge of building our new website. Web design experience is required for this position.

## **The Dueling Andrews Tea Party: Patriots or Idiots?**

**By Contributors Lauren Andrews, 2L and Andrew Gordon, 2L**

***On the Right ... Lauren "LT" Andrews***

Got hope? Nope. How about change? If so, count it. Yes, Coach, count your change. It's a simple message, really, and one that the quite patriotic

Tea Party endorses. And, if you think fiscal responsibility is idiotic, well then I guess I will be paying for you, your wife, and kids for years to come (though welfare is an issue we will save for another day). Now, the type of fiscal responsibility we are talking about here is not that which takes from the *truly* needy to put an extra buck or two into the pocket of wealthy America. No sir. The fiscal responsibility endorsed by the Tea Party is that which rewards hard-working Americans for getting off their couches and working their nine to five. I am sure we can all agree that we do not want to pay for someone's laziness with our hard-earned dollar. Sure, you may say, the Tea Party has taken its simple, brief "tea parties" to a new extreme to preach its message of fiscal responsibility, limited government, free markets, and mobilize citizens to do the same. But, what makes the Tea Party so much different from your patriotic, "democracy in action" MoveOn.org? As the old saying goes, what's good for the goose is good for the gander. Why isn't the same true in this case? Because the gander has different values, it is somehow "idiotic," and therefore less deserving than the goose? The truth is, they both waddle and have feathers – is this some form of sex discrimination? Shame, shame.

***On the Left ... Andrew "Coach" Gordon***

I'm with you, Lauren "I'm now actually driving a Hummer" Andrews – patriots all the way. The Tea Party movement has finally opened my eyes! Fueled by anger and misinformation from Fox News, these freedom fighters know that the greatest threat to our country isn't hunger, disease or terrorism; it's taxes. And what are the Feds wasting our hard-earned dollar on? Bogus welfare programs like SCHIP (healthcare for kids)? Last time I checked most kids still have hands, hands that can easily wield a spatula for flipping burgers or making me delicious tacos. And if boiling grease should splatter on their tiny, delicate faces, they can use their *own* money for a fun-filled trip to the hospital. Healthcare for the uninsurable? If God wanted you to have healthcare, He wouldn't have made you so sickly. Plus, many people do just fine without healthcare, like Jesus, or Batman. Everyone knows the benevolent free market has been dying to insure the sickly, if government



Fitz Collins (2L) and LT (2L) stare down liberals for their lack of fiscal responsibility

would just get out of the damn way! The TP is the solution. Tea Partiers always embrace fiscal responsibility, unless it means fewer wars and smaller tax cuts for the wealthy – I mean let's not get crazy here. I'll spell it out for you liberals who can't read between the lines, Glenn Beck style:

Obama's programs = More taxes  
 More taxes = Less money for me  
 Less money for me = Sadness  
 Sadness = Suicide  
 => Hitler committed suicide

I'm not saying Obama's programs *will* lead to a holocaust, but then again math doesn't lie. So keep fighting, you brave men and women with obnoxious signs. Keep sticking it to Washington with your unusually loud protests. Keep tea bagging.

### ***Back to the Right ...***

Clarification. Yes, I now drive a Hummer H3. But, until you get every car off the road made prior to the advent of fuel injection (aka cars with carburetors), you can kiss my spare tire. Here's to buffering politics with false science.

Death to all moderates,  
 The Dueling Andrews

## **Bob Tells You About Sports**

**By Contributor Bob Benbow, 2L**

It has come to my attention that since my last article some people have complained that my column was too Mets-centric. I don't care. Like, I literally don't care what you think. Did you read the title of this column? I only started writing for this rag for two reasons: to give me something to do while I'm drinking Robitussin, and to force people to listen to my incessant shrieking about the Mets, Liverpool, and whatever else crosses my fevered mind at 4:30 a.m. I've noticed that most of the complaints came from people who are likely Phillies fans. I would request that they leave me alone and re-focus their energies on fitting their man-breasts inside their Cole Hamels jerseys and lobbying the FDA for making Cheez-Whiz one of the five essential food groups. They could also possibly be Braves fans, who have made a career off getting a chubby every time they see heroes like Chipper "HGH Face" Jones get up to bat (HE'S SO GRITTY! WHAT A GRINDER!). The Braves continue to lie to themselves and spit in the face of baseball fans everywhere by claiming that their 20 year-old "rookie" Jason Heyward is 20, despite the fact that he is the most

enormous, terrifying, bearded 20 year-old I have ever seen in my damn life. It's said he combines the best attributes of Braves stars throughout the ages, Chipper's hitting, Andruw Jones' defense, and John Rocker's cultural sensitivity.

As you may know, the Tribe Men's Basketball team lost the CAA championship on Sunday to Old Dominion University. I was in New York, so I was left tearfully sobbing in a too-trendy bar in the East Village surrounded only by broken dreams and four empty glasses that used to contain Blue Lagoons. With this loss, William & Mary remains in the company of Hogwarts and Professor Xavier's School for Gifted Mutants as the only three schools that have never made the NCAA tournament in the history of the world, ever. Unfortunately for the Tribe, the School for Gifted Mutants has a pretty sick recruiting class coming in next year.

I'm going to Florida for Spring Break and am hoping to catch a Mets game at Spring Training in Port Saint Lucie. I have never been to Spring Training, but I hear that it is a fun, family-centric event, which frightens me slightly, since the only baseball games I ever went to at Shea were slightly less family-centric than

the Bosnian Civil War. I've been told that I may need to regulate my use of Mets sign language with other teams' fans, which consists entirely of the middle finger and throwing one of those aluminum Budweiser bottles at the back of their heads from 5 rows back. Did you forget so soon? I don't care what you think. Maybe I'll give you a report on what Spring Training was actually like in my next column, but don't count on it.

**SPECIAL REPORT UPDATED BREAKING NEWS  
HOT OFF THE WIRE:**

Your intrepid reporter made the decision last week to blow off his responsibilities and drive through the night with Adam Ulrich (2L) – you might know him by his Craigslist code name Uldaddy – to watch the mighty Tribe take on UNC in the first round of the NIT tournament. Expectations were dashed when we rolled up to the basketball arena and found out that they don't serve beer. Things went from bad to worse when Adam revealed that the section we were in was solely for UNC fans. FURTHERMORE, he wouldn't let me stop at the costume store to pick up my headdress and Native American war paint, which

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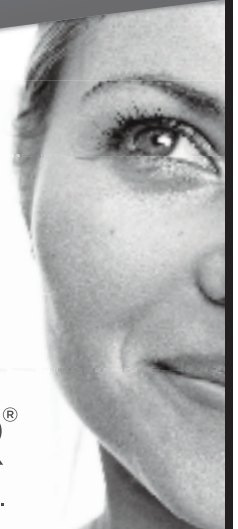
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I wear at all William & Mary Sporting Events in an attempt to piss off the NCAA. Look, our mascot or logo or whatever was not that bad, and as a matter of fact it was a hell of a lot less racist and delicious than our old mascot, Aunt Jemima.

Anyway, the Tribe battled hard, and in the second half a flurry of threes led by guard David Schneider actually gave us the lead heading into the final five minutes of the game. Of course, at this point I was screaming incoherently in the stands surrounded by 5,000 staring Carolina fans. I attempted to locate the nearest emergency exit in case of a Tribe win, which would have likely resulted in me getting shanked by the baseline. Fortunately for my personal health, the veins were pulsating in Roy Williams' head hard enough that his players remembered they were playing William & Mary, and a late run took Carolina clear for the win. Thereby dashed were my hopes of giving my eldest sister and my father the double pump middle finger at the next family Christmas gathering (both are UNC alumni). Well, that's not entirely true; two egg-nogs and that side of my personality comes out anyway.

## **Curved Ethics**

**By Contributor Ryan Ruzic, 2L**

As most of you know, my articles are more than a string of absurdities, half formed jokes, and invented quotes: they are a clarinet trumpet call to the school administration. As one member of our school community put it: "Ryan, your articles are a beacon of light in an otherwise gray and dreary world." That was Chris Bettis, 2L. Remember when I wrote that I thought legal skills had problems? That's fixed now, right? Well saddle up, law school, cause I'm fixing another problem – the curved grading in Ethics.

We have to have Ethics, and many state bars require that it be graded. Fine. But there are two serious problems with a curve. A curved grading system means that some students have to get the C+ and B- grades to round out the bell curve. I'm not saying every student should get an A because a bad grade would look extra bad in Ethics, but I am saying it's not right to mandate

that some students will get bad grades because other people did better. Though it's only a tiny contribution to our GPA, a bad grade in a class called "Ethics" reflects far more poorly on a student than a bad grade would in other classes. Get a C in Trusts and Estates – who cares? Unless you're trying to do that kind of work specifically, a firm isn't going to care outside of the poor grade itself. But get a C in Ethics, my god! You must be an unethical person! Not every employer is going to view it that way, but that stigma is very real.

Which brings us to my second point; it just doesn't make philosophic or pedagogical sense to curve Ethics. Law is an adversarial profession; you win if someone else loses, and because of that, evaluating your performance in relation to others' performances makes sense ... in every class except Ethics. The laws of professional responsibility are learned so we as lawyers will know what we can and cannot do. It's learning the guidelines we have to work and live by, not gridding ourselves for legal battles in the field. A curved grading system pretends that you are only ethical



Brielle Green (2L) and Tamar Jones (2L) at Barristers

in relation to how ethical the lawyers around you are, and that is just straight-up nonsense. The line between right and wrong might be at times gray and hard to see, but it's not curved.

I assume that, having read this article, the school administration will change Ethics next year and do away with the curve. You're welcome, 1Ls.

## **Updates from the SBA**

### **Microwaves in the Student Lounge**

Have you noticed how CLEAN they are this week? Your SBA leaders intend to keep them that way! We have done an initial cleaning and plan to check them weekly to make sure they stay clean. You can help us by *covering your food* while warming, and *cleaning up any messes* you make. We have left disinfectant wipes next to the microwaves for this purpose. Thanks!

### **Java City**

We will be having a second meeting with Java City soon to discuss food selection and the new hot water charge. Expect to see a survey in the near future for your input. In the meantime, continue to send your comments and suggestions our way. Contact Jay Sinha, SBA Secretary, at [jksinha@wm.edu](mailto:jksinha@wm.edu).

### **General Comments**

Your SBA wants to hear from you! If you have any general comments or concerns feel free to shoot an email to Tamar Jones, SBA President, at [tljones02@wm.edu](mailto:tljones02@wm.edu) or any of your SBA representatives. See an updated list on the website coming soon!



Cupcakes on the buffet at Barristers Ball

## **Additional Course Offerings for the Fall 2010 Semester**

**By Contributor Paul Gibson, 2L**

The office of the registrar wants you to be aware of additional courses only recently added to the Fall 2010 schedule. These courses are open to all rising 2Ls and 3Ls. As always, ABA rules prohibit 1Ls from taking the fun classes.

### **LAW 187 - Seminar in Advanced Evidence Practices - Fred Lederer - 3 credits**

Students will gain knowledge and practical experience in advanced evidence practices through investigation of situations likely to arise in litigation and criminal prosecution. Topics include: how to properly hide or dispose of a cadaver, how to file serial numbers off of firearms, how to ensure the cooperation or non-appearance of hostile witnesses, how to safely transport contraband across state lines, building demolition, and calculated plea-bargaining. Students should note that the honor code is suspended in this course, but the "no snitching" policy outlined in the syllabus will be strictly enforced.

### **LAW 409 - Comprehensive Constitutional History - William Van Alstyne - 9 credits**

This course covers selected portions of the entire



Dance floor scene at Barristers Ball

history of the United States Constitution, discussed in exhaustive detail at a pace of the professor's own choosing. Laptops with wireless internet capability and the capacity to play flash games are strongly encouraged. While the reading list comprises twenty volumes and retails for over \$2,500, students should expect to cover no more than 10 percent of the material. Grades due no later than March 2012.

### **LAW 499 - Abandoned Property - Ron Rosenberg - 2 credits**

Did you know that if you find a perfectly good frozen pizza in the dumpster behind Trader Joe's, you can keep it? You'll learn many more cash-saving tips in this recession-proof class as we learn the laws concerning what you can legally take away for free. This course is only two credits, which means big savings for you and your pocketbook. Remember: it's only theft if you get caught. All students must make a non-refundable deposit of \$500 to cover the costs of a field trip to the scrap yard behind the abandoned train station.

### **LAW 511 - Proto-Enlightenment Jurisprudential Hermeneutics and Kelsen's 'Tu Quoque': An Introduction - Michael Steven Green - 3 credits**

A must-take course for all students interested in proto-enlightenment jurisprudential hermeneutics or Kelsen's 'tu quoque' critique thereof. Attendance optional. The exam is a real humdinger: a fifty-page fact pattern with a single true/false multiple choice question. Your face will bleed.

### **LAW 050 - Metal Shop - Taylor Reveley - 4 credits**

The job market being what it is, most law students will benefit from developing marketable skills. Students will gain experience with soldering, welding, polishing, grinding, operating die presses, and other mechanical and metalworking tasks. design. Students will work in groups to construct fixtures for a "pleasure dome" of the professor's design. All students must sign liability waivers.

## **Give Me Liberty But Nothing Else**

**By Contributor Peter Hershey, 2L**

This week, *Not Wythe Standing* was able to catch up with the famous Revolutionary

Virginian, Patrick Henry, for a few quick words:

**Peter:** Mr. Henry, acknowledging your immense impact on the development of Virginia as a state, and the United States as a country, I'd like to ask you about those few carefully crafted words that have helped shape our nation. So, I guess what I am asking is this: what inspired you to say, "Give me liberty or give me death!" that day in Saint John's Church in Richmond?

**Mr. Henry:** Well, first, I want to set the record straight, as I have tried all of these years to no avail. It wasn't "Give me liberty or give me death!" That's way too morbid for my style. I just called out for liberty.

**Peter:** So you said, "Give me liberty!" and nothing else?

**Mr. Henry:** Something like that. I mean, I didn't want to die. I had career aspirations. I wanted to be Governor of Virginia. And, death would have severely impaired my chances of winning the seat.

**Peter:** Any idea, then, how the second part of the phrase got added?

**Mr. Henry:** I have my theories. Mostly, though, I think my political opponents simply wanted to paint me as a suicidal lunatic who was unfit for public office. But lo and behold, the scheme backfired and I became Governor all the same. Turns out that Virginians and Americans alike thought the lunatic was better for the office than a simple man who wanted liberty.



Jordan Orr, Joy Einstein (2L), Danielle Boland (2L) and Joe Alaimo (LLM) at Barristers