



## It's Better When She's Here: An Interview with Dean Davies

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August 26, 2017 was a picturesque summer day. Dean Sarah Davies was out for a ride with friends, trotting with her horse, Claudia. A barn and rolling hills served as the backdrop for a routine, leisurely ride before the bustle of the fall semester began.

Davies, who started riding at the age of nine, is an accomplished equestrian. Beginning when she her horse a year and a half ago, she rode four to five times per week. Earlier this summer, Davies and Claudia took home two blue ribbons in shows, and two days before the accident she signed up for another competition in cross-country jumping.

"She is part draft horse so she looks big and stocky, but she is so light on her feet," said Davies.

The horses were grazing in a field adjacent to the dressage and jumping arenas when Davies signaled for her horse to lift her head up from the grass. Then, out of nowhere, her normally docile horse took off at a bucking gallop. Claudia took the bit in her teeth so Davies had no control to stop her from tearing across the field and leaping the barrier around the dressage ring as she galloped towards the nearby barn.

Luckily, Davies's years of training took over. She stood up in the stirrups and leaned over her horse like a jockey, desperate to remain on the animal.

"I remember thinking, if I let go, I will fall and I will die."

As the horse ran full speed toward the barn, Claudia suddenly made a sharp left, and the saddle slipped to the right, causing Davies to fall to the ground.

"I don't remember falling," Davies said. "My friends followed behind me, one of them called 911 while chasing me at a full gallop." Davies was unconscious for two to three minutes before coming to.

She spent the next week in intensive care with a broken clavicle, scapula, seven broken ribs on her right side and a broken tibia plateau (her knee) on her left side. In all, she broke ten bones and sustained a concussion and temporary nerve damage to

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# An Auction for Altruism: PILA 2017



The Board of PILA enjoys the fruits of their labors.  
Photo courtesy of Jason Boyle

Gregory Ranzini '18  
(he/him/his)  
News Editor

This year marks my third (and final) opportunity to review the PILA Auction, and, to be completely honest, I'm tired of it—tired of writing about it, of course, but also tired of the auction itself. All indications were that those in attendance this Saturday shared my ennui. It was the usual crowd. Gangly 1Ls wobbled about on the dancefloor and made small-talk with their sections. Jaded 2Ls hovered near the bid sheets, optimizing their strategy. At the appointed time, flush 3Ls took a break from cycling repeatedly through the bar line ("Do you know where the ATM is? I need more cash for the bar—go to the one on that end; she makes them strong as fuck...") to tender outrageous sums for the usual live-auction junkets. The usual polo-shirted rent-a-cops wandered listlessly through the crowd, and the usual modicum of two professors served as auctioneers.

This year's faculty representatives, Professors Jaffe and Geis, decked out in top hats and glowing bow-ties, did their level best to drum up enthusiasm for last year's auction items, with mixed success: dessert with outgoing President Sullivan and Professor Laycock seems to have lost much of its shine, but Pokémon Go with Professors Schwartzman and Kendrick has held its value far better than the fad cellphone game itself. For all that the evening went according to plan, how-

ever, there was an edge of desperation in Professor Geis's voice as he hawked a week-long beach-house rental with "An! Out! Door! Shower!" and came to realize just how few people were listening, even among those who could hear over the din.

There were a few differences from last year, of course. The Omni replaced its square flatbread pizzas with triangular flatbread pizzas. (The recipe, unfortunately, was unchanged, as was the management's puzzling belief that garage-door floodlights adequately substitute for heat lamps. Also: who puts out chicken satay without satay sauce? Barbarians, that's who.) Notwithstanding worries in the weeks leading up to this year's auction that there would not be sufficient items to hold a full silent auction, the tables were packed. But it was absolutely the case that there were more duplicate items in the silent auction this year, and less variety generally—although there was a tremendous variety of Robert F. Kennedy-themed tchotchkes, for whatever reason. Faced with a bank of one-topping pizza vouchers and a heavily-marked down Derriere de Soie fitting party, priced to move because it didn't sell last year, a (male) 3L commented to me, "I don't need another incentive to eat pizza, but I'd buy that lingerie shit, fuck." Two very tiny garden gnomes seemed almost to accuse the indifferent masses who passed by their bid sheets without a second look.

To be clear—there was

nothing particularly wrong with this year's event. But there wasn't anything particularly memorable about it, either. I was probably not the only who entertained a vague fantasy throughout that perhaps it was still November 12, 2016—that I had forgotten something in the coat-check and returned to the venue to find the bid-sheets erased, the chafing dishes refilled, and the dried-up ballpoint pens replaced with other, equally dried-up ballpoint pens. I expect that next year will probably see a return to the same venue with a few incremental changes—a new, equally imperceptible theme, at the very least, and perhaps the return of drinking tickets. It will probably not see the return of 2015's sullen, Kraftwerk-cosplaying DJ, beer-slicked and perilously canted floor, or mildly inebriated Uber drivers—and that's probably an improvement. See Gregory Ranzini, Sold: PILA Auction a Success, Raises Money for a Good Cause, Virginia Law Weekly, Nov. 4, 2015, at 2 ("Conscientious to a T, she had us confirm that our chosen drop-off point, the bus stop at the foot of the law school law, was 'a safe spot to walk from,' because 'you don't look like fighters.'"). But there's still probably some room to innovate, at least so long as we don't return to the Jefferson Theater. Wherever the auction is, however, the Law Weekly will be there with the story next year.

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## around north grounds



A N G can't believe ANG's saying this, but two thumbs up to SBA President Steven Glendon. Glendon finally made good on his pledge to supply the Law School with Duck Donuts, and saved a special one for ANG to boot! Out of gratitude for this sugary emolument, ANG is shredding the forthcoming Law Weekly investigation into Glendon's corrupt finances and electoral collusion with Darden.



In light of the Saudi Royal purge, ANG would like to announce that, as part of ANG's corruption probe, Editor-in-Chief Jenna Goldman and Managing Editor Eric Hall have been removed from power and are currently confined in the Omni Hotel. ANG has no further comment at this time.



Thumbs up to the UVa football team for earning bowl eligibility this weekend. ANG is sorry ANG missed it; ANG was making another valiant stab at the MPRE. Eighth time's the charm!



Thumbs sideways to the end of Daylight Savings. Maybe that jerk of a bartender at Virg will stop giving ANG shit for it being "a little early for shots."



Thumbs up to Shalane Flanagan becoming the first woman to win the NYC Marathon since 1977. ANG was going to run, but still isn't clear on how many trips to MyLab make a marathon. Is it 5K? How many Ks is it? Do they have donuts?



Thumbs down to PILA being over. ANG realizes that time to buy those fall semester textbooks is quickly dwindling.



Thumbs up to Professor Garrett's chair lecture on Friday. ANG previewed it last week, and don't worry, after revisions, it is fewer than 100,000 slides!



Thumbs down to President Trump and Japanese Prime Minister Shinzo Abe. ANG has long admired the koi fish of Japan's imperial palace; Trump and Abe's reckless overfeeding of these majestic aquatic beasts threatens to set back years of Japanese imperial fish management. ANG hopes that His Imperial Majesty Emperor Akihito will step in and right this wrong.

## LAW WEEKLY FEATURE: SPOTLIGHT

The Law Weekly reached out to affinity group leaders to write for us in a feature we are calling "Spotlight." Our goal is to give leaders a regular platform to start conversations about issues they are facing, to reflect on the events of August 11th and 12th, and to educate the UVa Law community about their diverse experiences so that we can become better allies to our fellow classmates.

If you or your organization would like to be featured, please reach out to us at [editor@lawweekly.org](mailto:editor@lawweekly.org).

In the Trump Era, the news happens so quickly that it can be easy to lose

Minority Rights Coalition

sight of what really matters. Consider, for instance, what has occupied our attention since Hurricane Maria made landfall in the Caribbean little more than a month ago.

President Trump criticized NFL players protesting police brutality by calling them SOB's; LeBron James responded by calling him a bum. Trump threatened to destroy North Korea. The Secretary of Health and Human Services, Tom Price, resigned in disgrace due to his abuse of taxpayer funds. The president openly feuded on Twitter with the Mayor of San Juan. The Las Vegas shooting happened. President Trump announced plans to de-certify the Iran Deal, gut the Clean Power Plan, and squash the birth control mandate. Senator Bob Corker called the White House an adult daycare, prompting angry tweets from the president. The White House announced it would not fund essential insurance subsidies, seriously damaging Obamacare. The President and his staff embroiled themselves in a week-long controversy over the death

of an American soldier in Niger. Senator Corker and President Trump continued their feud. UVa Law Alum Robert Mueller readied his first indictments.<sup>1</sup>

Take a deep breath. Reading that list can be over-

whelming. It's hard to know what to focus on and what to tune out in the bad reality show that is America 2017. The Minority Rights Coalition at UVa Law would like to suggest that you should focus your attention, your

Hurricane Maria devastated Puerto Rico, causing apocalyptic damage.<sup>2</sup> More than a month later, the island remains in rough shape. Seventy-five percent of Puerto Rico lacks reliable electricity and access to clean water

looks to be patchy, at best.<sup>3</sup> FEMA had to continue delivering food and running water four weeks after the hurricane, a first in the agency's history.<sup>4</sup>

We may never know how many of our fellow Americans died as a result of this storm because the overwhelmed Puerto Rican government has allowed funeral directors to burn bodies without counting them in the death toll.<sup>5</sup> As a result, many observers are concerned that the death toll could be far higher than reported.<sup>6</sup> In raw numbers, the



Puerto Rican resident wades through flooded street after Hurricane Maria

Photo courtesy of Hector Retamal/AFP/Getty Images

<sup>1</sup> This timeline constructed from my own memory and this helpful piece from AOL: <https://www.aol.com/news/trump-timeline/>.

energy, and your outrage not on the president's latest tweet or embarrassing blunder, but on the ongoing humanitarian crisis in Puerto Rico.

<sup>2</sup> <http://www.cnn.com/2017/09/25/us/hurricane-maria-puerto-rico/index.html>

<sup>3</sup> <https://www.vox.com/policy-and-politics/2017/10/25/16504870/puerto-rico-running-water>

<sup>4</sup> Citing a tweet from <https://twitter.com/David-Begnaud> in <https://www.vox.com/policy-and-politics/2017/10/25/16504870/puerto-rico-running-water>

<sup>5</sup> [https://www.buzzfeed.com/nidhiprakash/puerto-rico-cremations?utm\\_term=.dlAo0yB1nN#.xkVGypO5M8](https://www.buzzfeed.com/nidhiprakash/puerto-rico-cremations?utm_term=.dlAo0yB1nN#.xkVGypO5M8)

<sup>6</sup> [https://www.buzzfeed.com/nidhiprakash/puerto-rico-natural-causes?utm\\_term=.owqBabJK16#.aoEKNzdw7y](https://www.buzzfeed.com/nidhiprakash/puerto-rico-natural-causes?utm_term=.owqBabJK16#.aoEKNzdw7y)

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## Doing the Rounds: Golfing in Charlottesville

At the University of Virginia, we are blessed with the opportunity to enjoy the great outdoors

Taylor Huse '19  
Guest Columnist



in a manner that most at nationally ranked law schools cannot due to our location in Central Virginia. Not only can you hike the Shenandoah or compete on the softball field, you can also get out and enjoy several great golf courses within a short drive of the school. As a lifelong golfer, I played three of these courses and provide my thoughts on them here.

### Birdwood Golf Course

Partially private and home of UVa's golf team, Birdwood is a solid track that will challenge you with elevation changes and several water features. The signature hole is a downhill par three to an island green that is characteristic of the course in that it is both challenging and fair. This is not a long course, especially by modern standards, measuring only 6,316 yards from the men's tees and 5,073 yards from the women's tees. Experienced golfers can also challenge themselves by trying out the back tees which play at 6,907 yards. The design provides a mixture of long and short holes that will force you to hit most of the clubs in your bag with some reachable par fives on the front nine and lengthy par fours on the back nine.

Located only two miles from the Law School and one mile

from Ivy Gardens, Birdwood is a great place to go for a quick nine after classes on a weekday. It's also pretty affordable for the quality of the course. Green fees are \$25 on weekdays and \$40 on weekends. Cart fees are an additional \$12 for 9 holes and \$22 for 18 holes. Birdwood also pro-

vides a student membership option that runs at approximately \$450 a semester and \$1,200 for the year. Here is a link to their website for more information: <https://www.boarsheadresort.com/golf>.



A lonely bridge extends across a hazard at Birdwood Golf Course

Photo courtesy Virginia Golf Vacations

vides a student membership option that runs at approximately \$450 a semester and \$1,200 for the year. Here is a link to their website for more information: <https://www.boarsheadresort.com/golf>.

### Keswick Golf Club – Full Cry Course

In a word, Full Cry is breathtaking. Built in 2014 and rated number three in Golfweek's 2016 list of "Best Courses You Can Play in Virginia," this Pete

ing your 2L summer at a D.C. firm who will invite you to play. Too far from D.C. you say? Don't worry, this place has a helipad for easy transportation (you'll see it on your left when you get through the security gate).

Being exclusive has its perks, mainly that the course is in pristine shape. Bent grass greens roll as true as Augusta National, but good luck hitting them consistently. They are small and surrounded by litters of bunkers, which are a small mercy since

the bluegrass rough around the greens is deep. However, Dye characteristically leaves closely mown bail-out areas on at least one side of the green, so your score will depend on how well you control your misses. The fairways are more forgiving. When I played, I couldn't hit a

driver onto a landing strip, but the rough was manageable—this coming from a guy with a physique more like Jim Furyk than Tiger Woods. If you get to play this course, take time to soak in the natural beauty of the perfectly manicured Virginia landscape, and don't worry about holding anyone up, there will be no one playing behind you. If nothing else, check out the pictures on the website: <https://www.keswick.com/golf-club.htm>.

### Meadowcreek Golf Course

Meadowcreek is the typical municipal golf course with a laid-back atmosphere and easier layout. It's perfect for golfers on a budget or who are new to the game. It's the shortest course in the area, playing at only 6,073 yards from the back tees and 4,595 yards from the women's tees; however, it's only a par seventy with three par fives and five par threes. The layout features mostly tried and true hole designs, but a few holes play awkwardly (especially the first hole), so an experienced golfer might want to steer clear. When I played it in the spring, the bent grass greens were in surprisingly good shape, but the fairways were pretty beat up.

The course is located at Pen Park on the northeast side of town. On weekdays, eighteen holes costs \$24 and nine holes costs \$16. On weekends, eighteen holes will be \$29, and nine holes is \$20. Carts are \$11 for nine holes and \$18 for eighteen holes. Here is the website for more information: <http://www.meadowcreekgolf.org/>.

With so many great course options within a short distance from the school, this is the time to learn how to play golf or sharpen your skills, especially if you're a 2L or 3L.<sup>1</sup> Get out and play; you'll be glad you did.

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<sup>1</sup> However, as a 2L, I dispute the claim that we are supposed to have significant free time. Lies.

# Faculty Lunch: Kristin Glover

Originally from Atlanta, Kristin Glover, a research librarian and Harvard University gradu-

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Features Editor



ate, enrolled at the University of Virginia School of Law after first working in New York City's affordable housing department

Eleanor Schmalzl (she/her/hers) '20  
Staff Editor



and then for a non-profit that specialized in providing services to the city's homeless population. According to Glover, her time at the non-profit and an interest in housing matters inspired her to ultimately attend law school. At the time, she thought she would return to work in either city government or public service, and in fact, Glover joined New York City's Corporation Counsel's Office after graduating.

Glover described her time at the Corporation Counsel's Office as providing her with a great opportunity to see how cases develop firsthand and emphasized the practical differences between reading about court decisions compared to drafting documents and being involved in the discovery process. Glover said that working with highly experienced individuals was beneficial in helping her grow as an attorney.

Although she enjoyed her time at the Corporation Counsel's Office, when presented with the option to return to UVa Law, Glover found it impossible to turn down the offer. Glover said that the prospect of working for UVa Law's library was particularly appealing because she had enjoyed research and writing throughout law school—Legal Research and Writing (LRW) was one of her

the community at-large for creating a collegial workplace. Glover thinks that the positive environment found at UVa Law may be unique to our school and said that it was one of her favorite parts of being a student and now a faculty member at UVa Law. Specifically, she commended UVa Law professors for their intellect, but emphasized that it is their approachability and kindness

new issues as a result. In addition to helping professors researching complicated paper topics, Glover also assists students who are working on notes of their own and members of the public with an interest in researching the law. Glover teaches Advanced Legal Research, which builds on the skills that students are typically first exposed to during LRW. The class uses practical methods to help students become more familiar with databases such as Westlaw and LexisNexis before they head into practice. Glover asks all her students to select an issue in the news that they are interested in and to track related developments throughout the semester. Glover said that one of her favorite parts about teaching is discovering the wide range of interests that her students hold and watching them grow increasingly confident in their research abilities over time.

When asked if she has any advice to share with students, Glover suggested that they should begin thinking early on about the importance of work-life balance. Specifically, she recommended that students should try to develop a commitment to things that they can enjoy outside of work—things that will allow them to clear their heads when they start feeling overwhelmed. As we head into finals season, this advice seems particularly prudent, especially for 1Ls who may already be feeling anxious and worn down from late

nights spent briefing the cases in their Civil Procedure textbooks.

In her spare time, Glover enjoys hiking, yoga, and describes herself as an avid walker. Glover said that one of her favorite parts of living in Charlottesville is being able to walk from the Downtown Mall to the countryside and watching the scenery change along the way. She loves poetry, though denies having a single favorite author. Still, Glover cited Emily Dickinson and Gwendolyn Brooks as being two of her mainstay favorites. When asked what her favorite restaurant is in Charlottesville, Glover enthusiastically responded that Tavola, an Italian restaurant located in the Belmont neighborhood, is a fabulous option and recommended everything on the menu from the bruschetta to the more complex seafood dishes. Finally, Glover recommends taking the time to check out the Virginia Film Festival, which will be held in town November 9–12. Glover indicated that attending the Film Festival is a highlight for her each year and noted that it presents students with a fun opportunity to see select movies before they enter wide release.

We thoroughly enjoyed meeting with Glover and encourage students to stop and say hello when they see her around the library!

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Research Librarian Kristin Glover  
Photo courtesy of University of Virginia School of Law

favorite courses—and while she was in practice.

Returning to UVa Law has been a thoroughly enjoyable experience for Glover, who praises her colleagues and

that makes them a true pleasure to work with.

As a research librarian, Glover works with a wide range of individuals on any given day and encounters an array of

## HOT BENCH



Eli Mekonen '20  
(he/him/his)

### 1. What is your favorite word?

It's a tie between behoove and poltergeist.

### 2. Where did you grow up?

I split my childhood and teenage years between Chicago and the D.C. area. Chicago definitely feels more like "home," though. I go back at least once a year and I hope to start my legal career there.

### 3. What's the best meal you've ever had?

Anything at Sweetwater Tavern in Centreville, VA. The white chocolate bread pudding is so good. Sometimes, I tear up when I eat it.

### 4. If you could meet one celebrity, who would it be and why?

Paul Tudor Jones. He's pretty knowledgeable on the subjects of asset management and poverty alle-

viation—coincidentally two things I would like to learn more about. I could probably gain some invaluable insight hanging around a person like him. Also, I hear he went to a cool undergrad.

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

Gilderoy Lockhart by Ehiorobo.

### 6. If you were a superhero, what would your superpower be?

The ability to never get tired or hungry. Eating and sleeping are massive time sinks. The average person spends over 260,000 hours eating and sleeping. By comparison, it only takes about 2,000 hours of practice to become fluent in another language, and less than 62,000 hours to visit every country in the world.

### 7. What did you have for breakfast this morning?

A banana, croissant, and a cup of coffee. My normal breakfast, plus a banana and a croissant.

### 8. What's your most interesting two-truths-and-a-lie? (And what's the lie?)

I met Jesse Jackson, Chance the Rapper, and Kanye West all in Chicago.

Kanye was the lie. I met Jesse Jackson in a small Chicago airport and went to elementary and middle school with Chance the Rapper.

### 9. What's the best (or worst!) PG-rated pick-up line you've ever heard?

"You dropped something ...." \*Waits for person to look down.\* "My jaw." I've actually used this line with some success but I think the girls who talked to me after just felt bad for me.

### 10. What's the best gift you've ever received?

1 round trip ticket to any city in the continental U.S. after graduating from college (I chose Seattle).

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

Whether I will be a practicing attorney long-term or change careers.

### 12. Backstreet Boys or \*NSYNC?

\*NSYNC, and it isn't really close. No Strings Attached and Celebrity are incredible albums. The Backstreet Boys never matched \*NSYNC's star power or penchant for making outright bangers.

### 13. What's your favorite thing to do in Charlottesville?

Eat apple pie with vanilla ice cream at Carter's Mountain Orchard.

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

Mandatory (and free) courses in civics, consumer economics, and sociology.

## A Letter to the Editor

Dear Virginia Law Weekly, I have LRW in one hour and should be working on my

Jessie Conover '20  
Disgruntled  
Reader



major memo outline, yet I instead take the time to write to you about a petty issue in [last] week's *Virginia Law Weekly*.

I wish to call attention to an inaccuracy in the article titled "Young Children Terrorize North Grounds." The reporter referred to the apples in the Community Fellows' apple bobbing tub as "Honeycrisps," which is worthy of correction for three reasons:

(1) They were not Honeycrisps. They were Empire apples. Honeycrisps are larger, juicier (owing to their larger cells), and ideal for eating raw. Empires are a much more standard, old school "lunch box apple" that is perfectly fine but not great. They are also smaller, on average, than Honeycrisps. This factual inaccuracy alone would be enough to issue a retraction, but I will continue nevertheless.

(2) Do you know how much Honeycrisps cost? We\* appreciate the compliment, but we are not about to spend upwards of \$3 per child for a little fall-themed fun. Even Section G with their full-size candy bar wheel didn't spend

that much.

(3) Honeycrisp apples, while more delicious to eat, are a terrible bobbing apple. Their large size and firm skin make grasping them with one's teeth nearly impossible. Combine that with the small aperture of a child's mouth and the frigid water temperature of the bobbing water and you are practically accusing the Community Fellows of torturing young children. Shame on you.

I read-skim the Virginia Law Weekly at least once a month and I am astounded at the uncharacteristic lack of professionalism on display here. For the love of print media please factcheck your articles, particularly when it's an issue of high import such as a terrorism exposé.

Faithfully yours,  
Jessie

\*This is a rhetorical "we." I have no authority to speak on behalf of the Community Fellows.

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\*\*Editor's note: *The Law Weekly apologizes for the error, we guess, but also applauds this diligent reader for her knowledge of apples and willingness to confront others about apple-based ignorance. The world needs more Jessies.\*\**

LAW WEEKLY FEATURE: Court of Petty Exchequer

The Court of Petty Exchequer is the moste high bench of Her Majesty's Chamber at UVa Law. The Court has the power to effectuate its noble jurisdiction over any conflict, dispute, &c, that arise involving, either directly, indirectly, or tangentially, the Law School or its students. The Court is composed of whichsover barons the House of Lords so chuses. 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).

**Doe v. Gunner**  
2 C.P.B. 786-790; 14 C. P.Ex. 183 (2017).

Reporter: Archibald McVeigh

Case. The declaration stated that the defendant, before and at the time of committing the grievance thereafter mentioned, was seized with contagious disease, of great severity, viz., the Spanish-influenza, and at the time of committing of the said grievance, was, and from thence had been, and still was, a student of the College of Law at the University of Virginia at Charlottesville, yet while he was so afflicted of the same disease, aforesaid, wrongfully and unjustly came into the classroom where was the plaintiff, DOE engaged in his studies and, *vi et armis, &c., &c.*, did there wrongfully and injuriously sneeze, cough, and wipe his nose with paper-handkerchiefs which he strewed about him, without regard for the eyes then upon him in that place, or the silence of the classroom, or the space propriate to DOE the plaintiff, or the gross indecency of his conduct, expelling thereby a great quantity of catarrh, spittle, and other matter, all being *materia morbis*; and producing by his expectorations sights and sounds unseemly and insupportable; during all which time the plaintiff thereby suffered and underwent great pain in the seeing and hearing of it, and was in consequence of these emissions prevented from attending to, or working at the reading of law, and from performing and transacting his other lawful and necessary affairs and business by him to be performed and transacted, and thereby lost great gains which he might and otherwise would, have acquired; to wit, studying for the end-of-term exams and; that the plaintiff, by means of the expulsion

of the matter aforesaid was threatened with the transmission of the Spanish-influenza.

The cause was tried before RANZINI, Ch. J. at the sittings at Albemarle, after St. Chad's Day Term instant. The facts that appeared in evidence were as follow: The defendant, GUNNER, had displayed increasing signs of malaise beginning from the

and sneezed continuously, and filled his pockets with clumps of tissue coated thickly with his own secretions, which, overflowing, piled on the floor by the plaintiff. Red-eyed, shivering, his nostrils raw and philtrum slicked with mucus, the defendant nevertheless continued to appear in classes, racked though he was with grippe.

On behalf of the defendant

he had any alternative, e.g., reading of the Power-Points or class recordings, he was liable.

To this direction the counsel for the defendant again excepted, inasmuch as the classrooms maintained always the circulation of the pure air to forestall the arisal of miasma, there could not be said to be a threat of transmission of the Spanish-influenza, it being

if the Court should be of the opinion that either objection was well founded.

The jury returned a verdict for the plaintiff, damages 69£, 2s., 11d 1/2.

*Davies*, Serjt., in Hilary Term instant, pursuant to the leave reserved to her, obtained a rule nisi to enter a nonsuit, on the grounds urged at the trial. She referred to *Mondegreen v. Portmanteau*, 55 R.P.R. 319, *Quarman v. Burnett Gun-cotton Works*, 55 R.R. 717, (6 M. & W. 499), *Sugden v. O'Geran*, a Lunatic, 1 Jo. & Lat. P.R. 872, *Garwood v. Fooks, Jubber, & Butt* (8 Beav. P. 183) *Ex parte Joliffe*, (8 Beav. 168-176), *Regina v. Approximately 3500 cwt. Afghan Opium*, 1 D.D.F.H. 241 (2 K.M. & El. P. 36); *In re the Junk "Wu-Tang"*, 1 M.C.A. 1992 (2 R.Z.A., G.Z.A., & O.D.B. 36c).

*Davies*, Serjt. in support of her rule: The defendant was under a supervening requirement to attend class under any circumstances, the effect in law of which was, that he must, unless absolutely confined to bed, attend his lectures. And so I rest.

*Jani*, Serjt. in support of his rule: The defendant was in a condition so offensive as to manifestly exceed the bounds of decency, besides the obvious hazard to others of his vile state; and it is a venerable maxim of the law, that he who comes before the court must come with clean hands. And

*"You may stand there, if you please. Were the bar a few paces closer to our bench I should cover my mouth and nose with my periwig."*

-C.B. Goldman

first of October. By the fifth, he had ceased to nod obsequiously along with the Estates master and begun incessantly to clear his throat instead. By the seventh, he was feverish and drowsy in the afternoon sittings. An Agency professor testified that from this date GUNNER's mood had become so subdued that he lacked something of "his usual compulsion to get the last word in" and though he yet took every opportunity to quibble pedantically with the professor, he no longer sought out every chance to obscurely gainsay the other pupils. By the ninth, his offering of prolix hypotheticals had declined to a truly wonderful extent; he seemed at once to have become a regular damp squib. From the tenth, the voice transformed finally from adenoidal to croaking. From the eleventh, it stopped altogether; beside the obtrusive book-stand he invariably carried to his classes a box of paper handkerchiefs now appeared; into these he coughed

was urged a deficiency in the plaintiff's pleading, stipulating by this motion to the fact of the illness but submitting that its noxious effects extended only to the defendant, the plaintiff's injury being purely speculative. In alternative it was urged that an affirmation of necessity barred the plaintiff's case, on the strength of *Temperley v. Craunchston Water-Gas, Ltd.* 4 Q.P.B. 298. and *Ex rel. 14 Unidentified Orphans v. Hounslow Cat-gut Manufactory, Ltd.* 4 Q.P.B. 335.; and that the plaintiff, having received no inoculations against Spanish-flu, was so far contributory to the injury of which he complained, as to disentitle him to maintain an action at law.

His Lordship summed up the evidence to the jury, and told them, that, if they thought the defendant was absolutely and manifestly compelled to attend classes then he could not be held responsible for the injury done to the plaintiff; but, that, if

further urged that the theory of contagionism lately urged in the symposia by Dr. Snow, and on which the plaintiff's case depended, was but modish, Continental speculation. On the question of necessity it was further submitted, on the strength of *Tanner v. Lichfield*, 1 Bos. & N.P.R. 404, [*Over. Cramsworth v. Fannyston & Hounslow Steam-Aëronautical. Co.* (1823) 4 P.Ex 244, 20 L.P.J. Ex. 65.]; that if a reasonable man in the defendant's position might have been found in class, then the defendant might not be liable.

Leave was reserved to the defendant to enter a nonsuit,

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Faculty Quotes

**J. G. Hylton:** "Dueling, as it turns out, was not nearly as dangerous as people in our time imagine – tell that to Alexander Hamilton, right?"

**K. Kordana:** "yeah, yeah, yeah, that's right, yeah, yeah that's right, yeah yeah right."

**D. Brown:** "It's ok to be dating and driving around with a drug dealer. It's not a good life choice, but it's not illegal."

**A. Deeks:** "I wish my name was 'Stellar Wind.'"

**J. Mahoney:** "You may think I'm heartless because I take the mailers with cute animals in distress and throw them in the trash."

**F. Schauer:** "Groundhogs are adorable. This I take to be non-controversial."

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



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DAVIES

continued from page 1

her right hand.

“It could have been so much worse,” said Davies, “Because of the strength I built up from riding intensively for the last year and a half, I was able to hold on [to the horse] for much longer than I would have if I didn’t have the strength.”

Davies quickly went into surgery to place a titanium plate in her clavicle. “I’m a million dollar woman!” she joked as she discussed the procedure.

After recovering in a rehabilitation hospital for two weeks and at home for four weeks, Davies returned to the Law School. The day before this interview, nine and a half weeks after the accident, Dean Davies was finally cleared to walk without crutches.

When asked whether she will ever get back on the horse, she replied, “Right now, I don’t know.” Davies still has about a year’s worth of recovery left on her knee alone before she will be able to withstand the physical demands of riding.

“Then there is the mental aspect.” Throughout her life as an equestrian, Davies dreaded losing control of a galloping horse. “My biggest fear was realized, and that will be a big mental hurdle for me to overcome.”

There is also the anger and frustration that came with such a devastating injury. “I’m mad at my horse. It is

totally irrational, but I feel like she took away something I love,” Davies said emotionally. “Riding was a place I could go to decompress—I am always a ‘future thinker’—and riding helped me stay present.”

Davies applauded the help and support she received from her colleagues. “Lisa

School let us hire Kate. It was so important to have an office that can be fully functional even if one of us is absent,” Davies continued, praising Duvall for seamlessly taking over many aspects of Student Affairs during Davies’s recovery.

Initially, Davies underestimated the amount of time

come the incoming first years and be there for my 2L and 3L students.”

“I’m impatient to be better—it’s hard to let other people take care of you when you are usually the one taking care of others.” This is a lesson she hopes to impart to her students: “Many lawyers are not comfortable asking

can’t plan for such traumatic events.”

“It’s great to be back,” Davies said with a smile. “The doctor cleared me to start going back part-time on a Friday and I was at the Law School the following Monday.”

As positive as Davies remains about being back, recovering from the concussion made going back to work difficult. Even the half days were exhausting: “As soon as I got home I would sleep for the rest of the day. I now feel so much experiential empathy for students with concussions.”

As shocking as the accident was, Davies saw the silver lining in the experience: “When awful things happen, it’s okay to say they are awful—but you need to find what is joyous and good. I forced myself to find things to be grateful for and it helped me through the toughest points in my recovery.”

Davies was appreciative of the outpouring of love and support she received from the UVa Law community. She read each card, email, and banner she received while in the hospital and at home. “At UVa Law we really do look out for one another.”

Dean Davies is slowly but surely marching back to her active self, and encourages all students to stop by her office to introduce themselves or to just say hello!

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Assistant Dean for Student Affairs Sarah Davies  
Photo courtesy of University of Virginia School of Law

and Kate have been tremendous in handling my workload while I was recovering.” Lisa Napier and Kate Duvall kept Davies informed of school happenings, but relieved her of the stress of the day-to-day administration of the office.

“I am so thankful the Law

she would need to recover. She said with a laugh, “I called Lisa and said ‘I will be back in the office in two weeks.’”

While describing her experience in the hospital and later in rehab, Davies said, “It was hard to disconnect. I wanted to be there to wel-

for help, but it is the healthiest thing to do. There is no shame in asking for help.”

That, and to be careful out there: “Three weeks before my accident, my husband totaled his motorcycle. In both of our accidents, we were wearing helmets, and they saved our lives. You

## Top Three Local Vineyards

**Name:** White Hall Vineyards (**Rank #3**)

**When you went:** Week-end afternoon

Carly Crist '19  
(she/her/hers)  
Guest Columnist



**Best for small or big groups?** Small

**General vibe:** The employees were phenomenal and did everything they could to have us enjoy our tasting experience.

**Favorite wine from that vineyard:** Gewürztraminer, as that is not common to have at a tasting

**Anything interesting about the vineyard that makes it different from others?** They brought out the actual grapes for us to try while we were doing the wine tasting. Right outside, they also have trees that grow pawpaws. A pawpaw is a fruit that has the texture of an avocado but tastes tropical, like a mango. The guy pouring our tasting brought one in for us to eat and before we left we were able to go outside and collect as many as we wanted to take home with us.

**Quality of “free” wine tasting glass (1 to 5):** I don’t believe the glass was included, but at \$5 for the regular tasting and \$10 for the reserve tasting, paying a few dollars for a glass is not bad at all!

**Name:** Horton Vineyards (**Rank #2**)

**When you went:** Friday morning/afternoon

**Best for small or big groups?** Either, can accommodate large groups easily for tasting

**General vibe:** The employees were extremely friendly and knowledgeable about the wines. They handled a very large group with ease and were fun with us, especially as they gave us additional wines to try during the tasting. However, there were a handful of fruit flies in the room.

**Favorite wine from that vineyard:** The fruit and desert wines; most vineyards don’t have them, but Horton has many of both to try and all are delicious.

**Anything interesting about the vineyard that makes it different from others?** With the tasting, you get to choose which ten wines to try out of more than forty, and not everyone in the group has to try the same ten. When I was there, they actually gave us more than ten, as they kept asking if we wanted to try different ones. Next to each wine and its description on their list is a nickname, like “Pizza Wine,” “Sippin’ Red,” “White Burgandy,” or “Spanish Delight.”

**Quality of “free” wine tasting glass (1 to 5):** The glass is not free, but the tasting was significantly cheaper than most at \$6, making a \$3 glass very reasonable

**Name:** Veritas Vineyard & Winery (**Rank #1**)

**When you went:** Week-end afternoon

**Best for small or big groups?** Either; it can accommodate large group with its large outdoor area, so it is easy to hang outside with a large group to drink wine.

**General vibe:** Large open tasting room with the word “LOVE” made out of wine corks hanging from the ceiling, an enormous lawn with vineyards in sight, and a beautiful view of the mountains.

**Favorite Wine from that vineyard:** I really can’t choose. This is my favorite winery because it is the only one where I liked every single wine at the tasting (white, red, and in between). However, I would recommend the Viognier, because while it is made with the Virginia grapes—and so almost every vineyard here has it—it is better at Veritas than many of the others.

**Anything interesting about the vineyard that makes it different from others?** On the second Saturday of each summer month (June, July, August, September) they host an outdoor concert on the lawn, and people bring picnics and enjoy wine while listening to music. This August, I attended when they hosted the Legwarmers.

**Quality of “free” wine tasting glass (1 to 5):** 5, you get a free glass with each tasting and some events held there. I currently have a set of four Veritas glasses.

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## COPE

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so in the case of the classroom also.

HALL, B: It is well shewn, and we do not now deny it tends to annoyance to come into the presence of another with a disease that is communicable, *as e.g.*, consumption, fly-blows, or the gaol-fever. But we cannot thereby say that good claim will always lie thereby. I would have submitted to the jury the instruction urged by the defendant.

VAN DER MEULEN, B: I cannot agree with my brother BARON HALL. Whether viewed from prudence towards the body of the defendant or of the shocking vileness of Gunner’s conduct and its manifest superfluity I am convinced that the court below could have made no error in instructing the jury. And so, &c., I affirm, &c.

GOLDMAN, C.B.: I am quite in agreement with my brother BARON VAN DER MEULEN; and at the threshold I take notice that the counsellors before us likewise appear most wonderfully poorly to-day. I infer the learned gentlemen have conferred a trifle closely with the defendant. You may stand there, if you please. Were the bar a few paces closer to our bench I should cover my mouth and nose with my periwig.

We think the rule is, that the case is pled rightly not in case or nuisance, as the plaintiff urges, but in the action for Douche-baggerie; wherein

*sua sponte*, we will construe the action now at bar. It is a rule now long established in our jurisprudence that it is nowise only the most outrageous crimes and torts that deserve the severest measures in their relief; and he who is chafed at the soul by the venial, yet still maddening missteps his brother men may make, will find his relief at the bar of H.M. Courts of Petty Exchequer. True, it was not always so; but if the defendant finds cause to gripe with our verdict he must reflect upon the fate visited upon the egregiously sickly defendant who came before Littleton, C.J. at the sitting of the Court of Pettie Exchequer at Michaelmas Term in the 29th of the reign of Henry II Plantagenet, and sneezed upon the Justice. In the record it is given: “And for this, an indictment was immediately drawn against the defendant and his nose was amputated and fixed to a gibbet, on which he was immediately hanged in the presence of the court; and his lands escheat, he being thus adjudged a felon.”

Affirmed.

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SPOTLIGHT

continued from page 2

storm could cost Puerto Rico up to \$95 billion.<sup>7</sup> It may set the island back decades.

The response to Hurricane Maria and Puerto Rico's devastation differed markedly from the response to Hurricane Harvey hitting Texas and Hurricane Irma sweeping through Florida. FEMA responded more slowly and with fewer personnel for Maria than it did for Harvey and Irma.<sup>8</sup> Private donations for Harvey, especially, far outpaced similar efforts for Maria.<sup>9</sup> And, of course, the President of the United States did not attack the Mayor of Houston on Twitter, or question whether Texans deserved aid after tragedy struck. Trump's apathy reflects that of his supporters, like the Trump voters in Houston who received aid after Harvey but do not believe Puerto Ricans deserve the same helping hand.<sup>10</sup>

7 <http://money.cnn.com/2017/09/28/news/economy/puerto-rico-hurricane-maria-damage-estimate/index.html>

8 <http://www.cnn.com/2017/09/26/us/response-harvey-irma-maria/index.html>

9 <http://www.cnn.com/2017/09/26/us/response-harvey-irma-maria/index.html>

10 <https://www.washingtonpost.com/politics/>

Indifference—or outright hostility—to Puerto Rico in other areas has infected the response to Maria. An old shipping regulation called the Jones Act, for instance, has been driving up the cost of living unnecessarily in Puerto Rico for decades.<sup>11</sup> After public outcry, the Trump administration waived the regulation after Maria, so supplies could get to the island cheaply. The Trump administration, out of incompetence or outright malice, recently let that waiver expire.<sup>12</sup> Concerns about corruption involving a \$300 million rebuilding contract caused a firestorm before the contract was cancelled over the weekend.<sup>13</sup>

This column does not many-trump-voters-who-got-hurricane-relief-in-texas-arent-sure-puerto-ricans-should/2017/10/20/32da835c-b344-11e7-9e58-e6288544af98\_story.html?utm\_term=.182f82e5458b

11 <https://www.vox.com/policy-and-politics/2017/9/27/16373484/jones-act-puerto-rico>

12 <http://thehill.com/latino/354561-white-house-lets-jones-act-waiver-expire-for-puerto-rico>

13 [http://abcnews.go.com/US/puerto-ricos-gov-ernor-whitefish-power-agreement/story?id=50795922&cid=clicksource\\_4380645\\_2\\_three\\_posts\\_card\\_hed](http://abcnews.go.com/US/puerto-ricos-gov-ernor-whitefish-power-agreement/story?id=50795922&cid=clicksource_4380645_2_three_posts_card_hed)

have the word count to dive into the shadow of colonialism displayed through PROMESA and the Puerto Rican debt crisis,<sup>14</sup> or the appalling behavior of Puerto Rico's creditors since Maria hit the island,<sup>15</sup> or the potential for Puerto Ricans to reshape the electoral map of Florida (and the country) in 2020.<sup>16</sup> Instead, the mem-

14 <https://newrepublic.com/article/132307/colonizing-puerto-rico>

15 <https://theintercept.com/2017/09/27/puerto-rican-debt-holders-respond-to-catastrophic-hurricane-by-offering-puerto-rico-more-debt/>

16 <https://www.po->

bers of the Minority Rights Coalition ask our friends and classmates to do three things.

First, give (or continue to give to) relief efforts in Puerto Rico. The link in the footnote below is a good place to start.<sup>17</sup>

Second, tune out the noise. It's all too easy to get distracted by the latest uproar in the ongoing Trump real-

[litico.com/states/florida/story/2017/09/27/puerto-rican-devastation-could-mean-more-florida-voters-114762](http://litico.com/states/florida/story/2017/09/27/puerto-rican-devastation-could-mean-more-florida-voters-114762)

17 <http://www.businessinsider.com/how-to-help-puerto-rico-hurricane-maria-2017-9/#the-unit-ed-funds-of-puerto-rico-1>

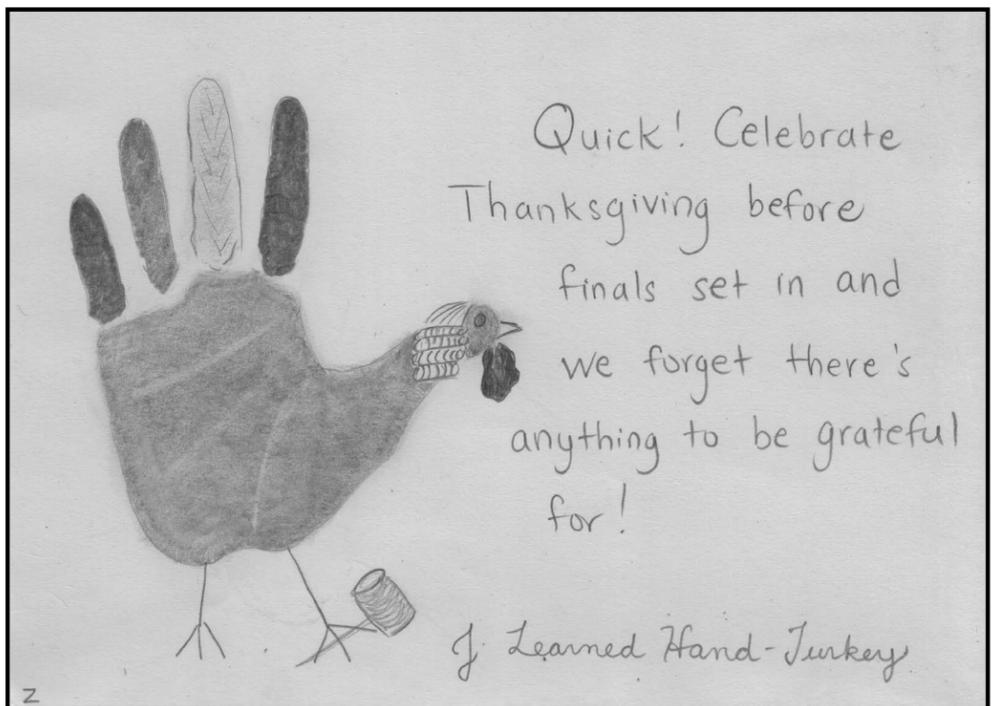
ity show. Focus your attention—and your time and talent—on the injustices that really animate you, whether that's tabling for Puerto Rico or protesting against police brutality.

Finally, stay involved in politics. Puerto Ricans deserve both statehood and effective representation in Congress.<sup>18</sup> Until then, it is our obligation to vote, and vote often, until the administration can no longer afford to be apathetic.

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[wch4xs@virginia.edu](mailto:wch4xs@virginia.edu)

18 This proposition has overwhelming support in Puerto Rico, but Congress has yet to act. <http://www.cnn.com/2017/06/09/us/puerto-rico-statehood-vote-2017/index.html>

Cartoon By Ali



THE DOCKET

TIME	EVENT	LOCATION	COST	FOOD?
<b>WEDNESDAY – November 8, 2017</b>				
11:30 AM	West Coast Wahoos Lunch	Purcell	Free	Yes
11:30 AM	Kelo, Take Two: Should Eminent Domain Warriors Fight On?	WB 128	Free	Yes, Baja Bean Co.
12:00 PM	Careers in Human Rights	WB 104	Free	No
2:00 PM	Knitting/Crochet Study Break	WB First Floor Lounge 3—Northernmost	Free	Snacks
<b>THURSDAY – November 9, 2017</b>				
11:45 AM	Diversity in Public Interest Panel	Purcell	Free	Yes
4:00 PM	McCorkle Lecture: Black Citizenship, Law, and the Founding with Annette Gordon-Reed	Caplin Pavilion	Free	No
5:30 PM	The New American Garden Gallery Talk	Elmaleh Gallery, Campbell Hall, School of Architecture at UVa	Free	No
6:00 PM	BLSA Community Night	Kardinal Hall	Free	For purchase, but it's for a good cause, so don't be cheap.
<b>FRIDAY – November 10, 2017</b>				
9:00 AM – 3:45 PM	Sokol Colloquium: The Foreign Corrupt Practices Act at 40	Purcell	Free	Yes, lunch will be served but don't be all 1L about it and only show up for food.
11:45 AM	Brandon Garrett Chair Lecture, "End of its Rope: What Explains the Decline in American Death Sentences?"	Caplin Pavilion	Free	No, but congratulations Prof. Garrett. We can't wait to see how you incorporate <i>Hamilton</i> into this lecture.
<b>SATURDAY – November 11, 2017</b>				
All Day	The 30th Annual Virginia Film Festival	Various locations	Free to \$10	No, check schedule for more information
<b>SUNDAY – November 12, 2017</b>				
All Day	The 30th Annual Virginia Film Festival	Various locations	Free to \$10	No, check schedule for more information
1:00 PM	UVA Flute Ensemble Fall Recital	UVa Rotunda Dome Room	Free	
<b>MONDAY – November 13, 2017</b>				
4:45 PM	Do Cities Have Free Speech Rights? Confederate Monuments, Sanctuary Cities, and State-Local Conflict	Purcell	Free	Not sure.
5:15 PM	Energy Law 101 with Baker Botts	WB126	Free	Yes, dinner will be served
<b>TUESDAY – November 14, 2017</b>				
All Day	Thank a Donor Day	H-W Hallway	Free	Refreshments, but do donors really give because they hope to receive a card from millennials?

SUDOKU

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