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## The Advocate (Vol. 3, Issue 11)

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# The Advocate

VOLUME III, ISSUE ELEVEN

WEDNESDAY, April 5, 2006

WILLIAM & MARY SCHOOL OF LAW



*William & Mary students, among other volunteers, don Tyvek® suits amidst the destruction left by Hurricane Katrina. Photos courtesy of Stephanie Spirer.*

## Spring Break in Nawlins': Katrina Six Months Later

by Stephanie Spirer

While most college students were tanning on sandy beaches or getting some home-cooked meals from Mom, a fair share of spring breakers packed New Orleans once again. But this year was different. Mardi Gras was over—though the beads remained strewn through the streets (which I’m told is not normal because usually the mess is cleaned up immediately and no one can prove any debauchery ever occurred). These students weren’t in the Big Easy to revitalize the nightlife on Bourbon Street. Instead, they had traveled south to help rebuild (or more likely gut) homes destroyed by the winds and flooding from Hurricane Katrina.

William & Mary sent at least two groups down to Louisiana—twelve people went through Project Relief and twenty-three through the Wesley Foundation, the United Methodist campus ministry. I went with the latter group, which also included members of Williamsburg United Methodist Church and students from the University of Mary Washington Campus Christian Community. We stayed at a church in Gretna, Louisiana, just south of the city, which also housed an intergenerational group from a church in North Carolina and a group of students from Ithaca College who worked with the New Orleans Hornets through Habitat for Humanity.

The first sign of Katrina could be seen as we flew into New Orleans—what should be housetops and grassy areas is a sea of blue tarps. Then, as we drove along the highway, we noticed boarded-up windows and began to survey the damage up close. Within the city, houses are spray-painted, not with graffiti, but with information. Most houses have a huge X on them—in the top quadrant is the date the house was checked and initials for the unit that searched. The other quadrants vary—some say that the right one may be for the number of animals found and the left one may be for hazards, often “TFW”, which means “toxic floodwater.” But everyone knows what the

bottom quadrant is for—it’s the number of bodies found. Most of the houses our group saw had zeros, though I did see one with a 2. A total of 1604 people have died; 1293 of them were in Louisiana.

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Two more bodies were found the week we were there.

Our group divided into three teams—2 teams worked on gutting houses, 1 team worked on hanging drywall. I was part of a gutting crew. We were outfitted with Tyvek® suits, respirators, goggles, and gloves and were given wheelbarrows, shovels, and crowbars.

For most of the week, we worked on a lot that had two houses. A woman in her 60s with many medical problems lived in the front house and one of her adult children lived in the back house. When we first arrived, she and her daughter greeted us, having driven half the night to come in from Houston. She asked us to retrieve some dishes that had belonged to her mother. When we recovered them, she realized they weren't worth saving. For a short while, she watched us bring out her personal belongings in wheelbarrows to be dumped along the street. Each time I walked back to the house, I avoided making eye contact so I didn't have to

watch her cry. We threw away a wedding gown, children's toys, and lots of records. These things that she cherished, that she depended on (like an oxygen machine and an electric wheelchair), that she collected molded into a huge pile of trash.

We think the water rose five feet high in her house. One of the other groups worked on a house where the water reached eight feet. Some of the water remained in plastic storage tubs and china dishes. Clothes thrown to the bottom of closets had soaked it up, as had wooden dresser drawers that peeled apart when we pulled on the handles. One of the refrigerators lay horizontal on the ground. Even though we duct-taped it shut, when we put it upright to move it, water poured out of a hole and covered the kitchen floor. At times, the stench became unbearable. Once, I had to run outside to prevent myself from vomiting.

By the end of the week, we had removed all of the floor tiles, had scraped off some of the paint, and had demolished one room so that all



*The living room at the end of the week.*



*Cafe du Monde—now serving beignets, coffee, and hot chocolate to volunteers from across the country.*

## THE ADVOCATE

"Complete and objective reporting of student news and opinion"

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### Editorial Policy

The letters and opinion pages of *The Advocate* are dedicated to all student opinion regardless of form or content. *The Advocate* reserves the right to edit for spelling and grammar, but not content.

Letters to the Editor and opinion articles may not necessarily reflect the opinion of the newspaper or its staff. All letters to the Editor should be submitted by 5 p.m. on the Thursday prior to publication.

*The Advocate* will not print a letter without confirmation of the author's name. We may, however, withhold the name on request. Letters over 500 words may be returned to the writer with a request that the letter be edited for the sake of space.

that remained was wire rebar. Our trash pile had been collected three times (we even watched how two Caterpillars clawed and scooped everything into a giant trash truck). All the electronics remained along the road since they had to be disposed of separately.

While we never made it to the 9th Ward where the worst damage remains, we heard stories of houses moved four lots down the street or of others that simply have disappeared. We saw similar destruction when we drove down to Port Sulphur, which had been 13 ft. underwater and was the most southern point anyone can go down Highway 23 without a special pass. One of our team members had family who had lived there. She couldn't find the house in which her grandma had been living for the past few years. Her grandma's previous house was split in two. Some lots had only foundations remaining. Other houses sat atop cars. One had been moved across a small river, now separated from its neighborhood sitting on the side of a levee.

Though most of this sounds sobering, there was a lot of hope to

be found. Around the corner from our house, students from Saint Leo University (in Florida) were working on another. During one morning rush hour, we passed Wake Forest University vans and Red Cross Disaster Relief Response vehicles. On our evening in the French Quarter, Café du Monde was packed with young adults, dressed in school and mission group apparel, enjoying coffee and beignets as a reward for their hard work. And everywhere we went, from McDonald's to the airport ticket line, we were stopped by people who wanted to say thank you. They were amazed that people would take vacation time to come help them. They also had one request: "Please go back home and tell others about this. Please don't forget us."

Six months later (what seems like a lifetime to most students), the rest of the United States has returned to normal. For the Gulf Coast, normalcy won't return for years. William & Mary's Project Relief is still working to help the region rebuild. Be sure to look for additional fundraisers and events next fall. And please, don't forget.

## An Interview with Courtney Lynch '03

by Kelly Pereira

In March, Courtney Lynch '03 became a published author with the release of *Leading from the Front: No Excuse Leadership Tactics for Women*. Lynch delivered a lecture at the law school on March 27, and *The Advocate's* Kelly Pereira had an opportunity to interview her about her consulting firm, and her experiences as a Marine and as a William and Mary law student.

A sense of service gained from growing up in the military metropolis of the greater-D.C. area motivated Lynch to join the Marines. A year after finishing her undergraduate degree, she was also motivated by her indebtedness to student loans. She literally walked into a recruiter's office and joined up.

Her military service was tough and demanding, but also rewarding. As a twenty-two year old, she served as a platoon commander.

She learned to face responsibilities and maximize her capabilities. Said Lynch, "We are conditioned to place limits on ourselves." The Marines was a great way to learn to think outside the box.

As a Marine, Lynch served overseas and then worked at the Pentagon as a press liaison. As a civilian, Lynch was successful in software sales. In fact, she attributes her success in sales to the leadership training of the Marines, and she was not alone. She met a fellow, former, female Marine, Angie Morgan, who had met similar success in sales. Each exceeded their sales quotas and was rapidly promoted.

"We are really nice people but not rocket scientists," quipped Lynch. Both women converted their military leadership training into private sector success. Belonging to a rare veteran minority, the two thought their expertise could benefit their peers. The two began a consulting firm in 2004 and co-

authored a book in 2005, taking their strategies to the "trenches of corporate America."

Lynch began writing the book while a law student at WM and balancing the full-time responsibility of being recalled to service from the reserves. Amazingly, it took her just one extra semester to graduate. The six month recall was extended into the statutory maximum of three years. Lynch was able to balance school and work in part because she was able to do her analysis work during the nightshift in Norfolk ("on Gulf time").

That is not to say that it was easy. Lynch said that she didn't sleep much during her law school years, but she was able to be efficient thanks to her training as a Marine. She was also motivated because she felt that "a legal education is perishable." If she left, it would be all the harder to finish her degree. Quitting was not an option.

Lynch received her law degree in the winter of 2003 and passed the Virginia bar shortly after. She had previously turned down a summer position at a large firm because of her obligation to the reserves, but the firm was willing to convert her summer offer into an offer for the spring of 2004. The firm made her an offer to stay on, but by that time Lynch had a literary agent and her consulting firm, "Lead Star," was born. Lynch left the law to start her own business.

The entrepreneurial spirit and the encouragement of her literary publisher led to the formation of her business. The book idea came first, but the consulting firm was a natural outgrowth of and a platform for the launch of her book. When the nation's largest employer of women, Wal-Mart, was embroiled in a discrimination lawsuit, Lynch

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## Third Annual Poker Tournament Raises \$2500 for Bone Marrow Drive

by Jennifer Rinker

On Saturday, March 25, 2006, the Bone Marrow Drive's popular poker tournament raised approximately \$2500 for its cause. Fifty-one participants vied for prizes, including donated gift certificates from several local establishments,<sup>1</sup> 5000 Westlaw points, and the top prize, a 3-night stay at the Ritz Carlton in Naples, Florida, with \$300 travel voucher and dinner on the beach.

Lee Kaufman (3L) was victorious, coming into the final table with a massive chip lead. The final table also included, in final place order, Seth Lasko (3L), Brandon Rogers (3L), John Pollom (3L), Lincoln Willis (3L), Jen Rinker (3L), Ben Fellow (??), Imran Jafri (??), Julie Miller (??), and Mike Pierce (2L).

A strong group of dedicated student volunteers, the Bone Mar-

row Drive has raised on the order of \$20,000 over the past three years, according to Josh Baker (3L), one of the BMD's organizers. The events are largely successful because of the overall charitable spirit of the law students at William & Mary and for the entertainment value of the events themselves.

Not too many activities get law students to take 8 or 9 hours out of a Saturday like the poker

tournament did, nor induce them to shell out not only \$25 for the initial buy, but \$10 and \$15 for unlimited and mandatory rebuys throughout the day.

While fundraising is obviously critical for any charity, the money raised for the Bone Marrow Drive is key to its eventual purpose – including volunteers in the national registry. "It costs nearly \$70 to enter a single person into the national

registry," said Patrick Speice (3L), BMD organizer. "So our focus for most of the year is on fundraising so that every law student who wishes to enter the registry can do so free of charge."

Over 30,000 people in the U.S. are diagnosed with fatal blood diseases each year. Many of those diseases could be cured with a bone

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<sup>1</sup> Ford's Colony, Hospitality House, AMF Lanes, South of the Border, Giuseppe's, New Town Theater, Seasons Restaurant, Applebee's, Ranger Rick's, Blue Talon, J.M. Randall's, Tequila Rose, Red Lobster, Outback, Cheeburger, Cheeburger, Shackelford's, and La Tolteca.



# Analyzing Asian-American Discrimination

by Kelly Pereira

Khin Mai Aung is a Staff Attorney at Asian American Legal Defense and Education Fund, the oldest Asian civil defense group on the east coast. She also is the cousin of OCS' Ramona Sein. On March 29, she gave a lecture entitled, "Analyzing Asian-American Discrimination in the Media and Pop Culture." She was the first speaker ever sponsored by the Asian Law Students Association (ALSA).

Aung's lecture focused on the legal and community organizing ramifications of Asian stereotypes. In particular, she looked to three recent examples: Abercrombie & Fitch's "Asian" shirts, *Details* magazine's "Gay or Asian?" feature, and Hot 97's "Tsunami Song." As a starting point Aung said, "We can disagree legally and morally about what these images represent. Interesting discussion is the goal."

Aung presented a slide show of Abercrombie's "Asian" shirts with the caption "Offensive or fun?" Each shirt featured an Asian caricature with slanted eyes and a conical "rice paddy" hat. The messages on the t-shirts focused on Asians as servient foreigners incapable of speaking proper English. Aung suggested that they trivialized religion and mocked immigrant labor.

The first t-shirt depicted Chinese launderers with the caption, "Two Wongs Can Make It White." A second shirt purported to advertise a Chinese restaurant, "Eat In or Wok Out." This shirt had a second message, "You Love Long Time," a reference to a quote by a Vietnamese prostitute in *Full Metal Jacket*.

While these shirts might seem innocent or fun, Aung said that the messages were not far from how some people in mainstream culture perceive Asians. Aung noted that the recent theme of a frat party had been "Vietnam Party" with men dressing as G.I.s and women as Asian prostitutes.

A third shirt read "Wok-N-Bowl." It was the only graphic where someone Asian was not in a servient position but participating in activity, bowling. A fourth shirt read "Rick Shaw's Hoagies and Grinders." And a fifth, "Buddha Bash...Get Your Buddha on the Floor." To Aung, a Buddhist, this was perhaps one of the more offensive shirts personally.

Aung stressed that people even within the Asian community differ in their response to Asian stereotypes. Students in attendance were encouraged to voice their opinions. Some did not see a problem with the t-shirts. One student said he knew of Asians who named their own business "Wok and Roll." Another student suggested that there might be a different standard between the use of stereotypes by mainstream culture and inter-Asian community. Aung also offered the explanation that some Asians may play off of stereotypes out of economic necessity. To Aung, the critical question to ask is, "Who is making these representations and for what purpose?" We don't see depictions of Little Black Sambo anymore, so why perpetuate Asian stereotypes? Abercrombie's response to initial criticism was, "We make fun of a lot of groups."

Some have hypothesized that reasons explaining the campaign were that Asians were not considered likely to protest, and they were not Abercrombie's target market. The whole controversy may have even been self-generated as free publicity. Abercrombie has history of generating controversy. A catalogue once featured "Drinking 101" with alcoholic drink recipes. This enraged Mothers Against Drunk Driving (MADD) who saw impropriety with Abercrombie's target audience of minors.

Whatever the motive, other retailers continue to market similar shirts. From internet offers of t-shirts reading "Got SARS?"

to Urban Outfitters' suggestive "Hang out with your wang out!" (featuring a Buddha and reading further, "I may be fat but my cock is huge").

As a second example, Aung discussed *Details* magazine's "Gay or Asian?" feature. This was part of a series of monthly articles mocking different groups ("Gay or Irish?" and "Gay or Jesus?" were other examples). Each article featured a male model with diagrammed captions mocking certain physical attributes of the model and equating them with gay stereotypes.

The "Gay or Asian?" feature conflated gay and Asian and emasculated Asian men. It also furthered stereotypes of Asians as foreigners or inscrutable and mysterious. This particular feature garnered a lot of criticisms and protests. *Details* responded with a full-page apology.

Aung's third example was the "Tsunami Song," a parody of "We are the World" that graphically demeaned the suffering of Asians after the tsunami disaster. The song was created by a host of Hot 97, a hip hop station in New York City.

The host introduced the song on morning radio with a reference to "shooting" some Asians. An Asian host at the station complained and a male host responded, "You think you're superior because you're Asian."

The song was replayed for a series of days. A community organizing effort in response resulted in protests by a multiracial coalition including Asian American groups, the NAACP, hip hop artists, and political leaders. Asian American rapper MC Jin released a response song (lyrics included the statement, "Hip hop is designed to unify the masses.").

In response, several advertisers including McDonald's withdrew ads from Hot 97. The song went off the air, and the entire morning show crew was suspended for two

weeks. Two employees, including the host who first introduced the song, were fired. The station donated \$1 million to tsunami relief, and the morning show crew also donated one week's pay to tsunami relief efforts. The female host gave an on-air apology, and the Asian host was promoted to hosting her own show.

Aung could not understate the importance of community activism. Grassroots organizing was mainly responsible for forcing Abercrombie, *Details*, and Hot 97 to remove offensive material and apologize. Public pressure is particularly important not only because it frames socially beneficial debate in "the marketplace of ideas," but because legal action to stop stereotypes is largely barred by the First Amendment.

Aung listed the categorical exceptions to the First Amendment: obscenity, fighting words, clear and present danger, libel and slander, public nuisance, disturbing the peace, and disorderly conduct. The crucial case on point is *FCC v. Pacifica Foundation*. Under the facts of that case, a father challenged an afternoon radio broadcast of "Filthy Words," a monologue that repeated various four-letter words. The narrow holding found that the context of afternoon broadcast media was crucial because of accessibility by unsupervised children. Under *FCC*, Aung suggested that perhaps only the "Tsunami Song" was actionable out of her three examples.

State action is required for First Amendment protections to be invoked. The state would have to restrain the speech at issue (or sanction it afterwards) to spark a First Amendment defense. First Amendment analysis would have been required if the community activists had asked the state to legally restrain Abercrombie, *Details*, or Hot 97 from their speech. No such request was made.

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*Bone Marrow Drive, continued from page 3*

marrow transplant, but because a family-member match is found in less than 30% of cases, more and more people must rely on the national registry. "The more individuals who are entered in the registry, the greater the chance of finding a potentially life-saving match," Speice added.

The Bone Marrow Drive at William & Mary is the second-largest drive in the nation, and

the largest campus-based drive. The Law School contributed 100 registrants last year, and hopes to do even better this year.

## Some facts for Drive Day Courtesy of the Bone Marrow Drive:

Entering the registry on Drive Day is EASY. No one donates actual bone marrow on Drive Day. Red Cross workers will be available in the lobby to take less than one teaspoon of blood from anyone who wants to enter the registry. The whole process takes about 15 min-

utes. The normal rules that regulate blood donation do NOT apply. For example, those who have been overseas or gotten a tattoo recently are ineligible to donate blood, but they CAN enter the registry.

Once a person is entered into the registry, they are in it for life. If a patient is matched to a donor, the donor is contacted by an intermediary, and the donor always has the option to exit the donation process at any stage. If the donor wishes to donate, they will go through additional testing to verify that the match will work, and then

go through one of two procedures—the more common of which is just like giving blood (over 95% of cases). The second procedure is a bit more invasive and can result in a week or so of soreness, but nothing major.

The payoff of donation is giving someone a second chance at life.

## Upcoming Bone Marrow Drive Events:

4/8 - Second Annual Ali's Run 5K  
4/10 - Free Throw Competition  
4/12 - Drive Day

### Battling Discrimination, continued from page 4

The focus of community efforts was non-legal impetus for change. A petition sent to Abercrombie stated "Racism is not chic." This led to the shirts being pulled from stores, but Abercrombie did not initially agree to community demands for staff diversity training, diversity among staff, and more balanced representations. Similarly *Details* published an apology but did not respond to groups asking the magazine to give more balanced representations of Asians and gay and lesbians. Public pressure resulted in perhaps the most institutional change at Hot 97.

This is not to say that legal action was entirely absent. Abercrombie's culturally insensitive t-shirts were part of a culture of discrimination. Abercrombie's hiring practices included disproportionate hiring of whites for sales positions. Asians, Latinos, and Blacks reported being steered toward stockroom positions. The company sought to project a self-described "classic American look,"

and models in ads were disproportionately white.

In *Gonzalez v. Abercrombie & Fitch*, former and prospective Asian, Latino, and Black employees filed a class action suit for racial discrimination. Counsel included the Asian Pacific American Legal Center, Mexican American Legal Defense & Education Fund, and the NAACP Legal Defense & Education Fund. Abercrombie agreed to a \$40 million settlement in 2005.

Abercrombie did not admit wrongdoing but in addition to paying the named plaintiffs, the settlement paid for various diversity initiatives. These included hiring a new vice president of diversity, recruiting minority employees, including people of color in ads, mandating diversity trainings for employees, and ceasing to target certain predominantly white frats and sororities for hiring.

In conclusion, Aung discussed the success in shaping ideas at the grassroots level, legal action to protect minority groups, and distinguished commercial stereotypes from political cartoons.

## The Richmond Family Drug Treatment Court

by Jennifer Stanley

Last Thursday the Children's Advocacy Law Society and the Therapeutic Jurisprudence Society presented a panel discussion to address the growing problem of child abuse and neglect. The "Look Inside the Juvenile and Family Drug Court System" showcased a new program that focuses on the integral connection between drug addiction by parents and caretakers and the abuse of their children. The Richmond Family Drug Court is a 12 month, four phase program open to Richmond area parents and caretakers who are before the court as a result of an allegation of abuse or neglect who have a substance abuse problem. The program is a collaborative effort by social services and the court system to lower the amount of time spent by children in foster care and build functioning families without the constant threat of drug use or child abuse.

Currently Richmond has per capita, more children in foster care than any other jurisdiction in the state. Of these cases, over 80% of them originate abuse/neglect that is related to a drug addiction by the parent or caretaker. But even with these facts known Social Services did not have a drug addiction specialist on staff until a short while ago. For many people the abuse of a child by the parents invokes a gut

reaction to remove the child from the home permanently. However, studies show that this is not always in the best interest of the child. Creating and nurturing a parent child bond based on trust is not only beneficial for the individual family, but also for society at large. If more families can be reunited, the overall cost of the foster care and the family court system will go down. Additionally, by providing a functioning family the program is giving these children a better chance of avoiding substance abuse in the future.

Completion of the Four Phases is required for graduation from the program. Phase 1 provides assessments and referrals for needed services and the development of treatment plan goals. Phase 2 includes continued participation in recommended treatment programs and recommended visitation with children. Phases 3 and 4 feature continued participation in treatment, aftercare programs and educational/vocational training. At graduation from the program the parent should be able to provide a safe and stable environment for the family. It is this reunion of the family that the RFDTC strives for.

For more information about this program contact the Richmond Department of Social Services at (804) 646-7430.

## ALI'S RUN



2ND ANNUAL 5K RUN & WALK FOR THE 15TH  
ANNUAL WILLIAM & MARY

ALAN BUKZIN MEMORIAL BONE MARROW DRIVE  
IN MEMORY OF ALI KAPLAN



DATE: APRIL 8, 2006

RUN START: 10:00 AM

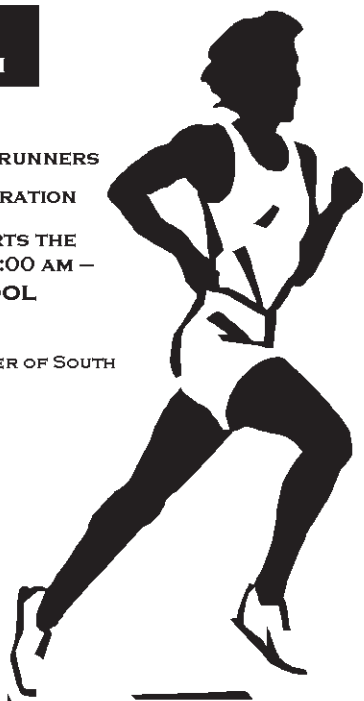
WALK START: 10:10 AM

### ENTRY FEES:

- \$15.00 FOR PRE-REGISTERED RUNNERS
- \$20.00 FOR RACE-DAY REGISTRATION
- REGISTER AND PICK UP T-SHIRTS THE MORNING OF THE RACE FROM 9:00 AM – 9:30 AM AT THE LAW SCHOOL

RACE STARTS AND ENDS IN  
BICENTENNIAL PARK ON THE CORNER OF SOUTH  
HENRY STREET AND NEWPORT AVE.

T-SHIRTS FOR  
ALL PRE-  
REGISTERED  
PARTICIPANTS  
AND WHILE  
SUPPLIES  
LAST FOR  
RACE DAY  
REGISTRANTS



FOR MORE INFORMATION OR  
TO REGISTER CONTACT:

COURTNEY BENNETT AT  
CNBENN@WM.EDU OR CABELL  
CLAY AT MCCLAY@WM.EDU

### Courtney Lynch '03 interview, continued from page 3

seized the opportunity to approach Wal-Mart with her expertise.

Lynch and Morgan created a women's leadership training program from scratch with a lot of raw creative energy. The program focuses on the subject of their book, ten practical principles garnered from their background in the Marines. Said Lynch, "My passion corresponded with a corporate need."

After Wal-Mart, deals with other Fortune 500 companies as well as non-profits and governmental agencies followed. Lynch and Morgan are able to adapt their program to large and small groups as well as mixed audiences of men and women.

"Leading from the front" means that you meet and exceed performance expectations by taking the initiative and setting a positive example. Lynch said that "women

are a niche audience" because they have traditionally had less access to leadership training, but the program is applicable to any gender.

Lynch re-envisioned the concepts of "leadership" and "success." Lynch defines a leader as someone who "influences outcomes and inspires others." A leader is not necessarily someone who sits in a corner office. A leader is someone who is successful in both work and private life. Lynch exemplifies this through her own lead; she is the primary caretaker of her 94-year-old grandmother and is expecting twins in July.

Before her lecture, Lynch had lunch with members of the faculty. She commented that WM was a "family-like environment." She was happy to visit with Professors Moliterno, Dwyer, and Schmidt whose classes she had taken as a student. In terms of advice to current law students, she recommended taking classes that interest them and keep them motivated.



## We Know What You Did Last Summer...

Every year the Public Service Fund, in cooperation with the Law School, provides financial support to a large number of William & Mary students during the summer so that they can pursue opportunities with government and public interest organizations. Each issue of The Advocate will feature stories authored by the sponsored students.

## Intern at the Coast Guard Training Center

by Sean Croston

As a part-time (20 hours/week) legal intern at the Coast Guard Training Center in nearby Yorktown, I was exposed to a wide variety of legal work. The base has a small legal office staffed by only one Coast Guard lawyer and one yeoman, who functions like a paralegal. These two are tasked with serving the legal needs of the approximately 800 people who were on the base at any time.

Because the office is small and the staff lawyer is a representative of the federal government, I did not handle criminal or domestic dispute cases (which required two lawyers) or cases against the government. The majority of clients needed help with basic civil issues like navigating the naturalization process, reviewing simple leases and contracts, and obtaining special powers of attorney. Many of the clients were retired service members or young enlistees, around 18-21 years old, who did not have a lot of money or resources, so it was a rewarding experience to help them with even the most basic problems.

When I wasn't talking to prospective clients, I was often drafting wills, powers of attorney, and advance medical directives ("living wills"), which ranged from short documents to surprisingly complex arrangements. I also worked on some more complex cases, like a Servicemembers Civil Relief Act claim between a Coast Guard

member and a towing company, and a complicated landlord/tenant dispute for which I had to research contracts, property, and torts issues (first-year subjects which came in handy during the summer).

On the side, I did some research for the staff, including a memo on federal benefits available to Coast Guard members and another on the issues involved in loaning a piece of historic property owned by the Coast Guard to a museum along with a draft memorandum of agreement between the two parties. At the end of the summer, I prepared 35 one-page brochures summarizing legal issues pertinent to Coast Guard members for use in a weekly base newsletter column and as office handouts.

Overall, my work forced me to delve into military, state, and federal statutes and military and federal regulations, so I was certainly exposed to a good amount of law. It was definitely a beneficial experience after my 1L year, since my work was usually basic but often interesting, and if I needed any help, the staff lawyer and legal yeoman were right there. I also shared an office with a retired Captain, who was a great guy. He took me on tours of the local area and was very helpful regarding military protocol. When work was light, I also visited installations around the base. It certainly wasn't all hard work, and on the whole, I found the legal office to be a great local option for a part-time internship for anyone interested in the military legal system.

## How the West was Won

by Erin McCool

Fairly-traded coffee, micro-brewed IPAs, the largest locally-owned used bookstore in America, public transit, volcanoes and rain saturate my own private heaven in Portland, Oregon. Last summer I left the oppressive humidity of Williamsburg for the lush, wet (yet, decidedly not humid) Pacific Northwest to conduct policy research for Oregon State Public Interest Research Group (OSPIRG) and partake in the myriad delights Portland offers. OSPIRG is a non-partisan research organization working for the interests of all Oregonians in areas such as consumer protection, environmental protection and voters' rights. OSPIRG is Oregon's division of the larger PIRG, a national research institute dedicated to policy development benefiting the public interest. The state PIRGs are non-profit organizations that are run almost solely through public donations; the vast majority of their fundraising funnels directly into research and policy development. As such, PIRGs are poor and can not afford to hire the likes of a William & Mary law student. Enter PSF. This incredible organization enabled me to move cross-country, work in a non-traditional legal field, and promote the public interest all at the same time! Thanks PSF!

My work at OSPIRG centered around the Clean Water Act and developing policies to better achieve the goals of the Act. The main thrust of my research involved creating policy and developing legisla-

tion that bans the "toxic mixing zones" created in rivers, lakes and oceans when industries release their waste into the environment, while balancing the economic impact the ban may have on industry and local economies. My research also delved into alternative energy projects, automobile emissions standards, prescription drug plans and high interest, "quick cash" loan operations. The work was interesting, complex and rewarding, but the best part of working for OSPIRG was living in Portland.

I could wax poetic for hours about the wonders of the Pacific Northwest, and especially Portland. The topography of the region is astounding! On a clear afternoon, Portland offers amazing views of Mts. Hood, St. Helens, Rainier and Adams! Portland is home to possibly the best developed public transit system in the United States (which I rode religiously everyday) providing environmentally-friendly transportation and enough entertainment to sate my Jerry Springer fascination for a lifetime. Every corner is dotted with a locally owned coffee shop, and I truly believe that Portland may be the only city in the world where a local cafe could put Starbucks out of business. And don't forget the beer. Portland contains more breweries within its borders than does any other city in the world, and they are delicious. Umm, Bridgeport IPA. Enough said. All this made possible through a summer funding stipend. Kudos, PSF!

# The Year in Review for BLSA

by John Ambrose

The Black Law Students Association (BLSA) is currently in the process of putting the final touches on this year's culminating event, the annual Oliver Hill banquet. Each year, we hold this event in order to honor the great civil rights hero, attorney, and Virginia native, Oliver Hill, who spent much of his life filing suits that challenged unjust and racist laws and practices in the state of Virginia. Mr. Hill is probably best known for his work in Davis v. County School Board of Prince Edward County. This case eventually became one of the cases decided in the landmark Brown v. Board decision.

In addition to his years of work in civil rights litigation, Oliver Hill has many other fascinating accomplishments. Oliver Hill spent two years serving in the European Theatre in World War II. In 1942, Mr. Hill helped found the Old Dominion Bar Association which was an organization for black Virginian lawyers that still exists today. In 1948, Oliver Hill became the first black person elected to the City of Richmond's city council since the Reconstruction era. Oliver Hill was appointed to the Committee on Government Contract Compliance by President Truman, and he also served as assistant to the Commissioner for the Federal Housing Administration under President Kennedy.

Oliver Hill has received numerous honors and awards over the years. Among those are the Presidential Medal of Freedom, which is the highest honor a civilian can receive, and the American Bar Association Medal. In addition, in 1996, the new Juvenile and Domestic relations Court Building in Richmond, VA was named the Oliver W. Hill Courts Building, and in 2005, Virginia Governor, Mark Warner, renamed a historic building in Richmond's Capitol Square known simply as the Finance Building the Oliver W. Hill Building making Oliver Hill the first African American to have a state building named after him in Virginia.

This year we are honored to have Oliver Hill, who is 99 years old, join us at his banquet. Our keynote speaker will be the honorable John Charles Thomas who was the first black Virginia Supreme Court justice. Our banquet will be held at the Alumni House on Sunday, April 2<sup>nd</sup>. Oliver Hill will serve as an excellent conclusion to a successful year for BLSA.

BLSA had a great year. We had some fantastic events during the first semester. We kicked the year off with the 1L picnic where new students got an opportunity to mingle with 2Ls and 3Ls. We had the opportunity to participate in both the Mid Atlantic BLSA Regional Job Fair in DC and the National BLSA Academic Retreat in Virginia Beach. For health awareness, we sponsored a free self-defense lesson for our female members.

During our annual Law Day program in November, we invited prospective minority students to come down and learn more about W&M Law. This year's Law Day was one of the most successful ever. Our program included a keynote address from Judge Wilford Taylor and a mock classroom presentation by Professor Marcus.

For fundraising, we held a business card drive and produced sets of business cards for members of the law school community. In addition, we held a bake sale for the victims of Hurricane Katrina.

As for community service, BLSA held its annual Thanksgiving Day Basket drive. This year's competition had more than 14 participants all of whom helped collect large quantities of food for the less fortunate members of Williamsburg and James City County. We are constantly amazed by the effort the caring students and faculty at this school put into giving for this competition. Fall of 2005 was a successful semester for BLSA.

BLSA did a lot of great things in the spring semester as well. In January, we participated in the Mid Atlantic BLSA Regional Conference in Philadelphia, PA. As a result, we are proud to say that we now have representation from

three W&M Law students on the Regional Executive Board.

Later in January, BLSA facilitated a blood drive for the American Red Cross. This year we were able to accept donations from over 40 people from the law school as well as the surrounding community.

In February we celebrated Black History month. BLSA placed posters in the lobby which displayed the contributions of 6 history-making Black Americans. We also held a black history trivia contest and awarded Barnes & Noble gifts certificates as prizes. In addition, BLSA had the honor to participate in a program commemorating the life of civil rights hero Coretta Scott King.

For fundraising, BLSA held its first ever Valentine's Day Carnation Drive where we delivered carnations along with personalized messages and candy to members of the law school community.

For academic and professional development, BLSA held a 1L job search forum which included a presentation by the Manager of Student Recruiting for Williams Mullen.

In order to help increase interest in the law school among minority high school and college students, BLSA participated in both the Virginia Beach High School's Outreach Program and the Virginia Bar Association's Minority Pre-Law Conference.

With the help of a travel subsidy from the National Black Law Students Association, I had the opportunity to travel to New Orleans to help with the Katrina relief effort during spring break.

Later in March, BLSA had the pleasure to participate in the National Black Law Students Association's National Convention held in Washington, DC.

**PRIZES!**

Monday, April 10th  
11:30-2:00  
Law School Lobby

Didn't do so well at the  
Flip-Cup Tournament?  
Get your team back together for  
"MARCH MADNESS"  
Free Throw Competition!

Sponsored by the Law Library to benefit  
W&M Bone Marrow Drive  
\$1 Per Free Throw

or  
\$25 to Register a 5 Member Team

Pizza and Soda provided by Lexis Nexis



# The Real World Comes to Courtroom 21

by Tom Robertson

I overslept. So shoot me. The U.S. Court of Appeals for the Fourth Circuit sets up shop in our very own Courtroom 21 to hear arguments for *U.S. v. William Hurwitz*, a high profile prosecution of a doctor allegedly trafficking drugs through this pain management practice, and where am I? Inhaling a bowl of Kashi cereal and fumbling through my closet with the hesitant fingers that we, the color-blind, are forced to employ.

By the time I fling myself through the lobby doors, Courtroom 21 is inhaling bodies for the second case of the morning. I slip into a chair as the Appellant takes the podium. Many of the seats are empty—arguments in the *Hurwitz* case have concluded. I look around. Everyone is dressed nicer than me. I sink deeper into my seat.

The next case deals with whether “cocaine base” refers to crack. Bottom line—if given the choice between handling coke or crack, I would recommend coke (I would actually recommend neither, but sometimes this is not an option).

First to the podium is a trial lawyer—he represented the criminal defendant in the district court. He is tall, gestures wildly, points at his opponent, and speaks with bravado, trampling the time limit and, at times, the interjections of the judges. The government appellate lawyer argues next, standing unnaturally still, hands locked to the podium, voice steady as he lays out his roadmap. It’s Ali versus Frazier. It’s ESPN Classic.

The first blow comes from the bench.

*Judge:* Did you object to the jury instruction at trial?

*Counsel:* No, I did not.

*Judge:* Then how is this issue preserved?

*Counsel:* It was a trial tactic, your Honor. I needed to leave something to talk about.

I don’t know much about criminal procedure, but at this moment, the judges seem less than enamored with counsel’s “tactics.” The standing eight count comes shortly thereafter.

*Judge:* Would it be enough if a chemist testified to the cocaine base and a DEA agent testified to its crack nature?

*Counsel:* Well, yes, I guess that would be enough.

*Judge:* Well, isn’t that what happened?

[Counsel looks up at the ceiling.]

Silence strikes the courtroom. Even the portraits on the wall hold

their breath. It is one of life’s awkward moments, no different than watching a Ben Stiller movie.

Eventually, time grants mercy and bodies shuffle back and forth. The last case on the docket, *360Networks v. Peyton*, deals with an asset sale and bankruptcy law. Each side begins their arguments, uninterrupted for at least ten minutes. The judges sit quietly. The multitude of complex facts buries the audience in slumber. Even the clerks sitting in the jury box have heavy eyes.

As for which party prevails, I cannot say. I can, however, demonstrate that all the lint has been removed from the front and sleeves of my black wool sweater. Black is a safe color for people who are color blind. I try to wear black whenever possible, especially when I am running late—not that it matters, since everything else is dirty.

## CANADIAN BACON:

### America's National Pastime Ruins Even Canadian Study Habits

by Matt Dobbie

Hey, as some of you may or may not be aware, this is the final edition of *The Advocate* this year. Technically, this is the last regular issue; we of course will publish a Class of 2006 retrospective issue in two weeks time allowing the graduating class to reminisce and that good stuff. But since I’m not graduating, I don’t care.<sup>1</sup>

Now, like most people I’m looking forward to the spring, not because of warm weather or the end of classes, but for one very simple reason: baseball is back. Despite growing up in what y’all believe is the frozen tundra, I’m a lifelong baseball fan. It’s just such a great game. Some people complain that it’s not fast or exciting enough,

but they just don’t get it—the appeal of baseball lies so much in what’s happening in between plays. What’s the next pitch? Should we send the runner? Should we pinch hit? And so on. They say baseball is a thinking man’s game, and I believe it.<sup>2</sup>

In between this article’s writing and its publication, we will have Opening Day—quite possibly one of the best days of the year.<sup>3</sup> It’s filled with pageantry, hope, and excitement. Fans and players dream about that World Series trophy, and on Opening Day, much like the slutty drunk girl at the bar,<sup>4</sup> everybody has a chance to take her home. Granted some people have a better chance than others: the Yankees (tall good looking guy) have a much better chance than, say, the Marlins (creepy looking short guy

in the corner with the misshapen head). But the point still stands. On that one glorious day, everyone is equal and everyone is happy.

Once classes are over, I’ll make that first trip to the ballpark, with all the sights and sounds. I love going to the ballpark. I don’t know if it’s the smell of hot dogs and cotton candy<sup>5</sup> or the ability to hurl insults at grown men without repercussions,<sup>6</sup> but I just love going to the ballpark. I’ll go to any ball park, too. Currently, I’ve been to nine major league stadiums and six minor league parks. Some people travel the globe, visiting exotic locales and sandy beaches, but not me. I travel to Cleveland to see a baseball stadium. One of these groups needs to get its priorities straight (and it’s not me).

This year, like all years, we’ve

got great storylines—young, promising rookies hoping to make an impact; veterans gunning for that first championship; and, my personal favorite, aging, moody superstars yelling at reporters accusing them of using steroids. Okay, that last one might not happen every year, but it’s happening this year. Again.

My only complaint about the start of baseball season is that, well, it seriously inhibits my ability to study for exams. I think William & Mary should take this into account and either shorten the spring semester or give me some kind of “baseball exemption.” I’m not going to lie—if they started the season on May 1, as opposed to April 1, my GPA would easily go up a few points. So, on that note, if you’ll excuse me, I need to go, um, study.<sup>7</sup>

<sup>1</sup> Other people who don’t care? Brad Spedale. He’s graduating but still doesn’t care—that’s just how he rolls.

<sup>2</sup> This is the first paragraph I’ve written since joining *The Advocate* that did not include a joke. It’s a milestone. I’m growing up as a writer.

<sup>3</sup> The other days in the running are Christmas, Easter, Canada Day, and WWE’s Royal Rumble.

<sup>4</sup> For the record there was a great “my friend’s mom” joke opportunity here, but I didn’t take it. Even I have standards.

<sup>5</sup> Cotton candy is a very strange food. It’s only available at fairs and sporting events, people love it, and it sells like hotcakes. Yet it’s not available in a single store nationwide. Go figure.

<sup>6</sup> This does not apply if you’re attending games in Detroit, Chicago, Boston or anywhere Milton Bradley is playing. Said players are prone to attacking fans (or vice versa).

<sup>7</sup> Know what I learned studying today? Derek Jeter is hitting .314.



## Five contemporary Albums that you might not own, but should.

by Mike Kourabas

I decided to write this because it's getting to be that time of the semester where we all need good music more than ever. The list is ranked: 5 being the least likely to change your life, 1 being the most. Most of these albums are from the last few years, and all but one of them were released subsequent to the year 2000.

### 5. Sufjan Stevens – "Illinois" (2005)

By now, who hasn't heard of Sufjan Stevens and his ambitious "50 albums for 50 States" project? Stevens made waves in the music world with the release of *Illinois*, his third full length album, this past year. Stevens is an underrated guitarist, but nobody questions his ability as a songwriter.

On *Illinois*, Stevens mixes folk and rock in a way that should make Dylan proud. While Stevens' second album, *Seven Swans*, was preachy, *Illinois* is down to earth and unassuming, but inspirational all the same. *Illinois* was arguably the best album of 2005, and a must have even for someone with no interest in the Midwest.

Highlights: Stevens' backup choir, featured prominently in "The Man of Metropolis" and "Chicago."

### 4. The Decemberists – "Castaways & Cutouts" (2002)

Colin Meloy, lead singer of The Decemberists, has one of those voices that is considered either hypnotic or simply a racket (Radiohead's Thom Yorke comes to mind). Thus, if you fall into the latter camp, even the beauty and depth of *Castaways* might not salvage the record for you; however, for the others, *Castaways* is an epic.

*Castaways* sounds like a tragic novel put to music. In the opening track, "Leslie Anne Levine," Meloy croons over an acoustic guitar, strings and an organ, about a girl whose mother died giving birth to her, and the poverty and struggle that Leslie Anne Levine faced as a consequence.

*Castaways* is nothing if not dark, but it is the kind of dark that provokes thought and inspires the imagination. Meloy's songs on *Castaways* are stories. The album isn't a concept album per se, but Meloy is a story-teller at heart,

and *Castaways* is written as such, adding to its flow. If you can appreciate Meloy's voice, *Castaways* is indispensable.

Highlights: "The Legionnaire's Lament," and the album's bookends—the first track, "Leslie Anne Levine," and the last track, "California One/Youth and Beauty Brigade."

### 3. Wilco – "Yankee Hotel Foxtrot" (2002)

Wilco has come a long way as a band. Their second album, *Being There*, is a double-disc that is, at its heart, an alt-country record. However, along the way, Wilco has shed much of its country influence and evolved into a powerful pop-rock band. Lead-singer Jeff Tweedy's songwriting became more straightforward and the band entered the mainstream with *Summerteeth*, their third record. The success of *Summerteeth* is, in part, what makes *Foxtrot* so remarkable.

*Foxtrot* transcends the creativity and experimentation of even their most complex prior offerings. Tweedy spends most of *Foxtrot* singing about soured relationships—his forte—and the band just plays at a higher level of musicianship. I imagine Tweedy had some "We're not gonna make a f\*cking *Bends Two*" moments, as the band reinvented itself after major pop success. Well, it paid off.<sup>1</sup>

Highlights: "I am Trying To Break Your Heart," "Radio Cure," and "Jesus, Etc."

### 2. The Arcade Fire – "Funeral" (2004)

I can't remember the last album I listened to something that grabbed hold of me at first listen quite like The Arcade Fire's first full-length, *Funeral*. Front-man Win Butler's voice screams of urgency and is perfectly complimented by the band's signature orchestral-rock. At its best, *Funeral* makes you want to scream—out of anger, hope, frustration, or love. Butler can sound desperate at times, as on tracks like "Neighborhood #1" and "Neighborhood #3," but other tracks, like "Wake Up" and "Rebellion (Lies)" are full of hope.

*Funeral* got its title because of the deaths of a number of the band's family members during the album's recording. Yet, instead of an album fashioned as a eulogy, *Funeral* is about life, not loss. "Rebellion

(Lies)" warns that "Sleeping is giving in / no matter what the time is." Butler encourages us to savor all of life's passing moments. The Arcade Fire turns tragedy into hope on *Funeral*, but their desperation is felt in every note. Do yourself a favor a catch this band live before they're playing amphitheaters and arenas.

Highlights: All of the above mentioned songs.

### 1. Modest Mouse – "Lonesome Crowded West" (1997)

I'm not sure how one would define indie-rock. My definition, aside from the record label, would include something about a raw sound, clever lyrics, desperate themes, and challenging rhythms and time changes. *Lonesome Crowded West* is all that and more. It is what indie-rock should aspire to be. It is musical perfection.

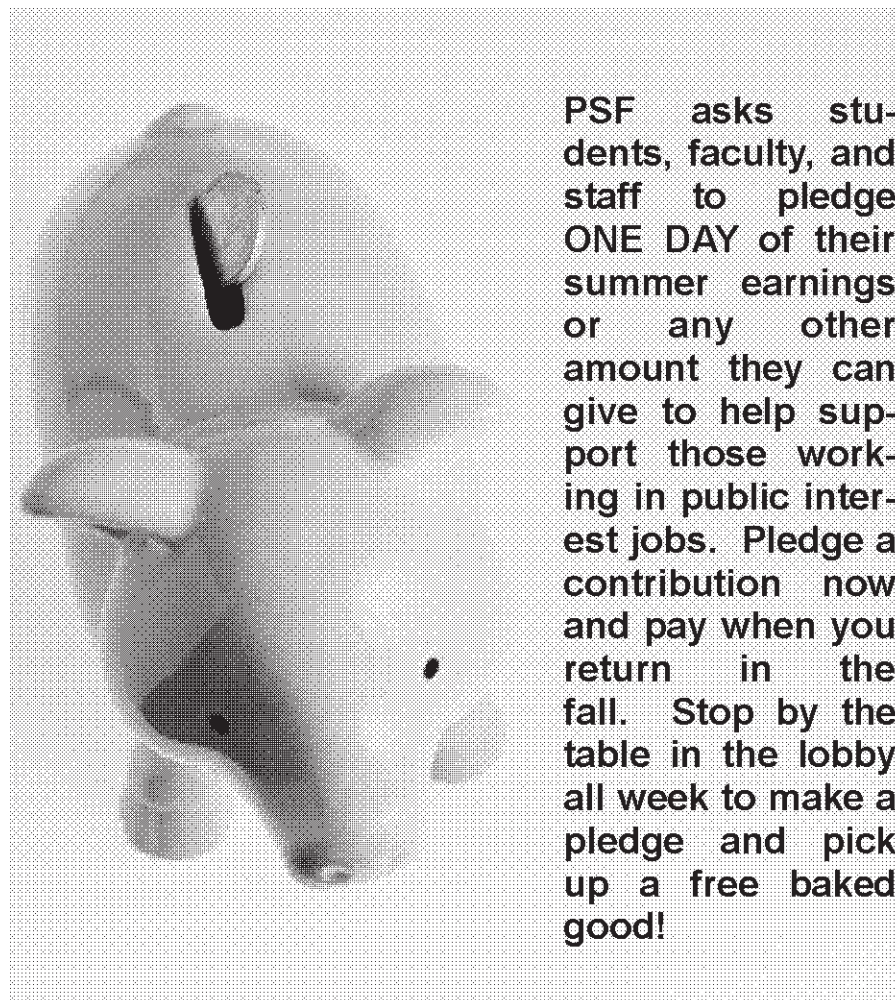
I truly believe that Isaac Brock, the band's front-man, is one of the best lyricists alive, and he demonstrates as much on *Lonesome*. Brock is known for the way he pokes fun at his own sorrow, and his ability to do so shines on tracks

like "Trailer Trash," "Out of Gas" and "Polar Opposites." Brock takes his sardonic bitterness and turns it into lines like these, from "Trailer Trash": "Short love with a long divorce / And a couple of kids of course / They don't mean anything / Live in trailers with no class / goddamn I hope I can pass / high school means nothing / Taking heartache with hard work / Goddamn I am such a jerk / I can't do anything."

Brock's sorrow is there for our amusement, and apparently his as well. One can tell that Brock is smirking as he whines about his life's many hardships with his signature sarcastic lisp. For a guy who got his start by recording songs on his message machine and then never answering the phone, what Brock and Modest Mouse were able to accomplish on *Lonesome Crowded West* is nothing short of astounding.

Highlights: "Trailer Trash," "Out of Gas," "Polar Opposites," "Teeth Like God's Shoe-shine," "Bankrupt On Selling," and "Trucker's Atlas."

## PSF's GIVE-A-DAY PLEDGE DRIVE



PSF asks students, faculty, and staff to pledge ONE DAY of their summer earnings or any other amount they can give to help support those working in public interest jobs. Pledge a contribution now and pay when you return in the fall. Stop by the table in the lobby all week to make a pledge and pick up a free baked good!

Week of April 3rd

10 am-4 pm in the law school lobby

<sup>1</sup> Yorke supposedly said something to the effect of the above quote while the band was attempting to record *OK Computer*. *OK Computer*, a huge break from Radiohead's previous albums, became one of the most important records of our time.



## Marshall-Wythe B-LAW-GS

by Tom Robertson

If you are reading this, then it is likely **Karen Anslinger's (2L)** birthday. You should say hello. Or "Happy Birthday." If you waited until the weekend to read this article, then it's probably too late. She has likely moved on to other things that do not include getting tardy salutations from lazy readers like yourself. Have a terrific day.

**Adv:** If the legal profession did not exist, what would you be doing?

**KA:** I'd be a photojournalist for National Geographic. Get paid to walk the Earth and talk to people. Take pictures of places that are ridiculously good looking.<sup>1</sup> I could do that.

**Adv:** Why is it that we always see you dressed up and introducing guest speakers at the law school?

**KA:** I do some work for the Institute of Bill of Rights Law.<sup>2</sup>

**Adv:** I see. Would you like to elaborate?

**KA:** No. The first rule of IBRL is that you don't talk about IBRL. The second rule of IBRL is—

**Adv:** Right, got it. Moving on. Do you have any parting words for the Class of 2006?

**KA:** Good riddance.<sup>3</sup>

**Adv:** Interesting . . . Let's switch gears for a moment—if you could get it on with one famous person, who would it be?

**KA:** Johnny Depp's character from *Pirates of the Caribbean*, Captain Jack Sparrow.<sup>4</sup> Or Zorro.

**Adv:** What about Orlando Bloom?

**KA:** No way. Total pansy.

**Adv:** Don't tell your roommate.

**KA:** What?

**Adv:** Nevermind. So, will the east coast be losing Karen Anslinger come graduation in 2007?<sup>5</sup>

**KA:** I don't like to think of it as leaving . . . more like providing a place for friends to come visit.

**Adv:** Like me?

**KA:** No. I had other people in mind.

**Adv:** Fair enough. Ok. If you could order around 1Ls and make them do your bidding, whom would you order around, what would you have them do?

**KA:** **Brian Suh** would sit around and do my laundry. **Andrew** would be doing dishes, but not wearing much—maybe an apron. **Tom** would be cooking. **Carrie** would be my personal assistant/agent/chief of staff—let her loose on my social calendar. **Memphis** would drive me around. **Megan** and **Taps** would be bodyguards.<sup>6</sup> And **Bules** would attend my classes, take notes, and ask good questions.

**Adv:** Bules? Really? Ok, whatever. If you could have one superpower, what would it be?

**KA:** Hulk powers. But I get to have control over them. Basically, I



want to be able to flip out whenever I damn well please.<sup>7</sup>

**Adv:** And what if **Will Durbin** started a law firm after graduation and hired friends to assume the identities of TV legal personalities—who would you be? The word is that this is likely to happen.

**KA:** That guy Harvey Birdman. You know, the attorney who represents superheroes on the Cartoon Network. He has a power, too. The power of attorney. Get it?

**Adv:** Um. Yeah. One last question: which of the following hangs down from limestone cave ceilings: stalagmites or stalactites?

**KA:** What is this, Geology class?

**Adv:** Just answer the question.

**KA:** Stalactites.

**Adv:** Hot damn.

[Anslinger flips out. See footnote 7.]

<sup>1</sup> *The Advocate* is unsure whether this is a reference to the movie "Zoolander." To be safe: ZOOLANDER (Paramount Pictures 2001).

<sup>2</sup> After getting off its ass and investigating a bit, *The Advocate* learns that Ms. Anslinger is actually the Chairperson of the Student Division of the IBRL. In the fall, she put on an event on main campus that drew President Nichol, himself—this appears to be the only law school event that Mr. Nichol has attended (*The Advocate's* proactive powers died out before this claim could be confirmed by a second source, but we have a good feeling about it). Word on the street is that Ms. Anslinger runs IBRL like Tyler Durden ran fight club—without her, the whole thing would collapse.

<sup>3</sup> This statement MAY have been followed by: "Ha, just kidding. They're great. I wish them all the best." But *The Advocate* totally zoned out. Sorry.

<sup>4</sup> Deliberation was intense on this question. *The Advocate* finished an egg roll and 64% of its pork fried rice while Ms. Anslinger labored over the possibilities.

<sup>5</sup> Ms. Anslinger hails from Bakersfield, California. Many experts refer to Bakersfield as the "armpit of the state." However, other experts refer to California as the sexiest state in the nation. So perhaps we should frame the issue as follows: where would you rather live—Jessica Alba's armpit or prime real estate somewhere on the torso of Jimmy Kimmel? That's what we thought.

<sup>6</sup> More uncharacteristic investigation by *The Advocate* reveals that both Megan Erb and Amanda Tapscott worked 11 years in security detail before coming to law school. Ms. Erb left the private sector with a clean record, though Ms. Tapscott was allegedly on duty when Biggie went down.

<sup>7</sup> Immediately following the interview, Ms. Anslinger indeed "flips out" on the staff at New China and overturns the cash register, screaming about soggy egg rolls.

## Marshall-Wythe B-LAW-GS

On Wednesday, March 29, 2006, *The Advocate* sat down with **Melissa Mott (2L)**. What started out as a pleasant conversation soon turned ugly, as a lonely periodical's tasteless advances are swiftly rebuffed by Ms. Mott.

**Adv:** If the legal profession did not exist, what would you be doing?

**MM:** Running a tiki bar somewhere in the Caribbean.

**Adv:** Speaking of the Caribbean, I think the public really wants to know what happened in Puerto Rico over spring break.

**MM:** What happens in Puerto Rico . . .

**Adv:** Is recorded and later distributed?

**MM:** Stays in Puerto Rico.

**Adv:** Oh. Well, switching gears, do you have any parting words for the Class of 2006?

**MM:** Not really. I just hope they live it up these last few months.<sup>1</sup>

**Adv:** Living it up, indeed. Tell me, if you could get it on with one famous person, who would it be?

[Ms. Mott smiles and groans a little. The Advocate immediately feels uncomfortable.]

**MM:** Matthew McConaughey.<sup>2</sup> Definitely Matthew McConaughey.

**Adv:** Do I remind you of Matthew McConaughey?

**MM:** No.

**Adv:** Oh. Right. Then let's talk about puppies. Yes, puppies. Do you like puppies?

**MM:** Are you ok?

**Adv:** Yes. Why? Can't we just talk about puppies?

**MM:** Puppies are wonderful. I can't think of one occasion when I have ever beaten a puppy.

**Adv:** Do you make it a point to date boys who have puppies?

**MM:** Excuse me?

**Adv:** Please answer the question.

**MM:** As long they like puppies, that's good enough. I realize that not everyone can own a puppy during law school.

**Adv:** I like puppies.

**MM:** I'm currently off the market, as they say.

[The Advocate's feeling of discomfort develops into more of a visceral mortification.]

**Adv:** And is it true that you once lived in Outer Mongolia?

**MM:** Yes, it was an amazing time. I learned so much about. . .

**Adv:** Using human companionship to stay warm during a merciless winter?

**MM:** What?

**Adv:** What were the people like?

**MM:** Oh . . . well, they were shy at first, but eventually came to welcome me into their . . .

**Adv:** Beds?

**MM:** Huh?

**Adv:** Can I take you out to dinner?

**MM:** No!

**Adv:** Lunch? Please.

**MM:** This interview is over.

[Ms. Mott digs into her purse and removes an object. It could be an inhaler, but The Advocate finds this highly unlikely and quickly scurries off to find **J.D. Goodman (1L)**, as always, for the final word.]

**Adv:** So what do you think?

**JD:** [Reading over transcript]. I'd say you should lay low for a while. May be best to leave town. No more Blawging for a while.

<sup>1</sup> Editor's Note: Ms. Mott's other

comments regarding the Class of 2006 have been affixed to the cutting room floor in efforts to preserve harmony, prevent violence, and generally avoid accusations of libel/slander.

<sup>2</sup> The Advocate would like to point out that this is not an easy name to spell. It's phonetic misdirection and syllabic gymnastics nearly broke the Internet.



# Relay for Life

Date: 04/08/06

Busch Soccer Field

One day. One night. One community. Your Relay For Life® is about celebration, remembrance, and hope. By participating, you honor cancer survivors, pay tribute to the lives we've lost to the disease, and raise money to help fight it — all right here in your community. You won't want to miss one moment of this life - and community-affirming event!

Help support the Law School's team from the firm of Bell, Fleming, & Kaufman: Marshall-Wythe High School. Donate money online. Go to: <https://www.kintera.org/faf/search/searchTeamPart.asp?event=128898&lis=0&ntae128898=CC3186F61A514BCD8A3E7>

Contact Kathy Lawrence for more information:  
kalawr@wm.edu



Legal Mad Libs

by William Durbin & Rajdeep Jolly

MARBURY v. MADISON

5 U.S. 137 (1803)

1. ADVERB

2. NOUN

3. NOUN

4. PLURAL NOUN

5. VERB

6. SAME NOUN AS IN (3)

7. PLURAL NOUN

8. ANIMAL (PLURAL)

9. NOUN ENDING IN -TION

10. ADJECTIVE

11. ANIMAL (PLURAL)

12. PLURAL NOUN

13. VERB ENDING IN -ING

14. NOUN

15. NOUN

16. NARCOTIC

17. VERB ENDING IN -ED

18. NOUN

19. NOUN

20. VERB ENDING IN -ED

21. DIGESTIVE OR REPRODUCTIVE ORGAN

22. VERB (PRESENT TENSE) ENDING IN -S (OR -ES)

It is \_\_\_\_\_1\_\_\_\_\_ the \_\_\_\_\_14\_\_\_\_\_ province and duty of the judicial department to say what the \_\_\_\_\_2\_\_\_\_\_ is. Those who apply the \_\_\_\_\_3\_\_\_\_\_ to particular \_\_\_\_\_4\_\_\_\_\_, must of necessity expound and \_\_\_\_\_5\_\_\_\_\_ that \_\_\_\_\_6\_\_\_\_\_. If two \_\_\_\_\_7\_\_\_\_\_ conflict with each other, the \_\_\_\_\_8\_\_\_\_\_ must decide on the \_\_\_\_\_9\_\_\_\_\_ of each. The \_\_\_\_\_10\_\_\_\_\_ power of the \_\_\_\_\_11\_\_\_\_\_ is extended to all \_\_\_\_\_12\_\_\_\_\_ \_\_\_\_\_13\_\_\_\_\_ under the \_\_\_\_\_15\_\_\_\_\_ Could it be the intention of those who gave this \_\_\_\_\_16\_\_\_\_\_, to say that, in using \_\_\_\_\_17\_\_\_\_\_ the constitution should not be \_\_\_\_\_18\_\_\_\_\_ into? That a \_\_\_\_\_19\_\_\_\_\_ arising under the \_\_\_\_\_20\_\_\_\_\_ should be \_\_\_\_\_21\_\_\_\_\_ without examining the \_\_\_\_\_22\_\_\_\_\_ under which it \_\_\_\_\_? This is too extravagant to be maintained.

It is circumspectly the province and duty of the judicial department to say what the osprey is. Those who apply the nacho cheese to particular Clementines, must of necessity expound and disembowel that nacho cheese. If two storm troopers conflict with each other, the Pegasuses must decide on the conflagration of each. The portly power of the annelid worms is extended to all hopes and dreams rifling under the bildungsroman. Could it be the intention of those who gave this gym, to say that, in using peyote, the constitution should not be plastered into? That a baseball arising under the magnet should be FUBAR-ed without examining the duodenum under which it languishes? This is too extravagant to be maintained.



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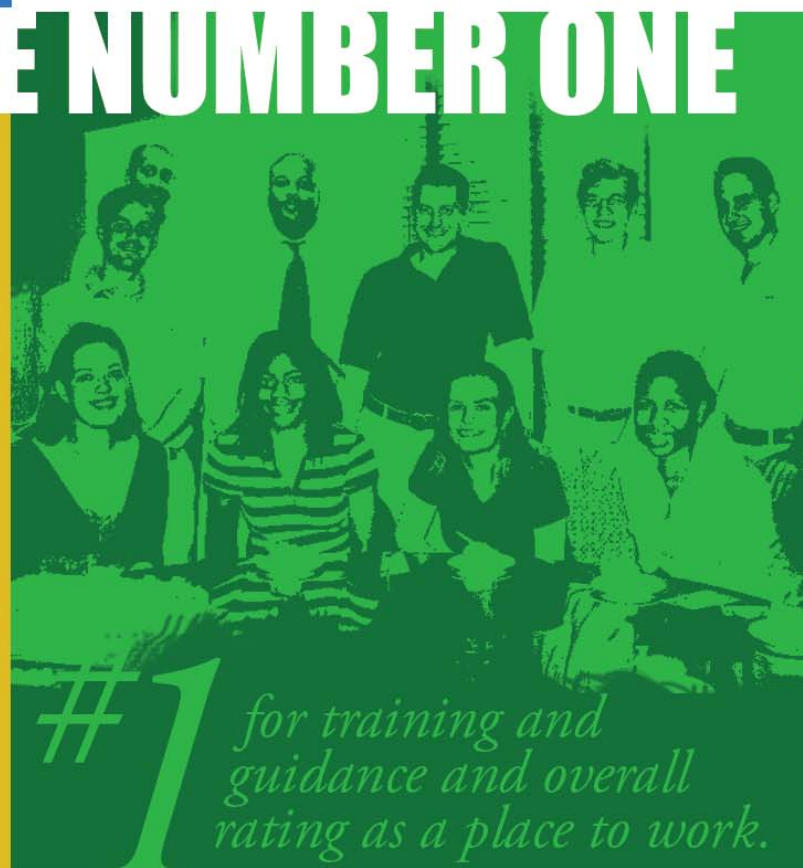
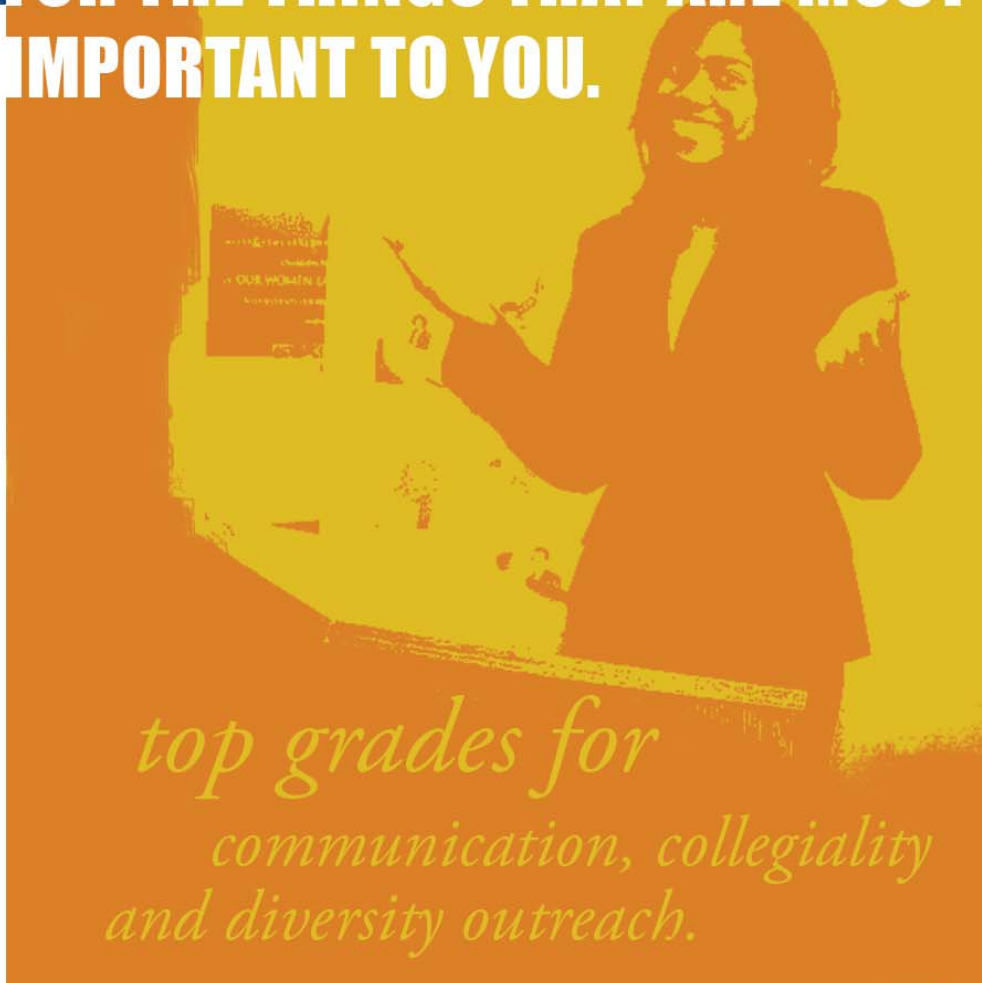
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# Sex and the Law: The Real World

by Nicole Travers

It's with a heavy heart that I sit down to type what will be my very last Sex and the Law for you kids. We've had a lot of fun together these past two years, caring and sharing, and learning about why Furies are freaks. Sometimes I look upon all of you as students of mine—for instance, when one of you comes up to me and asks “OmyGAWD is that for real?” and I say “ohhhh yes it is.” And you're all like “NO WAY” and I'm like “YEAH it's TRUE.” It's like I'm your professor. For serious.

Anyway, it is time for me to depart into what we know as the “real world” of the law, where there is a lot more gossip but a lot less ability to actually talk about it. Take, for example, Ms. Jessica Cutler, aka The Washingtonienne. A staff assistant on the Hill, Ms. Cutler made national headlines when she began a blog<sup>1</sup> to chronicle her numerous affairs with various other members of the Hill's staff (using their initials in lieu of their names). She included such unsavory details as methods of contraception, predilections for kink, and sometimes the amount of money she received from her paramours. Cutler was, of course, fired from her job on the Hill for “unacceptable use of Senate computers,” whereupon she got a book deal and posed for *Playboy*.

Not a bad deal for someone who started out in DC on \$25K a year, but as my goal is to get a book deal while keeping the job for which I undertook three years of law school, I'm going to have to use a bit of a different tactic. And while it's easy to dismiss Cutler as a coked-out attention whore among other things, I feel that she provides a few very important lessons that all law school graduates can live by, particularly those who'd like to score a bit of money on the side by writing a book or two.<sup>2</sup>

Lesson 1: Discretion is the better part of valor.

I'm not going to tell you not to be the office slut here; that's your choice, and there are both advantages and disadvantages to being the office slut (male or female). But if you are the office slut, it's probably a bad idea to spread rumors about the people you have sex with around the office.<sup>3</sup> If you do that, then the person you're spreading rumors about might find your blog, and sue you out of the millions you got from signing your book deal.

Lesson 2: Initials are not all that anonymous.

There is a much better and more creative way to classify your sexual conquests—code names. Code names have the advantage of being so outlandish that the person about whom you blog will not have a clue that it's them as long as you're general enough in your description of your mutual activities. Initials are dangerous because they will often provide enough information for your partner to put two and two together if he stumbles across your internet writings. Then he can sue you out of the millions you got from signing your book deal.

Many acclaimed suspense novelists used code names to their advantage, from Ian Fleming to Raymond Chandler, and they often add a hint of mystery to your writing. You will also attract a flock of avid readers who think they can “unravel the clues” and discover exactly who you're talking about, and thus read your postings more often.

Lesson #3: If you write about sex, people will read it.

My lessons can't be all anti-Cutler. She at least hit upon the best selling market in America and possibly the world: sex. Everyone loves to read the sordid details of other peoples' sex lives, and will often throw money at you so that they may continue to do so. However, I've found that it can be just as effective to write about sex in general rather than about one's



own sex life. It also makes dating easier—you attract more boys when they know that their personal information won't be aired for the world to see. People love to read about sex but balk at the possibility of people reading about them having sex, as I've discovered on dates where boys beg me not to include them in my columns.<sup>4</sup>

Even if you don't write about your own sex life though, just the fact that you write about sex in general will peg you as a “fun” writer or columnist, even amid puritanical disapproval from the right-wingers, which will make you just that more popular with the hip 20-something crowd. And, Cutler teaches us in her new blog,<sup>5</sup> if you get famous for writing about sex, lingerie companies will give you swag for free. And that rules.

Lesson #4: Try not to get your job too involved.

The death knell of your new-found job will likely sound if you write about it too much in a blog. That goes double for lawyers, with their requirement of confidentiality to their clients. Even if you don't actually breach your confidentiality requirement, it's suspicious if you

write about your job for all to see on the internet, and an indication that you don't take said job all that seriously. If you don't want to get fired, keep your on-the-side writings truly on the side. That way, if you do get a book deal, you can decide which aspect of your professional life you want to make your main focus—your writing or your legal career—without being forced into an all-or-nothing decision by getting canned. And don't use the office computer to write your blog, because it'll become office business and cause a scandal.<sup>6</sup> Honestly, I think the wisest sentiment that can be gleaned from Jessica Cutler's story comes straight from her own new blog. “If you like your job,” she says, “always do the opposite of me.”

Now go forth into the world, my pretties, and remember the lass who taught you everything you know about sex and the law. And if I ever start a “Sex and the Law” blog, you guys will be the first to know. Mostly so you can tell your friends, up my audience, and score me a book deal. You guys owe me for the two years of free advice.

<sup>1</sup> You can read the original blog at its archive: <http://washingtoniennearchive.blogspot.com>.

<sup>2</sup> And in my opinion, there's no better way at this point to get a book deal than to start up a popular blog. It's like you start a blog, then trip and fall face first into a pile of money. I love it.

<sup>3</sup> Save it for the anonymity of the internet, blabbermouth!

<sup>4</sup> Actually this kind of pissed me off, because it was an indicator that they hadn't bothered to read my columns and figure out that I don't talk about individuals in them. But whatever.

<sup>5</sup> [www.jessicacutleronline.com](http://www.jessicacutleronline.com)

<sup>6</sup> Also it gives your boss a good excuse to fire you. Cutler was, after all, fired only for “unacceptable use of office computers,” not for “being a big ho bag and telling everyone about it.” It's kind of like Al Capone being jailed for tax fraud—a technicality, but an effective one nevertheless.

# OFF THE BEATEN PATH: Fish, Beer, and Politics - What's Not to Love?

by Zach Terwilliger

The warmer weather, longer evenings, and opening pitches at ballparks around the country signal not only the true arrival of spring, but also the arrival of the greatest annual event in Southside Virginia: The Annual Wakefield Shad Planking Festival. This yearly event combines the roasting of shad on cedar planks, consumption of ice-cold beer, and informal, light-hearted political speeches from both sides of the aisle. *The Washington Post* provides the following description: "Start with beer, bugs and bony fish. Add a few hundred lobbyists, more than a couple of would-be politicians, some reporters and a

handful of genuine country boys. Put it all in the middle of nowhere, on a 90-degree day, and erect thousands of signs announcing the whole thing."<sup>1</sup>

The Wakefield Ruritan club has run the event, at least in its modern hybrid-political form, for over 50 years.<sup>2</sup> Aside from the roasting of the migratory shad [small fish] and buckets of cold beer, excessive posting of political signs by opposing parties is a hallmark of the event.<sup>3</sup> In gubernatorial election years, the event typically kicks off the official campaign season.

I personally have never attended the event, but what I hear from those who have is that it is truly a once-in-a-lifetime experience.

One former Williamsburg native told me that it is sacrilege to be in this part of the state and miss the Shad Planking, and when I phoned one of the event directors he said, "Get yourself down to Wakefield, and don't worry—it never rains on the Planking."

The festival takes place in Wakefield, Virginia, which is approximately 45 minutes from Surry, VA. Surry, for those of you who have not gotten off the beaten path during your time in Williamsburg, is just a short 15 minute ferry ride from the Jamestown dock, which lies at the end of Jamestown Road. For those of you who were not math majors (myself included), Wakefield is only about an hour

away. The festival actually takes place during the week so you do not even have to give up a treasured night at the Leaf to attend.

The cost of a ticket is \$20 and they are available by phone at 1-800-935-4004. Admission allows you to eat shad after shad and drink beer to your heart's content, not to mention access to *the* party to be at in Southeastern Virginia. The event takes place on Wednesday, April 19 and runs from around 1:00 p.m. until 6:30 p.m. I hope to see a few of you there. I have already recruited William & Mary politicians Stephen Cobb and Les Boswell as well as local strong man Joe Skinner.

<sup>1</sup> Michael Shear, *At Shad Planking, Traditional Roast of Va. Politicians*, WASHINGTON POST, Apr. 21 2005, at BO1.

<sup>2</sup> Wikipedia, available at: [http://en.wikipedia.org/wiki/Shad\\_Planking](http://en.wikipedia.org/wiki/Shad_Planking).

<sup>3</sup> *Id.*

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# class of 2006 superlatives

<i>Best Smile:</i>	Michael Sweikar Melissa Daniel	<i>Who is the best to get stuck in an elevator with?</i> Michael Ioffredo, Jessica Deering
<i>Best Personality:</i>	Chris Johnson Anne-Marie Zell	<i>Who is most likely to stay in private practice forever?</i> Doug Smith, Sarah Armstrong
<i>Best Eyes:</i>	Mike Kaufman Jenny Eischeid	<i>Who is most likely to stay in public service forever?</i> Raj Jolly, Erin McCool
<i>Best Hair:</i>	Evan Wooten Lauren Eade	<i>Who is most likely to never take a law-related career path?</i> John Cox, Alicia Tracy
<i>Best Legs:</i>	Matt Barndt Alicia Tracy	<i>Who is most likely to become a professor?</i> Evan Wooten, Shari Diener
<i>Best Body:</i>	Patrick During Lauren Cerminaro	<i>Who is most likely to go into politics?</i> Marc Rose, Stephanie Spier
<i>Best Dressed:</i>	Joe Fonlon Noelle Coates	<i>Who is most likely to live in Williamsburg forever?</i> Unky Greg Rohrbaugh, Maureen Kufro, Tanja Korpi, Ashleigh Schuller
<i>Best Sense of Humor:</i>	DG Judy, Bret Rawson Tanja Korpi	<i>Who is most likely to turn a professor's hair gray?</i> Dan Hobgood, Amber Eldred
<i>Best Chef:</i>	Jason Hobbie Christine Tollefson	<i>Who is most likely to stump a professor?</i> Nick DePalma, Colleen Diver
<i>Best Couple</i>	Curtis Carll & Brendan Relyea	<i>Who is most likely to be found in the lobby?</i> Jon Perdue, Jen Rinker
<i>Biggest Flirt:</i>	John Cox Danielle Pellegrin	<i>Who is most likely to skip class?</i> Brett Rudduck, Jackie Chiang
<i>Biggest Partier</i>	Amrish Wadhera Kelly Campanella	<i>Who is most likely to be found at the Green Leaf?</i> Patrick Speice, Noelle Coates
<i>Most School Spirit:</i>	Dave Carter Stephanie Spier	<i>Who is most likely to talk in class?</i> Jim Hutchison, Sarah Hofstra
<i>Most Talented/ Musical:</i>	Justin Laughter Casey Ewart	<i>Who is most likely to be the Designated Driver?</i> Josh Baker, Jennifer Stiefvater
<i>Most Involved:</i>	Josh Baker Meg Bisk	<i>Who is most likely to become dean of the law school?</i> Dave Carter, Rachel Juhas
<i>Most Athletic:</i>	Chris Bauer Anne Sommers, Jackie Carry	
<i>Most Prepared for Class:</i>	Josh Heslinga Colleen Diver	
<i>Worst Driver:</i>	Brett Rudduck Sarah Cane	
<i>Best Dance Moves:</i>	Tripp Whitbeck Christina Eberhardt	