1994

The Trial of Oliver Wendell Holmes (Program)

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The College of William and Mary

Marshall-Wythe School of Law
presents

THE TRIAL OF
OLIVER WENDELL HOLMES

April 4, 1994, 8:00 p.m.
Commonwealth Auditorium
College of William and Mary
Williamsburg, Virginia
The Trial of Oliver Wendell Holmes
by
Rodney A. Smolla

Peter Schiron, Director

THE CAST
(in order of appearance)

Megan Carver .................. Eileen McNeil
Pauline Lewis ................. Rebecca Godbey
Dr. Christa Jacobs ........... Pam Kultgen
John Carver .................... Eric Misiner
Oliver Wendell Holmes ...... Scott Schmidt
Frankie St. George ........... Ken Hickox
Socrates ....................... Ted Atkinson
Carrie Buck .................... Gretchen Knoblauch
Eugene Debbs ................. Jason Brown

PRODUCTION CREDITS

Assistant Director ............ Eric Misiner
Script Editor ................ Beth Weatherly
Make-up Artist ............... Allison Lowery

A very Special Thanks to
Millie Arthur, Peter Owen, Phyllis Long,
and everyone else who made tonight’s performance possible
ACT I

Scene 1: Hospital ............... John, Megan, Pauline, Dr. Jacobs
Scene 2: Dreamscape ............... John, Holmes, Megan
Scene 3: Dreamscape ............... John, Frankie, Pauline
Scene 4: Courtroom ............... Socrates, Buck, Holmes

Scene 5: Hospital ............... John, Pauline, Megan
Scene 6: Courtroom ............... Socrates, Debbs, Holmes
Scene 7: Dreamscape ............... Holmes, John, Pauline
Scene 8: Dreamscape ............... Frankie, John, Megan

INTERMISSION (10 Minutes)

ACT II

Scene 1: Courtroom ............... Socrates, Holmes, John, Megan
Scene 2: Dreamscape ............... Pauline, John, Megan
Scene 3: Courtroom ............... Socrates, Holmes, John, Megan
Scene 4: Dreamscape ............... Megan, John, Frankie, Pauline
Scene 5: Courtroom ............... Socrates, Holmes, John, Pauline
Scene 6: Hospital ............... Megan, Frankie, John, Pauline
Scene 7: Courtroom ............... Socrates, Holmes, John

Scene 8: Hospital ............... John, Megan, Pauline, Holmes

Following the play, you are invited to a reception in Chesapeake Room A, here at the University Center. TV viewing of the NCAA championship game will be available.
FROM THE PLAYWRIGHT. . . .

I owe thanks to many persons for making this production possible. First and foremost I owe thanks to Director Peter Schiron and his cast, Ted Atkinson, Jason Brown, Rebecca Godbey, Ken Hickox, Gretchen Lynch Knoblauch, Pam Kultgen, Eileen McNeil, Eric Misiner, and Scott Schmidt. It is hard enough to be part of a play at any time, but to do it in the midst of a hectic law school year is quite extraordinary, and I am deeply indebted to this group of students for bringing to life these characters and conflicts. I also wish to thank Beth Weatherly, Allison Lowery, Peter Owen, Millie Arthur, Della Harris, Phyllis Long, and all the many others who contributed to make this production happen.

Peter Schiron asked that I say a few words in this space about how and why I came to write this. The "how" is easy. Last summer I had the great privilege to be invited to deliver a lecture at the UCLA Law School in honor of Melville Nimmer. Professor Nimmer was one of the towering figures in the history of free speech thinking in America. More than that, he was the father of Becca Nimmer Marcus, my very dear friend. And so I wanted to do something special for the lecture, and that turned out to be not doing a lecture at all, but rather writing this play--which was performed at UCLA in November.

My faculty colleagues at William and Mary were most gracious in inviting me to stage the play here at home. I thank the members of the Faculty Enrichment Committee, and Jayne Barnard and Paul Marcus in the Dean's Office, for their support. I was very flattered to be asked, and very appreciative to find such an enthusiastic and delightful group of students to really do it.

Why did I write it? Perhaps you in the audience should attempt to decipher that. Certainly, I wanted to put Oliver Wendell Holmes on trial. But as I hope you will see, in putting Holmes on trial we put ourselves on trial, ourselves as modern thinkers and modern lawyers. The central character, John Carver, is attempting to find an anchor to his life, through his wife, his daughter, his clients, and ultimately, through the visions that appear to him in the darkness. That is the type of trial we all go through. I guess I wrote the play to see how it might end.

- Rod Smolla
WHO'S WHO IN THE CAST

Rodney A. Smolla (Playwright). Professor Smolla teaches at the Marshall-Wythe School of Law at the College of William and Mary.

Peter Schiron (Director). Pete's acting career came to a tragic end after an accident while portraying a Jamaican bobsledder in the film, Cool Runnings. Tonight marks Pete's first major directing role, not including Michael Jackson's "Thriller" video and the Wendy's "Where's the Beef" commercials. After the performance, he plans on dropping out of law school to accept an offer to direct the Broadway sequel, Annie: The College Years. Pete dedicates tonight's performance to his dear childhood friend, Stevie Spielberg, and would like to thank all the members of the cast who were willing to dedicate their time and talent to make this performance possible.

Ted Atkinson (Socrates). Ted fell in love with the smell of grease paint as a boy on the farmlands of Ohio, where he sold chili during performances of the Cuyahoga Outdoor Theater Troupe. Moved to tears by a stage adaptation of Escape From Witch Mountain, Ted travelled to Russia to study the techniques of the great acting teacher, Stravinsky. Tragically, Ted turned to the bottle when he soon learned that Stravinsky was a composer. Overcoming his chemical dependency by entering the relaxing environment of law school, Ted has returned to the stage as Socrates. He can be seen in episodes of Head of the Class, and will star as Jeff Gilooly in the television movie, Tonya: Tragedy on Ice.

Jason Brown (Eugene Debbs). Jason acted extensively in high school but then gave it all up to play guitar. After three unsuccessful attempts on the Gong Show left Jason scarred for life, he enrolled in law school determined to file an emotional distress suit. In preparation for his role as the socialist party leader, Eugene Debbs, Jason got a tattoo of (John) Lennon on his chest. (No one has yet to tell him of his blunder).

Rebecca Godbey (Pauline Lewis). Rebecca did absolutely nothing with the theater department in college, but attributes her talent to roles as a maid and as a fishpeddler in high school. And let us not forget her miscast role as Jesus in Godspell. In previous lives, Rebecca claims to have been Dolly (Hello Dolly), Don Quixote (Man of La Mancha), and Rizzo (Grease). This may be the reason she keeps wondering, "Where are the dancing cats?" and, "When is Socrates going to sing 'The Impossible Dream'?

Ken Hickox (Frankie St. George). Ken was born in time to take full of advantage of the term "Sex, Drugs, and Rock and Roll." After a world tour with Meatloaf, Ken worked for the Defense Department where
he single-handedly fought Communism in Latin America. After breaking down the Berlin Wall, Ken attended law school where he played Charlie Brown in Professor Spencer's class production of *It's a Small World After All*. Ken's motivation to play the lovable Frankie St. George is to "suck up to Professor Smolla" and to "meet Chicks."

**Gretchen Lynch Knoblauch (Carrie Buck).** Gretchen began her acting career at the age of 6 months as a Gerber Baby. From there, she went directly to Broadway where she had the starring role in *Annie* for 8 years. You may be most familiar with her work on the television sitcom, *Full House*, where she plays D.J. Tanner. Unbeknownst to the network, Gretchen has quit the show to attend law school. She dedicates tonight's performance to her loving husband, Drew.

**Pam Kultgen (Dr. Christa Jacobs).** Pam has perfected the art of procrastination and avoidance of real work at law school. She rationalized the play as a learning experience because it did not involve excessively deep thought. Tonight, she is fulfilling her childhood dream to play doctor in front of a room full of people.

**Eileen McNeil (Megan Carver).** You may recognize Eileen as the body double from the opening scene of *Pretty Woman*. She is currently attending law school while her agent negotiates her contract for *Jurassic Park II*. Her original plan for post-graduation was to join *A Current Affair* as legal counsel. However, her receipt of the title "Best Oralist" has inspired her to become the next Connie Chung.

**Eric Misiner (John Carver).** Born and bred in Long Island, New York, Eric, at the ripe age of eighteen, left the Strip Mall Capital of the world for Florida. At the National Sunbathing Institute, Eric fulfilled his hedonistic desires while majoring in sand castle engineering and funnel physics. He plans on pursuing his interests in sleeping, eating, and doing nothing by becoming the Vice-President of the United States. Eric is soon to be starring in the made for television movie, *Joey Buttafuoco Gets Out of Jail*.

**Scott Schmidt (Holmes).** After a glorious run on *Romper Room* and a series of well-received appearances on *Bozo the Clown*, this renowned child actor was forced from the entertainment industry by a scandal involving Dano Plato and a Bic lighter. Although he denied any impropriety, Scott was blackballed in Hollywood. With his dreams of stardom shattered, Scott sought solace in the last refuge of the scoundrel-law school. This production marks his triumphant return to the off-Broadway stage.