



## This Month in SBA

Toccaro Nelson '19  
(she/her/hers)  
SBA Secretary

Hello!

Welcome to the new monthly SBA article. We've decided to do something a little bit different this year. Instead of using this article to conduct a general discussion of what's going on at the SBA, we want to use this forum to address student concerns shared in our suggestion box. The box is located in Scott Commons right next to one of the student mailrooms. Students can provide their concerns or suggestions anonymously or share their identity if interested in a direct follow-up response from the SBA.

We encourage students to share their suggestions or concerns through our suggestion box initiative. Members of our student community have amazing ideas and significant concerns about improving the law school's programming, culture of diversity and inclusion, professional resources, and more. We hope to implement these student ideas at a higher rate through this initiative in order to improve UVA Law's environment for students.

The SBA hopes that our Unity Social on Thursday, October 26 will be a start in facilitating a better atmosphere of learning for students. The SBA's socials generally have a goal of bringing students together; however, this Thursday's social has a special emphasis on promoting unity and supporting marginalized students at the law school. The goal is for all members of our community to come together in the spirit of openness and change, and to take responsibility for the environment on our campus.

While the SBA hopes the social will open doors for students of all backgrounds to engage with each other, we recognize that this event can only be a starting point for ongoing change. The SBA recognizes that this event cannot stand alone in promoting inclusion and hopes to continue implementing programming in the future to foster a positive environment. Furthermore, the SBA would like to recognize that there has been an undue burden placed on marginalized members of our community to make their own space at UVA Law. We want to encourage students of all backgrounds to take responsibility for promoting an inclusive environment in our community by attending the programming that is provided by the huge variety of diverse student groups at UVA Law. We hope that the Unity Social can be but one step in this ongoing effort.

The SBA is committing itself to increasing program-

# In Search of Common Ground



From left to right, Hamna Ahamad and Robert Smith participate in the CLG discussion  
Photo courtesy of Eric Hall.

Jenna Goldman '18  
(she/her/hers)  
Editor-in-Chief

Common Law Grounds's first symposium titled "Of Bubbles and Biases: The Press and Democratic Dialogue," took place last Friday, October 20th, in Caplin Pavilion.

Professor Deborah Hellman, faculty sponsor and founder of Common Law Grounds, began the day by quoting a portion of the organization's mission: "To encourage discussion and debate among students and faculty across the ideological spectrum with the goal of identifying and articulating areas of agreement about core values and practices."

She introduced Dean Risa Goluboff, who gave introductory remarks.

"How do you create dialogue across our differences?" Goluboff asked the audience. "With mutual respect." She answered—a point woven through her speech.

"We are in a profession that is all about dialogue, open discourse, and persuasion," Goluboff reminded the audience. "We don't always agree, and that's not the assumption that will happen at the end of the day."

She believes that the Law School is uniquely situated to tackle difficult conversations because of the school's reputation for collegiality and the diverse intellectual community on North Grounds.

"I think we are a place that

has dialogue across difference because we are committed to each other and we are committed to our community."

The first panel brought together four editors and reporters to discuss "Challenges Facing Journalists."

Richard Leiby, senior writer at the *Washington Post*, started the remarks off with a satirical description of the "Fake News desk at the *Washington Post*," garnering laughs as he illustrated a news room out of a Donald Trump fantasy. He went on to discuss the problem of normalizing the term "fake news."

Quoting a *Politico* poll, Leiby said, "Nearly half of all voters believe that the news media fabricate news stories about President Trump."<sup>1</sup> He went on to say that even though three-quarters of the public think the media is biased, three-quarters of the public also think that the media is important in keeping politicians accountable.

Media bashing is not a new phenomenon. Leiby noted that Thomas Jefferson was not always a fan of how he was portrayed by the press during his Presidency and famously said, "Nothing can now be believed which is seen in a newspaper."

In that same breath, Leiby quoted a letter Jefferson wrote to Edward Carrington in 1787 on the subject of

<sup>1</sup> <http://www.politico.com/story/2017/10/18/trump-media-fake-news-poll-243884>

freedom of the press:

"And were it left to me to decide whether we should have a government without newspapers, or newspapers without a government, I should not hesitate a moment to prefer the latter. But I should mean that every man should receive those papers and be capable of reading them."<sup>2</sup>

He ended his introduction with a call to action: "Report as rigorously as possible. Nothing is riding on it except the freedom of the press, the first amendment, and maybe the future of the country."


Robert Blau, a managing editor at *Bloomberg News*, echoed Leiby, "The cries of fake news come daily, the very legitimacy of reporting has come into question." He referenced the reporter who was body-slammed by Montana Congressman Greg Gianforte and the recent murder of the investigative journalist Daphne Caruana Galizia in Malta.


"How did this remarkable shift come about?" posed Blau. He surmised it was a building combination of mistakes of judgment, the inability to read carefully ideological shifts, and the


<sup>2</sup> [https://www.washingtonpost.com/news/the-fix/wp/2017/02/17/trumps-war-with-the-media-isnt-new-thomas-jefferson-railed-about-newspaper-lies-too/?utm\\_term=.b34cc15486f6](https://www.washingtonpost.com/news/the-fix/wp/2017/02/17/trumps-war-with-the-media-isnt-new-thomas-jefferson-railed-about-newspaper-lies-too/?utm_term=.b34cc15486f6)


## around north grounds


 Thumbs up to the return of Dean Davies. Jokes aside, ANG is grateful for Davies' quick recovery and welcomes her return to North Grounds.


 Thumbs down to the complete lack of 1L PILA auction donations two weeks out from the auction. ANG's 1L summer was personally funded entirely by lemonade stands and pan-handling, but ANG's understanding was that this 1L class was planning on the availability of "grants."


 Thumbs up to the softball playoffs. ANG looks forward to watching the 1Ls' spirit of togetherness and comity wither and break against the inexorable wall of the NGSL super teams.

 Thumbs down to DJ Khaled hiring a tiger for his son Asahd's first birthday party. Nothing is bad about that, ANG is just jealous. C'mon, Steven Glendon, ANG would actually attend the SBA Socials!

 Thumbs up to two more days until season two of *Stranger Things*. That means just TWO MORE DAYS until ANG eats all the waffles, disappears, and can only be communicated with via carefully arranged Christmas lights.

 Thumbs down to the Law School administration. This is the fifth consecutive year ANG has requested to be excused from ANG's Contract's midterm, and the fourth time Dean Dugas has responded with "lol no. best-jason." ANG isn't sure what Dean Dugas was up to the fifth year. (ANG is pretty sure he wasn't notifying 3Ls that their class lottery was about to open, but ANG digresses.)

 Thumbs up to the five living ex-Presidents' gathering in Texas to raise money for hurricane victims. ANG hopes ANG can one day have the gravitas of Barack Obama, the charm of George W. Bush, the socks of George H.W. Bush, and the longevity of Jimmy Carter. ANG isn't sure what of Bill Clinton's ANG would want.

 Congratulations to ANG for selling an advance to ANG's first memoir. It won't be a best-seller like Tom Hanks' 416-page text on typewriters, but maybe ANG's mom will finally acknowledge ANG in public.

# Clashes at City Council

The Charlottesville City Council meeting on Monday, October 16 attracted a crowd

Jenna Goldman '18  
(she/her/hers)  
Editor-in-Chief



of over 100 residents to participate in public comment on the city council's response to the violent "Unite the Right" rallies in Charlottesville on August 11 and 12.

Though there were no metal detectors or bag searches that occurred before entering the City Hall building on East Main Street on the Downtown Mall, there were two police officers at the door of the building, two more at the front of the city council meeting room, and one patrolling the hall.

Roughly twenty minutes before the start of the meeting, the room was filled and a palpable anger hung in the air. Sixty-five days after the protests, emotions were still raw.

Vice Mayor Wes Bellamy opened the meeting outlining the agenda, from the start of the public hearing about the proposed responses to the KKK rallies on July 8, and the "Unite the Right" rallies on August 11-12. In reference to the extended public comment period, Bellamy said, "Those who are passionate in the quest for change and equity, and those who are emotionally scarred must be heard." Each member was allotted

three minutes to speak.

After the public comments the commission was slated to discuss an independent citizen review board about housing rent vouchers. Bellamy

foul language would not be tolerated, motioning to the police officers standing in the back of the room. Protestors had shut down the previous week's meeting.

E. Lee still stands at the center of the downtown district, blocks from city hall. One woman suggested the name be changed to a more neutral "Charlottesville City Park" or



Charlottesville citizens listen to public comments  
Photo courtesy of Jenna Goldman

also remarked that he hoped the meeting would remain civil so the council could address the remaining agenda items.

Councilor Kristin Szakos presided over the public comment portion of the meeting and made a point that disruption and use of

The meeting lasted two hours, and two dozen people stood up to speak before the council on a variety of issues.

Many members discussed the changing of the hastily named "Emancipation Park," formerly known as "Lee Park," where the now-shrouded statue of Robert

"Court Square Park" in reference to its proximity to the courthouse.

Another heated topic was the school district's slow response to FBI intelligence about threats to a Charlottesville elementary school. "I'm afraid for my life every day I walk out the door, my

children are threatened at school. I can't even sleep at night," said one resident, a sentiment that was echoed throughout the evening.

Meeting attendants passed out flyers that detailed a list of demands, including the dropping of charges against DeAndre Harris, a black man who was beaten by several white attackers in a parking garage on August 12. The City Manager Maurice Jones responded to comments about Harris by stating that the issue is now being handled by the judiciary and will be up to the Commonwealth's Attorney to drop or move forward with charges.

The consensus of the meeting was "Something needs to be done. I'm hurt, I'm frustrated, and I'm tired." Many simply wanted an apology to be made by the City Council and an acknowledgement of its failure.

Professor Molly Brady's State and Local Government class, was in attendance to observe the process of Charlottesville local government.

Sarah Legault '18, who attended for the class made a few observations. "The visceral tension at the meeting reminded me of the tension in St. Louis in 2014 when protests broke out in Ferguson and St. Louis City." Legault, a graduate of Washington University in St. Louis, worked at that time for a small law firm

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## Auction Time: PILA Approaches

On Saturday, November 4 at 9 p.m., law students from each class—ranging from fresh 1Ls to

Jason Boyle '18  
(he/him/his)  
Lead Auction  
Director



seasoned 3Ls—will get dressed up and come together at the Omni Hotel on the Downtown Mall to attend the annual Public Interest Law Association (PILA) Auction.

The event is promising to be a great one, complete with hors d'oeuvres and with bar services provided by the Omni. There will be a dancefloor with a DJ. There will be items and services available in the silent auction that were donated from a wide variety of sources, including faculty members, current students, student organizations, and local businesses. Professors George Geis and Cale Jaffe will host a live auction starting at 10:30 p.m. to auction off some select special items. There will even be a mystery item in the silent auction which is only revealed after the event to the winning bidder. The auction date is approaching fast, but with less than two weeks until the event, there are still opportunities to get involved and to attend.

But what exactly is the PILA Auction and how can you get involved? Below are some basic questions with answers to explain this traditional event and how you can help to make an impact on future law students and support service to the public.

**What is PILA?** PILA is a

student-run organization that got its start at UVa in 1981 as

with grants to allow them to pursue public interest careers dur-

book sales, the auction is the primary source of funds that PILA

help make the grant guarantee a reality. Therefore, the annual auction is just as important as ever to ensure that future UVa Law students will be able to pursue careers in public service and make a much-needed difference in the lives of many.

The Public Interest Law Association presents:

# A Night Under the Stars

★ ★ ★ ★ ★

## The Annual PILA Auction

Saturday, November 4, 2017  
From 9:00PM - 12:00AM

At the Omni Hotel, Jefferson Ballroom

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Tickets go on sale in Hunton & Williams Hall Mon-Fri from 10am-2pm for the following dates and prices:

-Oct. 18 - Oct. 20 - \$30 per ticket

-Oct. 23 - Oct 30 - \$35 per ticket

Photo courtesy of Jason Boyle

a student-funded fellowships sub-committee of the Student Bar Association, which raised enough money to cover expenses for six students to work in public service that summer. Since then, the sub-committee broke away from the SBA and formed its own organization known as the Public Interest Law Association. PILA kept its goal of raising funds to provide law students

ing their summers and beyond. The organization also provides networking opportunities and mentorship programs for students interested in careers and opportunities focused on service to the public.

**Why is the PILA Auction important?** While PILA organizes multiple forms of fundraising, including trivia nights and

raises for the summer grants. PILA has been raising funds for grants for decades, but with support from the Law School Foundation, PILA has now guaranteed that every student who applies for a summer grant to work in public service will receive one. PILA has the responsibility to raise funds for these grants, while the Law School Foundation provides support to

**How do I attend the PILA Auction?** Tickets are being sold at a PILA table in Hunton & Williams Hall from 10 a.m. to 2 p.m. Mon.-Fri. until Monday, October 30. Tickets cost \$35, which covers admission to the event and bus transportation from the Law School D3 lot to the Omni Hotel Water Street bus stop from 8:45 p.m. to 12:45 a.m.

**How can I get involved with the auction?** We encourage everyone to donate to the auction. And you can donate pretty much anything. Examples of items include your own artistic creations, autographed books, or a homemade meal during exam time. Examples of donated services range from babysitting and dog-walking to singing happy birthday to someone or even providing a journal cite check. There are some items and services that are consistent year-to-year, but there are always creative students who come up with unique ways to participate and support PILA. The possibilities are endless. Contracts for donations are available on the bulletin board by the PILA office SL158d and by PILA's organization board in Hunton & Williams Hall. SBA sent out a copy of the donation contract attached in a school-

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failure to report on stories that have been hiding in plain sight for decades (like sexual harassment at the hands of public figures and the opioid epidemic).

Paige Lavender, Senior Politics Editor and Assignment Editor at *Huffington Post*, focused on the problem of perception. “People have different understandings of what truth is,” said Lavender. “You can’t just say ‘Trump tweeted this’ without immediately getting pushback.”

Lavender gave the example of the announcement by President Trump that transgender service members are no longer welcome to join the military. Soon after, CNN reported that Trump did not speak to the Joint Chiefs of Staff before issuing the ban. “Just repeating those facts directly puts into people’s minds a bias.”

“Even when you are working in facts there will be some interpretation, and that’s something that I think about every day and am mindful of in my reporting.”

Peter Hasson, an associate editor at *The Daily Caller*, suggested that the most serious problem facing journalists now is the lack of trust, which he says underscores the importance to have honest journalism in all arenas.

“It’s not entirely surprising that as people segregate themselves politically, they are doing it in how they con-

sume their news as well.” Hasson elaborated, “There are going to be people who don’t trust the *Washington Post*, even though it produces great journalism, and will turn to sources like Alex Jones or *Breitbart*, and that’s not good for anyone.” He ended with the point that

erated by former *Time* reporter and 2017 UVa Law graduate Adam Sorenson, the discussion centered on the empirics of studying the media.

Barthel shared facts discerned from Pew’s polling during the election. “There’s a fifty-seven point gap in

sume media is dramatically changing; Barthel reported that the web is closing in on television as a source for news (going from a nineteen-point gap in 2016 to a seven-point gap in 2017). Two-thirds of US adults get news from social media.

Dr. Clark’s research focus-



From left to right, Professor Deborah Hellman and Robert Blau, Managing Editor at Bloomberg News speak at CLG Symposium. Photo courtesy of Eric Hall.

it is the responsibility of right and left leaning publications to report the facts, regardless of what their audience wants to hear.

Michael Barthel, of Pew Research, and Dr. Meredith Clark, a UVa Media Studies professor, participated in the second panel called “State of the Media.” Mod-

approval ratings of the media between Democrats and Republicans, the largest gap we have seen since we began tracking in 1995.”

Fox News was the main campaign news source for Trump voters, while no single source was as pronounced for Clinton voters.

The way Americans con-

es on the intersection of race, media, and power. “Four out of ten black people say the news they consume does not accurately reflect their community” says Clark. “The people I interview say they don’t see their communities covered in the legacy media, so they don’t look to those outlets anymore.”

The ideological rift grows because the default news source for many Americans is social media: “Filter bubbles and algorithms mean that we can have two distinct experiences,” making it difficult to parse fact from opinion.

The solution? Clark says, “Reach out and build trust in those communities by covering them.”

When addressing the elephant in the room, Sorenson asked, “Even when confronted with facts that may counter what they believe, some people hold to their beliefs even more strongly. What do we do?”

A difficult question, to which Barthel replied, “Now we have access to more facts than ever before, maybe we just like to watch them wiz by?” He ended by recounting a quotation written on the wall at Pew, “Give the people the facts and let them decide.”

The event concluded in an exercise and discussion called the “Bubble Challenge.” The exercise involved reading a series of articles by different publications about Army Sgt. Bowe Bergdahl, and ended with a long term charge to “consume media from sources students would not normally read for two weeks in an effort to get out of our bubbles.”

Keisha James ’18, who attended the event and participated in the exercise summarized it like this: “One

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ming that supports marginalized students and to creating an environment in which all students feel comfortable and empowered at UVa Law. The SBA would also like to encourage all members of our community to step up and combat prejudice and bias at the law school and beyond. The SBA plans to organize meetings with student representatives from all organizations during the spring semester to promote a better environment for diverse students within UVa Law. Again, these initiatives are just starting points in improving our campus community so that all students, not just those who are from non-marginalized communities, are placed in the best position to succeed at UVa Law. We encourage students to offer feedback and suggestions regarding how SBA can further promote inclusion at our school.

Please let us know if you have any questions or concerns about our future initiatives through our suggestion box, or email sbasecretary@virginia.edu or sbapresident@virginia.edu. Thank you!

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tmn2aa@virginia.edu



**HOT BENCH**



Hannah Fraher '19

**1. Have you ever had a nickname? What?**

Hannah Banana, and unfortunately, Hannah Montana.

**2. What is your favorite word?**

Sad! (used facetiously and sarcastically)

**3. Where did you grow up?**

Tampa, Florida. The best (and craziest) state in the Union.

**4. What’s the best meal you’ve ever had?**

My favorite meal of all time consists of fried chicken, baked beans, corn on the cob, biscuits, and potato salad.

**5. If you could meet one celebrity, who would it be and why?**

Condoleezza Rice. She is my idol in so many ways and I would be honored to even just shake her hand.

**6. If you owned a sports team, what/who would be the mascot?**

My cat Al, because he is the best (and cutest) thing on this earth. You can follow him on Instagram at Manx\_the\_Cat.

**7. If you had to pick one song to play non-stop in the background of your life, what would it be?**

Taylor Swift’s “Shake it Off.”

**8. If you were a superhero, what would your superpower be?**

The ability to stop time when I sleep so I don’t end up wasting my whole afternoon with my four-hour ~naps~.

**9. What’s something you wish you’d known about law school before coming to UVA?**

How important softball is. I could have stocked up on cute knee-high socks before getting here.

**10. What did you have for breakfast this morning?**

I’m addicted to Special K Red Berries cereal. I have a bowl every morning for breakfast, and sometimes a second one for dinner.

**11. What’s your most interesting two-truths-and-a-lie? (And what’s the lie?)**

I had purple hair. I’ve run a 5k.

I once got locked in a porta-potty.

Lie: I’ve run a 5k. I don’t run. At all.

**12. If you could live anywhere, where would it be?**

If Florida had everything I want and need in life I would happily spend my entire life there, but unfortunately it does not. I plan to live in D.C. after law school, which will be a great adventure.

**13. What’s the best (or worst!) PG-rated pick-up line you’ve ever heard?**

The best pickup line is classic and simple—“Can I buy you a drink?”

**14. What’s the best gift you’ve ever received?**

I can’t think of just one, because it’s the little things that people do for no special reason that are the greatest gifts.

**15. If the Law School had yearbook awards, what would you want to win?**

Most likely to be that annoying person who posts too much in the class Facebook group.

**16. If you could know one thing about your future, what would it be?**

What job I will have this summer. While the nOGI life was fun, it is a bit stressful not to have even applied for a position yet.

**17. Backstreet Boys or \*NSYNC?**

It’s tearing up my heart that I have to pick just one! I almost cried when \*NSYNC reunited and performed at the VMAs so I guess I’ll have to betray half of my heart and pick them.

**18. What’s the longest you’ve gone without sleep and why?**

I once went on a three-day no-sleep bender which was fueled by copious amounts of coffee and the unfortunate pressure of having to write an entire research paper right before it was due. \*Note to my law school professors: I swear this wasn’t for any of your classes.\*

**19. What’s your favorite thing to do in Charlottesville?**

I have gone to twenty-two of the thirty-three wineries on the Monticello Wine Trail in the fourteen months I’ve lived here. I think that speaks for itself. #3oin3

**20. If you could make one law that everyone had to follow, what would it be?**

I’m a fan of less regulation in general, so instead of making a new law, I would require that everyone has to follow the current law that the left lane of a highway is for passing, not traveling, and would impose steep fines for people who don’t follow it.

# LAW WEEKLY FEATURE: Court of Petty Appeals

The Court of Petty Appeals is the highest appellate jurisdiction court at UVa Law. The Court has the power to review any and all decisions, conflicts, and disputes that arise involving, either directly, indirectly, or tangentially, the Law School or its students. The Court is comprised of four associate justices and one Chief Justice. Opinions shall be released periodically and only in the official court reporter: the Virginia Law Weekly. Please email a brief summary of any and all conflicts to [jmg3db@virginia.edu](mailto:jmg3db@virginia.edu).

## UVa Law Students v. Anonymous Inconsiderate Parker, 697 U.Va. 150 (2017)

HOPKIN, J. announced the opinion of a unanimous Court.

Today's opinion considers appropriate remedies against a certain, anonymous<sup>1</sup> D3 parker (hereinafter referred to as "Inconsiderate") who insists on double parking every day. Adhering to the Goluboff Suggestion, the Court notes it has jurisdiction because the plaintiffs and defendant are law students, and the area is adjacent to the Law School. As much as the Court would like to see criminal charges brought against this delinquent,<sup>2</sup> the case before us is a civil suit arising out of the tort of intentional irritation. While this tort is related to the intentional infliction of emotional distress (IIED), it does not involve a horse or a "weak female fainting," making IIED unavailable for plaintiffs.<sup>3</sup> Instead, the tort at issue here is intentional irritation, which is whatever 1Ls put in their generic torts outline plus an element of douchebaggery, which this Court has frequently recog-

nized. See *Student Body of UVa v. Thimpson Sacher*, 697 U.Va. 100 (2017). The trial court was correct in determining that plaintiffs met all the elements for this

that lasted longer than the Court is proud to admit, I determined that Inconsiderate is not, in fact, chronically late but rather saunters in after purposefully parking his

people to confront this hooligan. Unfortunately, all the students approached "had a lot of work to do" and were "really worried about the Court's fixation on this is-

dismissed the damages portion of the case because it "isn't that scared" of Justice Hopkin and, apparently, doesn't take bribes.<sup>7</sup> The Court of Petty Appeals granted certiorari to remedy this decision. It would have been a summary reversal,<sup>8</sup> but the Court decided to take this chance to fully shame both the trial court and Inconsiderate per Professor Joseph Fore's *Treatise on Legal Methods and Rules* (publication forthcoming). ("#Appel-latetwitter").

The Court has considered appropriate remedies for a similar issue in *Ingles, et al. v. Parkers of Arlington Blvd. and City of Charlottesville*, 251 U.Va. 900 (2017). (Plaintiffs "may bring a suit in our lower courts for money damages and injunctive relief . . . Learn to park.") Therefore, damages are available. This Court, unwilling to trust the traitors in the lower courts, will determine the appropriate amount of damages without remanding. Since the defendant has continually used two parking spaces under the auspices of one parking pass, special compensatory damages are assessed at \$576 (the price of an additional D3



Dumbass parks his priceless Honda Accord to protect its resale value  
Photo courtesy of Kim Hopkin

1 Because I don't actually know his name. Since no one argued the appropriateness of public shaming, the Court saves that question for another day.

2 I had Professor Bonnie for Crim, so I'm not clear on how the Model Penal Code factors into this, but I do know that Inconsiderate is insane. #FreeJoy-Baker

3 See *Abraham v. Hopkin Torts Final Exam*, and companion case *Abraham v. Hopkin Torts II Final Exam* ("My understanding of why she signed up for another semester is on par with her understanding of basic torts concepts.").

cause of action, but erred in dismissing plaintiffs' right to damages when enjoining future use of the D3 lot by the defendant.

The central facts are not in dispute; indeed the Court's honorable Justices have been complaining about this on their GroupMe for weeks.<sup>4</sup> Inconsiderate consistently parks his silver Honda Accord for his morning classes on the north side of the parking lot with his rear passenger-side tire over the line.<sup>5</sup> After conducting a stakeout

4 Mostly Justice Hopkin, but other Justices have responded with variations of "ruff stuff" and "Kim, really, you need to find a hobby."

5 Like, wayyyy over the line.

car in such a way. In the absence of an adequate excuse, Inconsiderate had a duty to park correctly and breached that duty with his douchebaggery, directly causing irritation of other students and damaging them by reserving a parking spot solely for one of his tires. Furthermore, the pompous disregard shown by defendant when he chose a spot close to the front of the parking lot means the trial court did not abuse its discretion by finding the defendant liable of douchebaggery and at fault by clear and convincing evidence.

However, in the interest of fairness, a review of the procedural posture is warranted. Upon witnessing the intentional irritation tort, the Court considered all options and chose to rally the

sue." So Justice Hopkin, in her individual capacity as a 2L, decided the best option was to commence a class action suit.<sup>6</sup> The trial court, while certainly sympathetic,

6 You would be surprised how easy it is to have students sign things in exchange for free food. Actually, you probably aren't. We've seen liberals at Fed Soc events just for the Chick-fil-A.

7 Justice Hopkin will be bringing this up in her PR class next semester for vindication.

8 Because Professor Jeffries insists those are the most insulting

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## Faculty Quotes

**K. Kordana:** "...and they were not P.C. weirdos. People still smoked."

**G. Rutherglen:** "Trumped—pardon my language, I hate using that word, but trumped"


**J.G. Hylton:** My first exposure to the law was in the third grade when my friend Wayne Morris traded his watch for a cookie. It was a very large cookie.

**J. Mahoney:** "Educational institutions can get 501(c)(3) status, but what about training schools for strippers?"

**K. Ferzan:** "She better not meet me in the parking lot!"

**K. Abraham:** "I'm naturally aggressive, anyway, as you know."

Heard a good professor quote?  
Email [editor@lawweekly.org](mailto:editor@lawweekly.org)!



## Virginia Law Weekly

### COLOPHON

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# The Art of the Swipe

Fall means Pumpkin Spice Lattes, cozy sweaters, football, and cuffing season—yes, the

Kim Hopkin '19  
(she/her/hers)  
Columns Editor



inevitable search for a relationship before the cold weather and love-life inquiries at family gatherings. But between lengthy reading assignments and softball games, we're all strapped for time. It only makes sense that we, therefore, search for the most efficient methods to complete all tasks—even dating.<sup>1</sup> These days, there are too many dating apps and websites to count, but my favorite for speed and overall results is the original—Tinder. Not the world's best Cinderella/Tinderella? No worries, I've got your back.<sup>2</sup> Success on Tinder can mean happiness for a moment or a lifetime; you just need to decide what you want from the app and follow simple instructions. Please note that the following advice is not all-inclusive, nor is it black letter law.

### You want to find a friend with benefits:

First of all, congratulations on recognizing that you shouldn't subject anyone else to the mess that is you. Or, for

1 Or desperate attempts to date.

2 One-on-one app tutoring costs one free library coffee. What can I say? I love love!

## COPA

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parking pass).<sup>9</sup> Additionally, plaintiffs have asked for \$576 in pain and suffering damages as they feel a parking spot has been stolen from them. The Court is giving plaintiffs the full amount because the Court feels it is fair.<sup>10</sup>

Furthermore, the element of *douchebaggery* lends the case to punitive damages. This is allowed under *Davies v. Wednesday Keg*,<sup>12</sup> U.Va.

deciding on what you deem a more enlightened, less monogamous lifestyle. Congrats either way because, if you follow the guidelines, you're about to have a lot of fun.

First rule of using Tinder for its intended purpose: know your angles. You want to post photos of yourself that showcase your best physical assets. This is priority numero uno. If you secretly hit the gym every morning and have an eight-pack, this is not the time to hold back. Ladies, channel Kim K., use your fridge lighting if necessary, and put your best out there.<sup>3</sup> You don't need to be the hottest person on the app—you just need to be the hottest one who responds above a monosyllabic level.

If you don't want to leave anything to chance, I would suggest adding a quote in the About Me section. Preferably something you would feel comfortable yelling out loud at a party. Also, if you don't want to waste your time declining coffee dates, then I strongly suggest stating your intentions upfront in this section.<sup>4</sup> Have fun, and swipe away, my darling!

### You want to find a relationship:

3 Well, not everything. Save SOMETHING for the imagination because you are literally posting these photos on the internet.

4 #HereForAGoodTimeNotALongTime works really well for my friends.

times the amount of compensatory damages violates the Constitution, plaintiffs request \$11,520. *See State Farm Mut. Auto. Ins. Co. v. Campbell*, 538 U.S. 408 (2003) (“[F]ew awards exceeding a single-digit ratio between punitive and compensatory damages . . . will satisfy due process”). However, the Supreme Court's perception of fairness and equity does not bind us. We have the inherent authority to decide for ourselves what

Well, congratulations on having your life together enough to consider a relationship. Or maybe your life isn't together at all, but you recognize that everyone needs love. Either way, you've signed up for the road less traveled on Tinder—the search for committed monogamy.

Your photos should display your personality and be properly clothed. While one or two group photos can be included,<sup>5</sup> we should still be able to pick you out easily. Otherwise, we think you are trying to convince us that you're actually your cute friend—and relationships shouldn't start with lies. When I swipe, I look at the About Me section for a few hints about your personality. Be aware that you are actively talking to people you are interested in with this section! A quick statement like, “If you want to know about me, ask!” can be a turn-off.<sup>6</sup>

Including your Instagram can add some legitimacy to your profile as long as you've maintained a decently curated aesthetic.<sup>7</sup> When you swipe,

5 “Having friends means I won't have to entertain you seven nights a week!”

6 “Why did I spend the half a second to click on your picture and read it? This guy is already wasting my time” – LEFT SWIPE.

7 If it's all just bro memes, I'd suggest deleting the entire account, but at the very least don't attach it to your dating

facially discriminatory towards financially responsible law students who choose to save money by schlepping a half mile, it would have a disparate impact by forcing only Blue lot parkers to endure his tortious behavior. We, therefore, enjoin Inconsiderate from parking in both the D3 and Blue lots. Inconsiderate has other options, including parking on Arlington Boulevard or Millmont Street taking other forms of transportation,<sup>11</sup> or never

resist the urge to swipe right on people who've set up profiles described in the first section. This isn't because they're bad people; it's because you'd be wasting your time convincing someone that they want a relationship when they don't. I have faith that you'll find someone who WANTS to be in a relationship—WITH YOU.

Unlike those who search for “friends,” your work is just beginning when you get a match. Through possibly the least scientific survey conducted, I've concluded that relationships start best when the man is the first to engage in a conversation.<sup>8</sup> So, men, think of an opener that will evoke a positive response. While overbearing compliments are creepy, a sincere compliment that doesn't use the words “cutie” or “lil mama” can be effective. The .gif function can also help show your sense of humor when used within reason.<sup>9</sup> I recommend setting up a date within two days to ensure that you won't have to hire Nev to get to the profile.

8 All of my gay friends are already in perfect relationships that didn't use Tinder, so I'm afraid I don't know the etiquette required.

9 My ex-boyfriend sent me 10 .gifs in a row that formed a story and a Tupac quote – I mostly responded to get him to stop. So, if she's the one you want, a creative – you may get lucky.

restraint. Passion is not to be minimized as a source of judicial purpose, and certainly there is nothing that rouses the passions of competent motorists more than the errant parker. It is hard to describe the outright disregard for parallel lines that Inconsiderate has perpetrated, not to mention the subsequent inability of anyone to park alongside, or for that matter, down the continuing column of spaces. Such wanton recklessness<sup>12</sup> of the repeated acts of crooked parking cannot be tolerated by this Court.

Though I agree with the court that the punishment fits the tort, Inconsiderate should thank his lucky stars to only be facing a fine of \$15,000 and a parking lot ban. Had Justice Hopkin or I caught him in the act, he would be followed continuously by two bell-ringing banshees yelling “Shame!” Plus the other stuff.

GOLDMAN, C.J. concurs.

Honestly, if we didn't let Justice Hopkin write this “unanimous” opinion, she would have quit the paper, and then we wouldn't have anyone in charge of getting us pizza for our Monday editing meetings.<sup>13</sup> Choices were made.

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12 There can't possibly be a soul stupid enough to park so badly with negligence alone.

13 Which happen every Monday at 6 PM in SL279!

bottom of why it's been five years and you still haven't met your fiancé. Congrats! You already seem so happy it makes me want to puke.

### You want to find your future spouse – right. now.

Exit Tinder. Click and hold the app until all the apps start to wiggle. Click the small x in the upper left corner. Your chances of happiness have just doubled, if not tripled.

But don't worry, I won't leave you hanging. Relocate to a public area, and engage in an activity that interests you.<sup>10</sup> When you find someone who strikes your fancy, and it's appropriate,<sup>11</sup> start a low-threat conversation. Asking someone about their opinion on a topic can garner real dialogue that makes the other person feel like you're interested without being creepy. This is an iterative process, and you won't find your spouse right away. But when you do, you'll be a lot happier and won't have to brainstorm lies about how you met to tell your parents—win! I'll see you at your wedding!<sup>12</sup>

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10 Drinking counts.

11 If you find yourself yelling from a sidewalk at a stranger—stop. Not appropriate. In fact, if you have to ask, “Is this appropriate?” Spoiler alert: it's not.

12 But only if it's an open bar. Otherwise, I'm not wasting my time.

## COUNCIL

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wide email announcement last week. And PILA volunteers will be tabling in Hunton & Williams this whole week with contracts for donations. The deadline for receiving donations to the PILA Auction is this Friday, October 27.

**How can I get involved with the PILA Auction leadership next year?** Running the annual auction event is a lot of fun. From getting to work with great people on the auction team to seeing all of the donated items arrive in the PILA office, being involved with the auction is a unique and personally rewarding experience. If you have any interest in organization or event logistics, I highly recommend applying to be on the auction team next year when the PILA board applications are open. There is no requirement that you have to be a PILA grantee. We only ask that you bring a passion for the work of PILA to ensure that our track record of success continues to change the lives of public interest law students and the greater community they serve.

**How can I ask more questions?** Please reach out to me (Jason Boyle) at [jmb3ck@virginia.edu](mailto:jmb3ck@virginia.edu) with any questions or concerns.

We would love to see you at the PILA Auction on November 4 and thank you for supporting PILA and the vital work of our public servants!

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“Learn to park.”

– J. Hopkin

781 (2015) (“It doesn't get much more petty than being punitive”) and *Smith v. Wade*, 461 U.S. 30 (1983) (Reckless indifference can support a finding of punitive damages without proof of malicious intent). Since the Supreme Court has determined that entering punitive damages higher than ten

9 University of Virginia Parking and Transportation, *Parking and Transportation Service Rates: 2017/2018 Service Rates*, <http://www.virginia.edu/parking/information/rates.html#permits>.

10 I think this is allowed. And if it's not, it should be.

is punitive and what is fair. Therefore, we approve punitive damages in the amount of \$15,000. The Court takes this chance to restate one of its cardinal and timeless principles: Learn to park.

With regard to the prospective relief granted by the trial court, the Court thinks a mere award of damages doesn't go far enough. This Court is charged with protecting law students from the continuation of tortious behavior, and we don't take that responsibility lightly. The Court determined that enjoining D3 lot parking while leaving Blue lot parking available to the defendant would only protect a subclass of law students. Though not

traveling again.

As for Inconsiderate's claim that Justice Hopkin should recuse herself from this case due to her passionate involvement, the Court refers to Rule of Petty Procedure 1: “We do what we want.”

MANN, J. concurring.

While Justice Hopkin nobly takes on the burden of being regarded as histrionic in her opinion, I fully share her outrage and applaud her

11 This Court WILL protect bicycling commuter students if he chains his bike incorrectly. Just let CoPA know at [editor@lawweekly.org](mailto:editor@lawweekly.org).

**COUNCIL**  
continued from page 2

department and the unequal protection of “free speech.” The frustration was best en-

not be able to encompass the lived experiences people at the meeting voiced.”

Mayor Signer weighed in, “These [events] are not free speech, this is now conduct that is meant to hurt, intimidate, frighten, threaten and make people feel unwelcome here.”

The meeting ended with Bellamy introducing a request from the Police Citizen’s Advisory Panel to amend its bylaws to have more authority in the panel’s responses. The council voted unanimously to authorize the panel to either amend its bylaws or to create a citizen review board in place of the panel to advise the Charlottesville Police Department.

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Charlottesville citizens listen to public comments  
Photo courtesy of Jenna Goldman

that did work for local governments and followed the protests closely.

“I think I knew St. Louis better and felt more integrated into the community,” said Legault, contrasting her experience in Charlottesville: “I’ve been disconnected from the extent of the tension in some parts of the city.”

“Watching the public hearing, I felt like the city council had a hopeless job when it came to responding to the citizens’ concerns.” She said from a budding lawyer’s perspective, “There is no way to make the First Amendment seem relevant to people who feel truly threatened.”

One by one, audience members spoke about their frustration with the police

capsulated by a comment made by one black Charlottesville resident, who motioned to his body as he said, “If I was carrying a tiki-torch, I would not have been free to go like the KKK were.”

Alli Herzog ’18 agreed. “I definitely sympathize with the frustration expressed at the meeting, that police appeared to treat the Nazis with a lot of respect and carefulness.” As for the intersection of their legal studies and the public comments before city council, “There is a communication barrier because of the legal aspects, which seems to increase frustration.”

Legault expanded, “Discussions about the First Amendment and the law may just

**CLG**  
continued from page 3

one of the main challenges is getting more voices in the room, and making sure these dialogues are inclusive.”

If you missed the event but want to watch the first panel, it will be posted on the UVa homepage in the coming days.

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of the main takeaways—for me—from the last presentation was that we should continue engaging in these conversations even if we don’t think we’ll be able to persuade someone else of our view.”

As for the challenge, “There are some ‘sources’ that I view as being abhorrent and will never view or read, but I do think I’ll consider looking at more conservative news sources as part of the challenge.”

James said she particularly enjoyed learning more about Dr. Clark’s research on media coverage of communities of color. “I think



Cartoon By Ali



THE DOCKET

TIME	EVENT	LOCATION	COST	FOOD?
<b>WEDNESDAY – October 25, 2017</b>				
8:00 AM	Defending the Ocean	Charles L. Brown Science and Engineering Library in Clark Hall	Free	No
11:30 AM	Mr. Madison Goes to Washington: Fed Soc Alums in the Corridors of Power	WB 128	Free	Yes
<b>THURSDAY – October 26, 2017</b>				
11:30 AM	JDs in the Entrepreneurial Ecosystem	Purcell	Free	Yes
11:00 AM	Winter Pro Bono Orientation Session	WB 154	Free	No
1:00 PM	J.B. Moore Course Panel Event	WB 128	Free	Yes
1:15 PM	Forced Marriage, Refugees, & Restraining Orders	Purcell	Free	Yes
5:00 PM	SBA Unity Social	Spies Garden	Free	No.
6:00 PM	How Americans Remembered the Civil War	Jefferson Scholars Foundation	Free	White people just never learn, do they?
7:30 PM	West Coast Wahoos Fall Social	Kardinal Hall	Free	Snacks for free, beer for purchase
8:00 PM	Health Law & Business Mixer: Doctor/Patient Costume Party	Pavilion Clubhouse	Free	Yes
<b>FRIDAY – October 27, 2017</b>				
12:00 PM	Title IX and Anti-Harassment Presentation	WB 101	Free	Yes, but RSVP
<b>SATURDAY – October 28, 2017</b>				
10:30 AM	Voter Protection Training	WB 278	Free	No
12:00 PM	Haunted Open House	Jefferson School City Center	Free	No
<b>SUNDAY – October 29, 2017</b>				
2:00 PM	Hocus Pocus	The Paramount Theater	\$5	For purchase
4:00 PM	Free Speech, Hate Speech, and Equality	Congregation Beth Israel	Free	No
<b>MONDAY – October 30, 2017</b>				
11:30 AM	Landing Judicial Internship	WB 152	Free	No
5:00 PM	Beyond Bending: Learning from the Master Builders	Campbell 153: School of Architecture	Free	No
5:30 PM	Halloween Carnival	Spies Garden	Free	Yes
<b>TUESDAY – October 31, 2017</b>				
4:30 PM	Alternative Spring Break Information Session	WB 126	Free	No.

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