



VIRGINIA LAW WEEKLY

2017, 2018, & 2019 ABA Law Student Division Best Newspaper Award-Winner

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Terwilliger Talk: A Chat with the United States Attorney for the Eastern District of Virginia

Leah Deskin '21
Professor Liaison Editor

Last Thursday, February 20th, the United States Attorney for the Eastern District of Virginia, G. Zachary Terwilliger, visited the Law School for a lunchtime discussion with Annie Kim, Assistant Dean for Public Service, followed by a brief Q&A period with students. As the United States Attorney, Terwilliger oversees civil litigation in which the United States has an interest and federal prosecution for matters within the Eastern District of Virginia, a region including Hampton Roads in the southeastern portion of the state, Richmond, and also parts of Northern Virginia. The event was titled "Overcoming Adversity in Law School and the Path to Becoming a Federal Prosecutor," but the discussion ended up focusing less on overcoming adversity and more on Terwilliger's road to becoming a federal prosecutor, as well as recommendations he had for students hoping to go down that path.

Initially, Terwilliger spent some time discussing what led him to a legal career in the first place. He mentioned that his dad had worked as a prominent official in the Department of Justice and then in private practice in Washington, D.C. His first experience working in the federal prosecution context came in high school when he interned in a United States Attorney's Office. But he wasn't always dead-set on becoming a lawyer. He briefly delved into bioethics while an undergraduate at UVA but, somewhat jokingly, talked about his realization that perhaps that wasn't the right career for him. After college, he attended William & Mary Law School, clerked, and then immediately began working as a Special Assistant United States Attorney in the Eastern District of Virginia.

Terwilliger spent the bulk of the event discussing his experience working as a line attorney for the U.S. Attorney's Office and then the United States Attorney. He discussed his victim-centric approach to prosecution (he did a lot of sex-trafficking prosecution early on in his career), as well as the decisions he has to make as the head of the office in the Eastern District of Virginia (including decisions related to the delegation of work, as well

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Honoring Black History Month:

BLSA Wins Mid-Atlantic Chapter of the Year



Back Row (left to right): Princelee Clesca '20, Niraje Medley-Bacon '22, David Kitchin '22, Rambert Tyree '22, Michael Howell '21. Middle Row: Jordan LaPointe '22, Melissa Privette '22, Tiffany Mickel '22, Catherine Guerrier '21, Michele St Julien '20, Lise Guerrier '20. Front Row: Nicole Banton '21, Courtney Davis '20, Natasha Halloran '21, Lillian Childress '21, Rachel Barnes J.D.-MBA '21, Morgan Palmiter '22. Photo Courtesy Lillian Childress '21.

Eli Jones '21
Guest Writer

As Black History Month comes to a close this year, I think now provides a good opportunity to reflect. As we communally and nationally take the month of February to think about the contributions of Black people to the American story, I think we have the tendency to simply re-hash the same moments in our heads. We may talk about the great inventors, artists, and public voices for justice that have shared the same strong Black heritage, and then go back to business as usual. But when I really stop to ponder the significance of this month and what it represents, I cannot help but feel dwarfed by an immense legacy.

Last year marked exactly four centuries since the first Black people were brought to Virginia, which represented to many people the beginning of slavery in the United States. My own ancestors were among the many brought from Africa to this country, treated as property by a cruel system perpetrated in a country that was founded on the idea that all men are created equal. The irony that the author of those iconic and central words owned over 600 human beings in his lifetime, six among them being his own children, is not lost on me.

But in those fields, as the

hard labor of picking cotton or tobacco in the Southern sun wore down the bodies of Black people, it never broke their spirits. These men and women had dreams of not only their freedom, but of raising the entire country to begin living out the magnificent ideals it had declared to be foundational. This is the dream that drove Harriet Tubman back into the dangers of slave territory to free her people, and the dream that inspired Frederick Douglass to illegally teach himself how to read before running away and becoming one of the most prolific minds America has ever known. This is the dream that allowed Mamie Till to show the pain of her son's murder and the inhumanity of racism to the entire country. And it was this dream that marched with the brave souls across the South during the Civil Rights Movement.

As someone now privileged enough to attend law school, I can't help but feel humbled by the thought of the history behind me. My ability to attend an institution like the University of Virginia to study the law is nothing less than the culmination of generations of work and dedication by many incredibly dedicated and brave souls purposed with making the world more just. To be an embodiment of the progress that my ancestors dreamed about is a blessing that

words will never adequately describe, and it is an honor of the highest order for me anytime I walk into a classroom here.

At our Law School, evidence of the great strides we have made can be seen in the fact that year 2020 marks the fiftieth anniversary of the founding of UVA BLSA. This year signifies half a century of BLSA's engagement with and enrichment of not only our own Law School community, but of the legal profession. BLSA at UVA represents a proud tradition of legal luminaries, including private and public service practitioners, and groundbreaking jurists who have served on the state and federal bench. Anytime I have the pleasure of interacting with a member of the BLSA community here, I beam with pride for having the opportunity to be counted as part of this legacy among my incredibly gifted and driven classmates. The fact that there has been an organization that has consistently built and encouraged Black attorneys for fifty years at the law school Thomas Jefferson founded is nothing short of incredible.

BLSA is not just maintaining its presence here at UVA, it is also thriving. Just this year, I have seen our leadership host a phenomenal diversity reception (with an

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around north grounds

 Thumbs up to the Houston Astros' apology tour entirely lacking in remorse. ANG is a great believer in never saying "sorry," and applies a similar approach to the free food table.

 Thumbs down to the "fireside chat" in Purcell last week. ANG doesn't understand why that event is ok, but when ANG starts fires in Purcell, ANG gets called a "pyromaniac" and a "threat to the Law School."

 Thumbs sideways to delayed SBA ballots. ANG now knows that there is a third-party provider, but ANG doesn't know who the first two party providers are, or where they're hosting their parties.

 Thumbs down to the 1L class for not having formed a band yet. When ANG was your age, ANG had already formed three bands, broken up with two of them, and demanded that all of ANG's M&M's have kittles mixed in with them.

 Thumbs up to Student Affairs for the return of Cookies on Friday. ANG is unsure of whether it is the sugar high or the absolute power that ANG now wields through ANG's influence by the Court of Petty Appeals decision that is driving a surely short lived positive attitude.

 Thumbs down to electronic voting. ANG will be filing a complaint with the Court of Petty Claims on behalf of all technologically challenged OWLS. This also gives ANG less opportunity to stuff the ballot boxes.

 Thumbs up to the leap year. ANG now has an extra day to revel in the many joys of Feb Club, which ANG will use to Das all the Klub ANG can handle.

 Thumbs up to journal tryouts. ANG guesses that three years of law school is not enough to show employers ANG is a competent writer, but being on any of the overzealous journals (see *Law Review*) will.

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equally great one coming next month), take a service trip to Cape Town, South Africa to do public service work, and provide mentorship opportunities for Black 1Ls and Black undergraduates on Main Grounds interested in law. Even beyond our current board, our former president Rachel Barnes '21 was elevated to National BLSA Chair in November, and in January, Erin Seagears '20 was chosen as the recipient of the Gregory Swanson Award. Furthermore, two of our newest members, Melissa Privette '22 and Jordan LaPointe '22, won the Thurgood Marshall Moot Court Competition Best Respondent Brief Award at this year's Regional Mid-Atlantic BLSA Convention. These significant and wonderful individual achievements culminated for us as a community when our large membership was chosen as Chapter of the Year for the Mid-Atlantic region. Having the opportunity to be a part of this achievement has undoubtedly been one of the greatest highlights of my law school career. And we at BLSA know that our ability to do so much at a school that we were unable to attend less than a century ago is not only indicative of the changes that come with time and hard work, but it is also indicative of the importance of diversity to a law school community.

As a result, there is always progress to be made. While it is true that massive strides toward justice have occurred, there is still much work that needs to be done. In our own profession, there is to this day a glaring lack of diversity, especially in positions of power and influence. Indeed, many Black attorneys are constantly questioned about their qualifications, intelligence, and capability, as pernicious stigmas have persisted over time about Black people.¹ Outside of our profession, we see the legacy of racism and Jim Crow manifest in our laws, culture, and politics. As we bring Black History Month to a close, I hope we are all collectively able to reflect on the dark and ugly past of racism, celebrate the strides we have made and the thousands of brave Black people that made them, and also prepare to do the hard work of bending the moral arc of the universe toward justice. Happy Black History Month.

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¹ <https://www.law.com/americanlawyer/2019/03/14/is-being-black-a-problem-at-law-school>

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as his approach to prosecutorial discretion). He also briefly discussed his time working for the Department of Justice in D.C., in particular, the work he did to get DOJ working again at the beginning of Donald Trump's presidency. He specifically mentioned that he was working nearly all hours of the day during that period, and that being the United States Attorney for a region containing over six million people is much, much easier than what he was doing at "Main Justice." And you thought Biglaw had it tough!

He also spent time at the end of the event answering student questions and providing insight into how to become a federal prosecutor. Here's the gist: First, you've already started off on the right foot by going to such an amazing Law School. Congratulations. Second, consider clerking, it's a big plus. Third, show an interest in government work. Spend at least one summer working for the federal government at a place like DOJ. Work in the Law School's prosecution clinic or Supreme Court litigation clinic. In addition, if you choose to work at a firm, the best time to apply to become a federal prosecutor is once you're a second or third-year associate. After that, you start becoming too expensive, and frankly, everyone starts leaving Biglaw around their fifth or sixth year. You wouldn't want to be just another fifth or

sixth-year associate in a sea of other fifth or sixth-year associates.

Terwilliger didn't spend much time talking about law school. He mentioned that he felt really pressured to succeed because of his dad's position, and then he told us that he ended up doing very well in school—standard fare for someone in his position, it seems. For a talk with a title about overcoming adversity, it would've been nice to hear a story about someone who didn't initially succeed in law school and overcame it. One of the more interesting points he made, however, was that he viewed law school as a means to an end. He didn't nerd out about the law in school. For all

of those students out there who have found themselves not being a law school nerd and wondering whether they're cut out to be a lawyer, perhaps that provides some heartening encouragement. You don't have to love the word "jurisprudence," the humor of Scalia's dissents, or your professors' policy questions on final exams to succeed as a lawyer.

Terwilliger concluded by mentioning that he thinks he has the greatest job in the world: He gets to do the right thing at work, he enjoys being there for law enforcement, and he enjoys delivering justice for victims.

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Pictured: U.S. Attorney for the Eastern District of Virginia, G. Zachary Terwilliger. Photo Courtesy www.justice.gov

Big Dad Energy

So uh, *clears throat, adjusts belt* you kids wanna hear about Dad Klüb? That

Stan Birch '22
Staff Editor



place was like a graveyard. People were dying to get in!¹

As soon as you walked in and were greeted by many of hosts a fist-bump was rejected because "it's a hand-shake kinda party." The first glimpse of the party was

¹ If you're already cringing at a bad pun, I suggest you enjoy one of the many other articles contained in this edition of the *Law Weekly*. If you're still with me, buckle up.

exactly what a Dad would hope for: It was outdoors and sufficiently cold, there was smoke pouring out of the grill, two tables of games with lots of spectators adding their two-cents, twin kegs bathed in ice just in case the freezing temperature wasn't enough, a playlist any Dad (country, oldies, classic rock, Cali, Dead-Head, etc.) could begrudgingly head-bob to, and plenty of casual shirts tucked into casual pants held up with belts. While general trends of apparel could be agreed upon by all old-man-minded in attendance, a Western-American trend in fatherly fits emerged as a decisive point of contention: Birkenstocks and socks. I don't know about that. Most

in attendance gave some attempt to fit the theme, but there were a few that dressed like it was any other day of the week. I wasn't mad—just disappointed.

From a distance any father-figure could spot that whoever took the first round at the grill burned anything that went on. There must not have been enough people standing around him, reminding him "don't turn the meat too often; you gotta keep in the juices." In the middle of laughter over some classic Dad jokes, one young lady paused and pensively posed a very serious question: "Wait, aren't some of these people ... ACTUALLY Dads?" The next ten seconds was filled with very intent searching for the true Dads among us, but none were apparent.²

As the deck got overcrowded to the point where pong became a contact sport, a few daring Dads sought to compete in the game of their college days: Spikeball. One armchair expert commented that while softball was great and all, "if Spikeball was this school's game, I'd be a legend." The game had its momentary attraction until players realized that meant moving a lot, outdoors, in

² Do you get it? It's because "apparent" sounds like "a parent." Go on, sound it out.

the cold, without any kind of jacket on.

As the sun went down and the temperature dropped further, outdoor beer pong stopped being a game of patriarch vs. patriarch, but became a game of man vs. cold-ass Mother Nature. People moved inside to take advantage of the fire. Greeted by Bruce Springsteen on vinyl, BECAUSE THAT'S HOW IT'S MEANT TO BE HEARD, the indoor vibe was much warmer. Too warm. Someone had to be messing with the thermostat. Plenty of people attempted to coax a fire to life in the fireplace. Like anyone on the true path of the Padre, even when they had no idea what they were doing, they insisted this has worked every other of the one time they watched some guy at some place make a fire. Eventually a fire was sustained, and the colder-blooded and short-clad parents found refuge huddled in close, like when you find the two other families you don't hate at the PTA meeting.

Just as it felt like the party was starting to wind down and I wondered if peak-paternal had been achieved, everything kicked back off with the one thing all Dads say they don't want and then will murder their first child to protect: a golden retriever. The goodest boy, named Kypo, was the most excited

and well-mannered guest in attendance. 12/10.³ As I wandered past the grill, the title of the Four Tops' classic playing described exactly how I felt smelling what was cooking, "I Can't Help Myself." As grill-master Brian passed along a perfectly cooked bratwurst, I knew the night was complete. It was getting past my bedtime, so I called my ride and climbed in. Apparently, I had been standing by the fire for too long, because my Uber rolled down the windows and asked me if I was smoking in the car. I have no idea how late those other Dads planned on staying out, but I managed to make it home just as I was ready to hit the sack, at 7:45 p.m.

I, the author, would like to apologize to all who have read this far if any of my Dad jokes didn't land; it may be because I don't have any kids. I'm a *faux pa*.

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Pictured: The only acceptable grilling attire for any aspiring dad. Photo Courtesy imgur.com

³ https://twitter.com/dog_rates

Tweedledee and Tweedledum: Game Night Featuring Funemployment

Funemployment is worth playing.

On Friday, being the lame, over-going-out 3Ls that

Taylor Elicegui '20
Ex-Features Editor



we are, I convinced Eleanor and a lucky group of sectionmates to join me for a game night (seriously underrated activity). After mulling over what games to play and starting off with Jackbox's Trivia Murder Party, we settled on my newest game: Funemployment.

I thought Funemployment was like Cards Against Humanity, but with jobs and job skills. I was a little off; it's more complicated than that, which makes it more fun. First, everyone gets four job skill cards and the "employer" gets one card per every other player (so, if there are five other players, the employer gets five cards). The employer lays all of their cards down, face up, and then flips over a job card. The players get a few "résumés" to go crazy and switch out their cards as they want, trying to create the perfect "resume" to apply for the job with four cards in their hand. Some examples of jobs to apply for include private detec-

tive, professional thief, and professional cuddler. Some skills that are available to use to build your résumé (aka on the résumé cards) are "literally the worst," "three-piece suit," and "handy." Once you have a résumé of four cards, each player goes around and gets to tell a story using their "résumé" of cards they acquired, to convince the employer why they are the best person for the job. The employer uses the leftover skills not picked up during the mad dash to ask each candidate a question at the end of their pitch.

I was pleasantly surprised by the game once we got started. I thought it would be too confusing, but the group got the hang of it quickly and had a good time putting their persuasion skills to work to prove why they were truly the best candidate for the job. It got even more entertaining with the arrival of Lena Welch '20, a master sh*t-talker who managed to roast everyone else's pitches while also not totally crushing her own. All in all, I would definitely recommend Funemployment.

If you're looking for some other game night recommendations, check out:

1. Pandemic
2. Codenames
3. Wits and Wagers
4. Ticket to Ride

5. Seven Wonders
6. Telestrations
7. Loaded Questions
8. Coup
9. Unstable Unicorns
10. Sequence

I can't personally vouch for all of these, but I compiled the list from my personal favorites and The Strategist's 2020 recommendations, and The Strategist has never steered me wrong. The Best Adult Board Games on Amazon, According to Hyperenthusiastic Reviewers, The Strategist (Aug. 23, 2019).

Funemployment is literally the worst game invented, ever.

If anyone knows me, they know I love a good game

M. Eleanor Schmalzl '20
Deposed Tyrant



night. However, with that comes the reality that I am competitive. In fact, my family's game night motto is, "If you aren't willing to lose all your friends and family in order to win a board game, you aren't playing hard enough." You think I'm joking. Think again.

This past Friday, I visited Taylor Elicegui's luxurious apartment at The Pavilion

on North Grounds with every intention of having a good time. As Taylor mentioned, we settled on the game "Funemployment," so I thought my goal of having fun was easily in reach. However, I soon found that the game, while "fun" in the traditional sense, was not for hardcore gamers.

First of all, it has the same problem that games similar to it (like Apples to Apples or Cards Against Humanity) have—the "employer," just like the dealer in these other games, has full discretion to decide who wins and loses based on whatever arbitrary factors they deem relevant. This allows for rampant favoritism toward whatever party the dealer decides is "the winner" and leaves the losers feeling unsatisfied despite their (aka my) objectively more compelling and better-presented résumés.

Second, the game allows other players to comment on a person's resume story while that player is giving the story. And while I respect any attempts to win at all costs, Lena Welch '20 came in hot when she arrived at the end of the night; she had no ultimate goal of winning and just wanted to chirp and cause problems for those with the prize in mind. So, I guess this is less a criticism about the game and more a

warning: Do not invite Lena Welch to game night.

For all you lighthearted folks who just want to laugh and have a good, noncompetitive time, this game would be great for you. I even laughed a time or two at some of the stories people built with their résumé cards, despite my goal of making everyone else's stories sound inferior to mine. But, if you take games quote "too seriously," as I may or may not be accused of every time I play board games, stick to the games of skill that give you the ability to win without the arbitrary approval of your peers.

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Things that Matter More than the SBA Election

You know what's funny? Watching people get worked up over things that have zero

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Satire Editor



significance. That is what most of this Law School witnessed this past week with the SBA election. Ninety percent of us watched the other 10 percent lose their minds over nothing—kind of like real elections. I have paid far too much attention to the SBA election, but only because I enjoy seeing hypocrisy play itself out—people who claim a moral high ground came down to earth like the worms they are, like the worms that we all are.

Waxing philosophical aside, there are SO SO many things that matter more than who is on the SBA, and what actions they take.¹ Sometimes people forget this and begin to write multi-paragraph Facebook posts about the election or post about who they are going to vote for on Instagram, thus making mountains out of molehills. However, I am here to remind you of the little things that matter far more than the SBA elections.

1. Zippers working: It's

¹ Sidenote—I have zero clue what SBA stands for.

cold out, and you're ready to walk to the school to watch the SBA Presidential debate so that you can figure out who to vote for. However, you realize that your winter coat isn't zipping up, and your other jacket is in your car. You look yourself in the mirror and realize you nearly walked outside in the cold with a jacket that doesn't close in order to vote in the stupid SBA election. You shake your head and say, "Not today, death. Not today." And promptly sit back on your couch to finish last week's Bachelor episode.

2. Whether Pilot Pete dumps Victoria Fuller: You have watched *The Bachelor* for years now, and you know crazy when you see it. You think back to the crazy people who have graced Bachelor Nation with their presence in the past, people like Annaliese, or that Cam dude who tried writing a weird poem/letter for whoever the hell he was "falling for." You quickly think of how MUCH crazier you have to be to care enough about the SBA elections to have a strong opinion on them. Like totally-completely-untethered-from-society-crazy—worse than Victoria crazy. Pete had better dump her by the time this column comes out.

3. Coffee going cold: You've been sitting there like an idiot watching *The Bachelor* for two hours on a Sun-

day afternoon, and your coffee has gone cold. You have two choices—get up and only warm it up, or warm it up and then go find your charger so that you can vote on the SBA election. You pick the former, because your life benefits zero amount from the additional action it takes to find your charger.

4. The Crepe Place closing: You've never been to the Crepe Place, but it feels a bit like a pen pal, whom you were just getting to know, dying.² You're pretty sad you never got to meet the Crepe Place, but there will always be pancake places right around the corner. Pancakes never let you down and they

² XBOX Live friends are the new pen pals change my mind.

never give up, unlike the French version.

5. Toilets staying unclogged: By the time you finish that coffee and eat those AMERICAN pancakes, you realize that nature is calling, and it's calling for number two. This would be the perfect time to whip out your phone and vote in the SBA elections, but you scroll through Instagram instead. Uh oh, you think to yourself. "This is gonna be a B1G one," you say out loud, and set your phone down. No time to vote while Mother Nature is calling ALL of you at the same time. Eventually the moment of truth comes—will it flush? No dice. Damn, you think, this is the third day in a row. You spend the next fifteen minutes not voting or caring about the SBA elec-

tions, because instead you are quietly unclogging the toilet, all the while hoping your roommate doesn't hear that it's happened again.

6. Judging people who post literally any text on Facebook: Facebook is the realm of the elderly and the out-of-touch. For the love of all that is holy and good, stop making Facebook posts if I know you personally. I am judging you, and this is my indirect way of telling you that it gives me secondhand embarrassment. When I see someone write a Facebook status, my mind immediately thinks, this person just wants to sniff their own farts in public. That is literally it. HOWEVER, I value judging people who do that far more than caring about the SBA election, unlike the people who post on Facebook about it. Totally, wildly nuts. Excited to write this column again during next year's election!

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Pictured: Pilot Pete is horsing around with Victoria F. and our emotions, trying to "find" his one true love. Photo Courtesy bustle.com

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 comprises 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 cl3eh@virginia.edu

Extroverts v. Introverts 72 U.Va. 224 (2020)

JUSTICE PICKETT, sitting by designation, delivered the opinion of the Court, in which GLADDEN, DESKINS, TANG, SCHMID, and LUÉVANO, JJ. join. CALAMARO, J. filed a dissenting opinion which LUK, C.J. joined.

JUSTICE PICKETT delivered the opinion of the Court.

I.

Despite UVA Law’s reputation for collegiality, the recent surge in Bluetooth head gear has left various students stunned and embarrassed as they attempt to greet their friends and are shut down by silence and a glazed look of distraction. In this opinion, the Court will establish the substantive due right to bother people you know at the Law School by issuing an injunction against in-ear Bluetooth headphones in the hallway.

I would like to introduce this opinion by stating that I know this is a hot take. I know that many individuals hate talking to people and seek solace from the miseries of law school in their music/podcasts. I’m not even sure if the opinion I am writing right now is a majority, plurality, or dissent. But, given that I volunteered to write the COPA at this week’s *Law Weekly* meeting, I am claiming to be in the majority and taking my word to be the mandate of the Court.

As Justice, I heavily refute any claims of inappropriate bias. Sometimes you can find no one to sympathize with your complaints quite like yourself. And it just so happens that I am a member of the *Law Weekly* staff.

It is worth recognizing,

however, what this case does NOT cover. The injunction does not extend to (1) talking on the phone into wireless headphones; (2) listening to music as you enter the law school, having just arrived and not yet settled into the rhythms of the law school; (3) big Bluetooth headphones or wired headphones that are present for all to see; or (4) using Bluetooth headphones at any other time, including on walks to and from

each other, leaving Wise heartbroken and embarrassed. He looked back at Boi with the kind of sadness contestants on *The Bachelor* look back at Peter as they realize he is messing up every decision he possibly could on that show. But at the last second, he saw in Boi’s ear a little black circle; Boi had been wearing headphones that were imperceptible without careful examination of his ears.

you know is as old as time itself. It began with the cave people, who would bother each other by boring their friends with extraordinarily long stories, often involving the drawing of stick figures on the wall, about a hunt that actually hadn’t even been that eventful.¹ As society developed, so did the methods of harassment. Attila the Hun rampaged across much of Asia with his nomadic forces. Marcus Ju-

overeager gunner the occasional high five.” More specifically, the Court ruled that the right to bother people you knew was a property right, claiming that “friendship brings with it the obligation to be bothered, and if you are willing to accept the positive of friendship, you must be willing to endure the bothering as well.” The right has been affirmed several times, with each new development of technology. There is the right to be sent unsolicited faxes with weird jokes in them. There is the right to send those weird chain emails that claim you will be cursed if you don’t forward them on. There is the right to send those strange texts with all those emojis and sexual innuendos to your friends on national holidays. And now, there is the right to just say a good old-fashioned hello, even in the face of rapidly advancing headphone technology.

This is not meant to take aim at headphones with wires, or people who listen to music with the huge headphones. Those people have sent a clear message that they will not be bothered—they have a reasonable expectation of privacy even in an open field. Does this opinion seem contradictory? I don’t care, because it is really a very narrowly tailored opinion—it applies whenever I, the justice, choose.

“AirPods, Android knock-offs, Covington AirPods knock-offs—he had seen them all and been burned too many times. He sued to enforce his substantive due right to bother people he knew.” - Justice Pickett

school.

II.

On February 10, 2020, plaintiff Sam Wise was walking down the hallways of the law school when he made eye contact with his good friend, Rue D. Boi. Wise looked forward to saying hi to his friend and maybe even offering him a customary fist bump. Rue D. Boi didn’t particularly care to talk to people, but Wise wanted to bother him anyway. Why did Wise do this? Deep-seated psychological issues? A constant desire to reenact scenes of memorable friendship like those in romantic comedies? Watching too many cringey shows about high school? Watching too much High School Musical? Who knows, but he looked forward to saying hi to Rue D. Boi regardless.

But, as Wise approached Boi and called out his name, stretching out his fist, his greeting was returned by an empty gaze. They passed

Wise had had enough. It had happened too many times with too many different kinds of wireless headphones. AirPods, Android knock-offs, Covington AirPods knock-offs—he had seen them all and been burned too many times. He sued to enforce his substantive due right to bother people he knew.

III.

The right to bother people you know provides that students shall be permitted to be bothered when they are in open fields. The right strictly forbids students from completely isolating themselves from the world unless they retreat to a restricted space, such as their locker, the library, or their own homes. This includes, more specifically, a ban on isolating oneself in the world of good music or good podcasts; the right rather encourages people to delve into the world of good vibes.

The right to bother people

nus Brutus and the senators of Rome stabbed Julius Caesar twenty-three times with daggers. The French Revolution decapitated Marie Antoinette with a guillotine.

The right was first articulated, however, in the case of *Professors v. Students Who Want to High Five Them in the Hallway*, 268 U.Va. 13, 89 (1990), in which the Court held that “Professors have it pretty good here, the least they can do is give the

¹ See Neander T. Hall, *The Cave People Actually Hated Those Drawings on the Wall and Wish You Would Stop Talking About Them*, VA. L. REV. 13, 29 (0009).

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Faculty Quotes

M. Collins: “Scalia is no fun because he doesn’t actually answer the question. He’s just being his usual punctilious self.”	S. Walt: “It’d be giving itself value. It’s like spanking yourself, it doesn’t work.”
A. Coughlin: “I’m Irish. I hold grudges. I think in terms of enemies.”	A. Bamzai: “I’ve reached this point in my life without understanding the sentencing guidelines – I’m not gonna start now.”
T. Nachbar: “Is the government trying to destroy my job?”	F. Schauer: “Then, Justice Rehnquist goes berserk.”
J. Harrison: “That is a misunderstanding of the entire ratchet universe.”	<i>Heard a good professor quote? Email editor@law-weekly.org</i>



Virginia Law Weekly

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continued from page 4

IV.

We hold in favor of the plaintiff and order an injunction against all of those weird in-ear wireless headphones in the hallways at school, unless excepted in this opinion or by Wise personally. In addition, we hold that everyone must buy Wise a drink at the next bar review.

CALAMARO, J. dissenting, in which CHIEF JUSTICE LUK joins.

This question of “the right to bother” is about entitlement. This issue of wearing earbuds in the hallway is about personal freedom. Personally, I choose to wear earbuds, not because I enjoy the songs I listen to far too many times, but because I enjoy walking around the law school, immune to engaging in niceties with those who I deem unworthy of them. Who among us hasn’t been saved by their earbuds in Withers Brown after making unwanted eye contact with someone whose name you refuse to say because it might be wrong? Who hasn’t wanted to have earbuds when walking by a talkative person, and all you want to do is get home and die on your couch, but instead you have to talk about the direction of the wind? There is solid utility for earbuds, and

I will not give up my right to this utility for any reason.

Furthermore, if the majority chooses to invoke ancient Rome, I shall invoke ancient Greece, where Socrates, the man who damned us to answering inane questions asked by professors on auto-pilot, was so annoying in Athens because he would accost the rich and poor alike that they made him kill himself. This type of punishment is not preferred in this day and age,² but perhaps bringing the town stocks back for those who accost earbud wearers is an appropriate measure. I am open to suggestions, but ultimately, one is no more entitled to accost people in the hallways than Socrates himself was in the streets of Athens. I strongly stand against banning earbuds, and this court finds itself in grave error as a result of this ruling.

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² An unfortunate consequence of some misguided thinking on proportionality of punishment.

UVA Law Split Second Sightings

With so many events happening every week at the Law School, the Law Weekly members are unable to attend every event and provide full coverage of all the incredible work done by student organizations every day. This section of the Virginia Law Weekly allows readers to see more of the hopping happenings at UVA Law.

All photo credits to Kolleen Gladden '21 unless otherwise indicated.



Above: Lobsang Sangay, regent of the Central Tibetan Administration, delivers the Human Rights Program Spring Keynote at “Human Rights and Tibet: Leading a Government-in-Exile.”



Below: Kunchok Dolma '21 gives passionate introduction at the Human Rights Program Keynote.

HOT BENCH



M.Eleanor Schmalzl, '20

Hot Bench with Eleanor Schmalzl '20

Deposed EIC of Law Weekly and Softball Nerd

Hi Eleanor, after three years of working on Law Weekly, you are finally eligible to be Hot Bench. I hope you're pumped! Now, please tell our readers how you like your pizza.

Extra cheese, extra pickle, cheesy crust. And if anyone thinks that's weird, they can come to Law Weekly, SL 279 on Mondays at 5:30 p.m. to try it for themselves.

Okay, but seriously, where did the pickle thing come from?

Thinking back, it came from my mom. She's from a small town called Maysville, Kentucky, and there's a pizza place there owned by my cousin's dad (like I said, small town) and one of their specialties is pizza with pickles. My mom gave us pickles with pizza as kids and my siblings and I all love it.

I see! And did you grow up in Kentucky?

I'm from Walton, Kentucky, a growing city about thirty minutes south of Cincinnati, Ohio.

That's fascinating, so what's great about Walton?

We had a “ride your tractor to school” day in high school, horse and cow fields that sit next to the country roads, and prominent Southern accents.

Tell us more about that good ol' Kentucky southernness.

Wish I could debunk the rumors, but I do know someone who has married and had a love child with his cousin... But all the stuff about Kentucky bourbon and horse racing is true, too. People are obsessed. Those are the good things that I like to focus on.

When did you start thinking about law school?

Middle school/early high school. I knew I wanted to come to UVA Law—it was the only school I applied to and, despite that arguably foolish decision, it worked out. My parents both came to the Law School and met on Copeley Field, so I grew up hearing stories about UVA Law (but really, about UVA Law softball. They didn't mention the fact that law school here is actually challenging).

So I take it you were rearing to jump into 1L softball?

Oh yeah, you can ask anyone in my section. I was the softball gunner, as ridiculous as that sounds. We still have a section team, currently named The

Apples (don't get me started on the name), and it's been one of my favorite things at the Law School.

Speaking of favorite things at the law school, let's bust out an old favorite! What are the 7 wonders of the law school?

1. The snakes that live under the WB floorboards.
2. The UVA Law art collection.
3. Lisa Napier's sunshine of a personality.
4. The third floor of Slaughter, and all the hidden Slaughter Hall staircases generally.
5. The theft of the RFK bust.
6. The temperature of the WB classrooms.
7. The swimming pool on the roof.

What's something that would surprise our readers about you?

I'm afraid of railroad tracks. The first time I ever heard about railroad tracks, it was in a story my mom told me about how her horses got hit on railroad tracks. Torts didn't help much with alleviating this fear. I cross them only when necessary.

What's something you know now that you would tell yourself coming into Law School?

That it goes really fast. You should only commit to stuff you really care about, because people are always happy to add to your plate if you'll let them. You have to have your priorities straight, whether that's student organizations, school, going to wineries with friends, or getting to live up to the 3L stereotype of

doing nothing at all.

What have been your core priorities at the Law School?

The Law Weekly, NGSL, and probably my section and my relationships with people here—I try to prioritize time for fun, and school...kind of, when there's time for it.

What does NGSL do?

So, contrary to popular belief, we do great things. As a 501(c)(3) charitable organization, we donate \$20,000 a year to ReadyKids, an organization that helps youths deal with trauma and creates better opportunities for them to beat the odds and find the best life that they can. We've donated a quarter million to ReadyKids thanks to NGSL's annual softball invitational (April 3-5 this year) and everyone should come out!

Let's do a lightning round!

Favorite food?

Spaghetti. I eat it the night before every exam.

Anti-Stress Hobby?

Sleeping, sometimes working out, and eating too many snacks (if you believe in such a thing).

Favorite word?

Malapropism. I very often use the wrong word in common sayings or phrases (fun fact: you “home in” on something, not “hone in”), which is what malapropism refers to (mistakenly using a wrong word that sounds similar to the word you meant). When I use the wrong word and sound silly in the process, I

bust this word out to try and cover up my poor vocabulary.

What's one movie that left an impression on you?

A Knight's Tale.

If you won the lottery, what would you do with it?

Pay half of it to taxes—honestly, that's the reality—and spend the other half finding ways to complain about it.

Is cereal soup? Why or why not?

What? No, it's not soup. I'm a soup expert (you can ask my roommates, I eat soup four times a week). And soup is, by my expert definition, served hot. Cereal objectively does not qualify.

What inanimate object do you wish you could eliminate from existence?

Onions. They're gross. I can't tell you how many times I've ordered something off a menu that doesn't list onions in the ingredients and then, surprise, there are onions. The worst.

If you could make one rule that everyone had to follow, what would it be?

This might sound harsh, but I'm a big believer that the only person who can ask hypotheticals in class is the one writing and grading our exams. Student hypos never end well.

mes5hf@virginia.edu

Professorial Puns

By Marc Petrine ('21)

1	2	3	4	5	6	7	8	9	10	11	12
13						14	15	16		17	
18						19				20	
21				22	23				24		
			25					26			27
28	29	30				31				32	
33						34				35	36
38						39			40		41
	42				43				44		
48	49	50		51				52			
53			54				55			56	57
59						60			61	62	
63						64			65		
66							67	68			

- ACROSS**
- 1 Factory boss, to a Legal, Research and Writing professor?
 - 8 Stone shaper, to a Tax professor?
 - 13 Changes
 - 14 Hoppy beer, for short
 - 17 Uncommon spelling of a common female name
 - 18 European fashion capital
 - 19 Urban Meyer employer, for short
 - 20 It makes bread rise
 - 21 suffix with meth or prop
 - 22 Party for a new child, to an Evidence & Constitutional Law professor?
 - 25 Common problem for backs
 - 26 "___ one and only"
 - 27 Dir. from Providence to Boston
 - 28 Consumes food rapidly
 - 31 You shouldn't commit it
 - 33 Leg bone
 - 34 "Just ___!"
 - 35 Actor, Lowe in *The West Wing*
 - 38 With 40 across, favorite 80s band of a Trusts & Estates and Tax Professor?
 - 39 Wall-E's robot companion
 - 40 See 38-across
 - 42 Saint, to a Chilean
 - 43 "___garry, ___ Ross"
 - 44 Covered in poison ivy?
 - 45 "The game is ___" - Sherlock Holmes
 - 47 Residents of the largest continent
 - 48 Employer sponsored medical fund with tax benefits, for short
 - 51 Baseball stat.
 - 52 Replaces fireplaces and window units, for short
 - 53 Miniature, groomed flora, to a Administrative Law professor?
 - 56 4-wheeled motorcycle, abbr.
 - 59 Mature
 - 60 Item thrown in Boston harbor
- DOWN**
- 1 Hurricane response org.
 - 2 Thor's Papa
 - 3 Aggravate, annoy
 - 4 Seventh Greek letter
 - 5 Warren supporter
 - 6 Common article*
 - 7 Mythological mother of children, punished for her
 - 8 Allstate protects you from it
 - 9 In the ocean
 - 10 "___ of the Dead"
 - 11 Sisters, Mary Kate & Ashley
 - 12 Saltpeter, to a Brit
 - 15 Common pre-med major, for short
 - 16 Von Trapp family's nationality
 - 23 Sounds on a rollercoaster
 - 24 -chat
 - 25 First name of "thank u, next" singer
 - 28 Gonorrhea, for one
 - 29 Head computer and technology corporate executives
 - 30 ___ Kadabra
 - 31 "Do not ___ thy neighbor's wife"
 - 32 Sexy
 - 34 Large consulting firm
 - 36 Willy or Shamu
 - 37 Auto___, where Germans drive
 - 40 Catastrophe
 - 41 It's capital is Albany, abbr.
 - 43 Asian desert
 - 46 Macron's homeland
 - 47 ___ Maria

- 48 "Do it yourself" beer, for short
 - 49 "Thus ___ the Lord."
 - 50 Greek prefix, meaning on both sides or two
 - 52 1970s British Prime Minister sandwiched by Harold Wilson
 - 54 Time, for a Berliner
 - 55 Mens
 - 56 2012 Best Picture winner, direct by Affleck
 - 57 High Schooler
 - 58 Extremely
 - 62 Sandwich meat
 - 68 Common article*
- * The author made a mistake and had to include these clues. A
- proper crossword should have no clues shorter than 3 letters.
** Zane Clark ('21) offered no assistance in the making of this puzzle.
See solution at: tinyurl.com/ProfPunsSolution

TIME	EVENT	LOCATION	COST	FOOD?
WEDNESDAY - February 26				
13:00 - 14:00	"Fair-Weather Federalism And the Fear of Being Booped" with U.S. Judge James Ho	Purcell Reading Room	Free	Provided
13:00 - 14:00	J.B. Moore Society Panel on Careers in International Law	SL 278	Free	Provided
13:00 - 14:00	Emerging Companies and Venture Capital Club Educational Seminar With UVA's i.Lab	WB129	Free	Provided
13:00 - 14:00	Bracewell Corporate Law Panel	WB101	Free, RSVP to Julia.mabin@bracewell.com	Provided
17:00 - 18:00	Crash Course in Private Equity	WB104	Free	Provided
17:15 - 18:30	The Importance of Local Lawmaking With Mayor Nikuyah Walker	Caplin Pavilion	Free	Provided
THURSDAY - February 27				
12:00 - 13:00	Gender and the 2020 Election	Purcell Reading Room	Free	Provided
13:00 - 14:30	Harmed and Protected? Religion Clauses and Religious Minorities	Caplin Pavilion	Free	Provided
13:00 - 14:00	The First Step Act in Practice: Clay Maupin's Journey to Freedom	WB162	Free	Provided with RSVP
16:00 - 17:00	Big Law 101: "Ask Me Anything" w/ Latham & Watkins	WB104	Free	Provided
17:00	SBA Social	Spies Garden	Free	Provided
FRIDAY - February 28				
12:00 - 13:00	Rivanna Investments Coca Cola Pitch Meeting	WB103	Free	Provided
13:00 - 14:00	Dean Donovan's 2L Professionalism Series: Are You a "Keeper"?	WB154	Free	---
SATURDAY - February 29				
10:00 - 15:30	John Marshall, the Supreme Court, and the Trail of Tears	Virginia Museum of History & Culture (Richmond)	\$15	---
MONDAY - March 2				
13:00 - 14:00	Current Issues in Juvenile Justice	WB104	Free	Provided
15:45 - 16:45	McGirt v. Oklahoma: Is Half of Oklahoma About to Go Back to Native American Tribes?	Purcell Reading Room	Free	Provided
TUESDAY - March 3				
15:45 - 17:00	"From Credit Reports to Calculating for Retirement - Managing your Personal	WB128	Free	Provided

SUDOKU

		5	9		1	4	2	
				6				
7		9				3		8
		4	1	7				5
	6						3	
3				2	4	9		
5		1				8		6
				1				
	4	6	7		8	5		

Solution

£	I	S	8	6	L	9	4	2
2	4	7	9	I	S	£	6	8
9	6	8	2	£	4	I	L	S
I	L	6	4	2	9	8	S	£
4	£	2	6	S	8	L	9	I
S	8	9	£	L	I	4	2	6
8	9	£	S	4	2	6	I	L
6	S	I	L	9	£	2	8	4
L	2	4	I	8	6	S	£	9