



Trumpcare Strikes Again

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

Regular *Law Weekly* readers may recall my comment back in March that the Affordable Care Act had received a “stay of execution” with the failure of the Trumpcare vote:

It remains to be seen whether Trump will follow through on last week’s threat to abandon the idea should this attempt fail. Even if he were to try again, however, his party is unlikely to play ball for the moment: his “threatened” outcome affords them a vital opportunity to save face. Still, expect them to return to the issue just as soon as their President’s goldfish-like attention span scuttles their tax reform plans.

Gregory Ranzini, *Trump and Gorsuch Would Like You to Know that You Do Not Exist*, VA. L. WKLY., Mar. 29, 2017, at 2.

Three weeks ago, in the wake of the collapse of the Graham-Cassidy bill and the GOP’s return to agitating for tax cuts, I semi-seriously considered seeing whether the *Law Weekly* editorial board would let me get away with running a lightly-edited version of that same column, in the manner of *The Onion*’s recurring mass-shooting response, *‘No Way to Prevent This,’ Says Only Nation Where This Regularly Happens*. Ah—the heady days of, uh, last week!

This loathsome-but-familiar state of affairs proceeded as scripted until, in the pre-dawn darkness of 2:36 a.m. this past Friday the 13th, a particularly large plaque of β -amyloid in the President’s brain spoke up to remind him that he hates scripts:

Yep, it’s that other tragic motif in American society: an embittered and disillusioned white man stews in extremist media until he lashes out, hell-bent on killing as many of his perceived enemies as possible before They can take him down.

If you enjoy “pure applesauce” with your free Chick-fil-A, you’re likely to take exception to this metaphorical jiggery-pokery—surely we can’t compare gun violence, which everybody knows is the result of an incomprehensible evil which is completely out of the power of government to mitigate or control, to the spiteful executive orders of a man who has to be periodically talked down from pushing the nuclear button, whose own Secretary of State calls him a “fucking moron”? After all, it’s not like any mechanism exists by which Congress could—

Never mind.

So let’s look at the numbers. The Affordable Care Act reduced the uninsured rate among nonelderly Americans

TRUMPCARE page 5

Domestic Violence Awareness Month



Dean Goluboff and members of Virginia Law Women wear purple to raise awareness for the Domestic Violence Project
Photo courtesy of Virginia Law Women.

Liesel Schapira '18
(she/her/hers)
Guest Columnist

Legal process is of vital importance for victims of domestic violence. Without a court order of protection (known as a restraining order in some states), victims are often unable to leave their abusers, and a cycle of violence can continue indefinitely. Because victims depend on confusing and lengthy state court processes to escape these dire situations, lawyers are instrumental to their success.

Over the summer I saw firsthand the crucial role of lawyers as advocates for victims of domestic violence. As part of the Courtroom Advocates Program (CAP) in New York, I accompanied a young woman to Bronx Family Court as she filed for an order of protection from her ex-boyfriend. She shared a child and a home with her ex, who refused to move out after their relationship ended. He was both physically and verbally abusive to her.

For this woman, and many others, the only way to move on or to end an abusive cycle is through the court system. She came in to Bronx Family Court because after the most recent incident of physical violence against her, she feared for her safety. She was afraid to return to the shared home, but had to go back to get clothes and supplies for herself and her son. She had no idea the process would take an entire day—nor did she realize that she would need to secure childcare for

her adjournment date four days later.

As an advocate, I was trained by CAP’s attorneys—who regularly worked with victims of domestic violence. I was armed with a manual, written by lawyers, describing the process of obtaining an order of protection in this particular court and how to craft a narrative describing the abuse. I was instructed that filing for an order of protection could take all day, and it would require a subsequent court visit a few days later. I also had a list of nearby shelters and non-profit organizations that could loan her clothing and supplies while she was sleeping out in order to stay away from her abuser. We were successful in obtaining a temporary order of protection, but that is only the very first step.

Lawyers are crucial for victims of domestic violence because it is rare that a domestic violence case only involves getting an order of protection. Additional legal questions usually arise, such as the initiation of divorce proceedings, child support or custody issues, immigration issues, and even property issues. Allegations of physical abuse can also lead to a criminal trial. Aside from knowledge of the law however, lawyers are uniquely capable of supporting and lending their voice to victims who proceed in court. Domestic violence victims often stay in abusive relationships because they feel

they are without resources—financial or otherwise, to escape. Lawyers educate victims about the legal process so that victims can leave bad situations, and move on with their lives. Lawyers stand by and lend their voice to victims in court, which can ease the re-traumatization that occurs when a victim of domestic violence has to face her abuser and recount upsetting instances of past abuse.

As we consider our future legal careers, including potential pro bono projects or volunteer activities, please keep in mind the enormous impact we can have by assisting victims of domestic violence.

If you are interested in getting involved on grounds this month:


October 16-20: Stop by the Domestic Violence Project’s table in Hunton & Williams all week where you can purchase t-shirts, thermoses, and baked goods to raise money for Charlottesville’s Shelter for Help in Emergency, an organization dedicated to assisting local women, men, and children who have been impacted by domestic violence.


October 26 at 1:15pm: Attend a presentation on forced marriage, immigration, and domestic violence (Lunch provided; co-sponsored by the Human Rights Program and the Immigration Law Program).


October 27 at 12pm: Attend


DOMESTIC page 3


around north grounds


 Thumbs down to Harvey Weinstein and to all other men in power who have sexually harassed and assaulted women. And a bigger thumbs down to systems that enable and reward men for doing so, like electing them President.


 Thumbs sideways to PILA for not giving us drink tickets. ANG knows the event raises money for Public Interest Scholarships, but ANG was under the impression that consumption of alcohol was the main purpose of the auction. ANG is now befuddled.


 Thumbs down to the end of Fall Break. After spending 48 straight hours prowling Charlottesville’s vampire bar scene and 32 hours after that sleeping, ANG didn’t feel as chipper as normal in Contracts on Monday.


 Thumbs up to Halloween. In the immortal words of Aaron Carter, “I want candy.”

 Thumbs down to Trump’s fifteen iterations of trying to pronounce “Puerto Rico.” ANG hasn’t cringed so hard since everyone started trying to use *inter alia* in class.

 Thumbs up to the guy in Florida awarded \$37,500 after police mistook glazed doughnut crumbs in his car for meth. ANG was worried about justifying ANG’s daily trip to the new Krispy Kreme. ANG will search no further.

 Thumbs down to Putin getting a new puppy. Sorry – PUTIN gets a puppy and ANG doesn’t get one!? WHY.

 Thumbs sideways to the 9 days between ANG and the Season 2 premiere of *Stranger Things*. I mean, at least it’s not Eleven.

 Thumbs down to the kickoff of 1L job season. ANG is still self-conscious about having worked as a cruise ship deckhand ANG’s 1L summer, and having all these neurotic 1Ls buzzing about their futures as big shot partners is more than ANG can handle.

LAW WEEKLY FEATURE: Court of Petty Appeals

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

Anonymous (Whiny) 3L
v.

Court of Petty Appeals, and justices thereof, in their official capacity, but especially Chief Justice Goldman and Justice VanderMeulen

18 UVa. 642 (2017)

VANDERMEULEN, J., for the Court, in an opinion joined by GOLDMAN, C.J. and ZABLOCKI, J.

This case comes before this Court as part of our original jurisdiction¹ from an anonymous, whiny 3L², seeking (1) damages against the Court of two opinions for our so-called failure to publish regular decisions or (2) an injunction requiring the Court to publish a best-of compilation of the Court's best opinions.³ This Court won't

1 See Rule of Petty Procedure 8(a): "If someone's gonna bitch about the Court, we want to hear it directly."

2 See *Virginia Law Weekly*, Volume 70, No. 6, 4 October 2017.

3 The Court won't dignify with a response plaintiff's request that President Glendon appoint a special prosecutor to investigate the Court's lack of recent decisions. Really? *Him?*

be intimidated by threats of damages⁴ but is intrigued by plaintiff's request for equitable relief.

After a rambling, kidnapper-style introduction to her/his complaint, plaintiff gets to the heart of the matter: The Court, by failing to produce opinions in the two issues

with plaintiff's spurious tort claim. As everyone knows, torts aren't real.⁵ And if they were, plaintiff would find it impossible to show that all the elements of a tort have been met. Plaintiff claims he/she has been a victim of Intentional Affliction of Opinions Unread. Ha! Everyone knows that such

is degrading and probably defamatory.⁷ Plaintiff's complaint also lacks a showing of proximate cause. By now, even 1Ls will know that to give rise to a cause of action in tort, an injury must be part of the "harm within the risk" of an action. See *That One Case with the Tree and the Truck*

abhorrent music taste. *That* is the harm within the risk of publishing too few opinions: covers of Disney songs sprinkled with an intolerable mix of Zac Brown and French Montana. The Court could not care less about the delicate feelings of Anonymous 3Ls, even loyal readers like this one.

Next, the contract claim. The Court's memory of contract law is admittedly fuzzy,⁹ but it seems clear that the supposed implied contract is void for lack of consideration. The Court's habit of publishing semi-regular opinions is a gift to the Law School and its denizens, like the benevolent brother-in-law's promise of a forest shack to his dead brother's wife in *Kirksey v. Kirksey*, 8 Ala. 131 (1845).¹⁰ Promises to make gifts, of course, are not enforceable as contracts. Despite plaintiff's valiant efforts to portray her/himself

9 And consists mainly of references to an impending Canadian invasion and lizard cemeteries. Thanks, Professor Kordana.

10 The Court reserves for another day the question of whether *Kirksey's* "female plaintiff loses" rule applies to the Law School generally.

COPA page 6

"To allege that this Court was malicious—rather than merely lazy—in its refusal to pump out opinions is degrading and probably defamatory."

— J. VanderMeulen

preceding plaintiff's complaint has engaged in tortious behavior toward the plaintiff and breached an implied contract between the Court and the students of the Law School. Plaintiff is, to no one's surprise, wrong on both fronts.

First, the Court will dispense After he LIED TO THE LAW SCHOOL about Duck Donuts? #GlendonsDonuts2017 #NeverForget

4 As if we could write any more of these damn opinions even if we wanted to.

a tort requires actual malice of the sort described in *New York Times v. Sullivan*, 367 U.S. 254 (1964)! To allege that this Court was malicious⁶—rather than merely lazy—in its refusal to pump out opinions

5 Isn't this roughly your thesis, Professor Ferzan?

6 Yeah yeah, Professor Abraham, we know "actual malice" doesn't mean "ill will." Must you continue to remind the Court of its inferiority? Wasn't our C in Torts II enough?

and the Speeding Guy.⁸ When the Court declined to publish opinions in its editions of 20 September and 27 September, it did so knowing that it risked having too short a paper. That means the editors have to endure long nights suffering through Justice Jani's

7 Probably, we say, because we can't actually remember anything Professor White said about *Times*, *Gertz*, or defamation law generally. Something something "public figure."

8 Remember that one?

Lunch with Joby Ryan: The Original New Shiny Thing

It's hard to find a more enthusiastic believer in UVa Law than Joby Ryan, Development

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



and Advancement Officer for the UVa Law School Foundation. Some *Law Weekly* Staff were lucky enough to catch up with Ryan over lunch and ask him about his time at the Law School, his litigation experience, and why he chose to come back to UVa Law.

Ryan loved his time as a student at UVa Law. He had always been drawn to UVa and almost came to UVa for undergrad like his sister did. Instead, he went to Harvard and earned his A.B. in Government. Ryan was considering staying in Boston for law school, but changed his mind during Admitted Students Weekend (ASW). "Everyone seemed to fit here," he recalled. When he talked to prospective students at other law schools, they weren't as excited to attend. His mind was set on UVa after asking students a simple question. "When I asked people [at the UVa ASW] where they would go if they could go *anywhere*, they said Virginia." So, he decided to join his dad as a UVa Law graduate.

Ryan certainly didn't regret that choice. He described the learning opportunities at UVa Law as "an embarrassment of riches." The class that best prepared him for the future was his Socratic-style 1L Contracts

class taught by Professor Kraus, but his favorite was a course called "Biology and the Law." It brought up new issues that Ryan had never fully considered before including parental rights over inseminated eggs. Ryan

tradition is actually Feb Club. He said, "It's something unique to UVa Law, and it's about having fun together."

As his time at UVa Law came to an end, Ryan had to decide between the Atlanta

in private litigation, but he always felt isolated by the type of work lawyers do in actual practice. So, after his first year he joined the recruiting team and got the chance to get out of his office to talk to people.



Photo courtesy of content.law.virginia.edu

also took courses by Professors Coughlin, Ortiz, and (now Dean) Golubuff. His one regret? Although Ryan participated in a myriad of extracurricular at the school, he wishes he had participated in more law related activities. While some of us have experienced Ryan's entertaining performances during the Libel professor rebuttal, his favorite UVa Law

and the D.C. firm markets. The Atlanta market seemed like a comfortable choice that Ryan would have enjoyed, but the D.C. market opened a sense of ambition within Ryan. Like gravity, the desire to really challenge himself pulled Ryan towards the D.C. market, and he joined Hogan Lovells in 2005. Ryan pushed himself to work hard during his years

"It was the one thing I do well," Ryan joked. Soon thereafter, the market crash changed the focus his recruitment. "It changed the entire paradigm of firm practice," he explained, "because companies had to trim the fat, and legal bills were some of the first things to go." Still, Ryan persisted and found new growth opportunities.

About seven years into

practice, Ryan was having a discussion with some of the partners at his firm about his career projection. While everyone at the firm was supportive of Ryan, the list of accomplishments he would have to achieve in the next eighteen months brought a sense of dread to Ryan. "They were doable, but my palms started sweating—I realized I didn't want this," he recalls. Serendipitously, a position at UVa Law Career Services opened up within two days of that wake-up call. Ryan had always wanted to come back to Charlottesville; this combined with the prospect of working with Kevin Donovan made the job undeniable. "It felt like that same sense of ambition when I decided to go to D.C.," Ryan explained. "Getting to work on a team with that energy and commitment" was what drew Ryan back to UVa Law in 2013. "It's the best team in the country," Ryan says.

When asked what he thought his biggest accomplishment was, Ryan first joked about being the namesake for a goldfish before revealing his more personal triumph. "The relationship I built with students and helping them . . . [During OGI], we won more than we lost." Ryan beamed when describing this. He did credit the fact that "UVa Law students are more three-dimensional, and inherently easier to market to firms" for his success. Ryan then transitioned to the Law School Foundation becoming a Development and

LUNCH page 3

Symposium to Tackle Environmental Federalism

On January 1, 1970, Richard Nixon signed the National Environmental Policy

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Guest Columnist



Act (NEPA) into law. NEPA's stated purpose was to "declare a national policy which will encourage productive and enjoyable harmony between man and his environment . . ."

NEPA was not the first federal law to address environmental concerns. The Conservation movement won federal legislative victories in the early 20th century through the establishment of national parks and passage of land protection laws like the Antiquities Act. Additionally, earlier laws such as the first Clean Air Act of 1963 and the Federal Water Pollution Control Act of 1948 brought regulations to specific environmental concerns in a more piecemeal fashion.

In contrast to these previous laws' limitations, NEPA's broader policy declaration would become the beginning of a series of environmental controls by the federal government throughout the 1970s, including creation by executive order of the Environmental Protection Agency in 1970, passage of the Clean Water Act in 1972, amendments to the Clean Air Act

in both 1970 and 1977, and passage of the Endangered Species Act of 1973. These laws, and the popular environmental movements that supported them, helped

throughout the country.

Since the beginning of this year, however, the new administration has signaled through rhetoric and action that it will move away from

order, issued on January 24, the administration directed federal review and approval of the Dakota Access and Keystone XL Pipelines. Two months later, a

lowed later, in June, by the public announcement to withdraw the United States from the climate goals of the Paris Agreement. More recently, the EPA announced its intention to repeal the 2014 Clean Power Plan.

In response to these policies, other groups have pledged to uphold environmental protections in the absence of federal oversight. Attempts to deregulate the energy sector are being met with legal challenges by non-profit groups and are being opposed by some state and local governments. Additionally, governors of fourteen states, including Virginia, have joined the bipartisan United States Climate Alliance and, together with pledges from nine other states, remain committed to fulfilling the aspirations of the Paris Agreement.

Meanwhile, private businesses have risen to satisfy consumer demands for renewable energy despite the absence of federal regulatory mandates to do so. Walmart's "Project Gigaton," announced in April, aims to reduce the greenhouse gas emissions of its supply chain, while Facebook recently announced plans to construct a data-center in Henrico County that will rely on renewable energy for its operation.

Although the success and impact of these actions re-

WHOSE MESS IS IT?

Federalism and Environmental Regulation in a New Political Climate

Thursday, Oct. 19 Caplin Pavilion

UNIVERSITY OF VIRGINIA SCHOOL of LAW

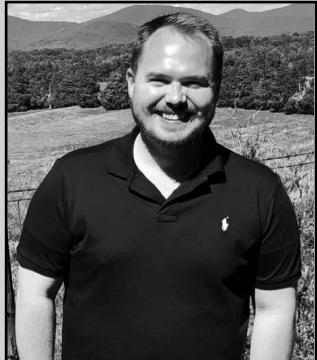
Photo courtesy of Tyler Jerrell

promote a paradigm of environmentalism that focused on strong, uniform federal protections that applied

this paradigm and towards deregulation of federal environmental protections. In only its second executive

March 28 executive order emphasized deregulation of energy development on federal lands. This was fol-

HOT BENCH



MacLane Taggart '19
(he/him/his)

1. Have you ever had a nickname?

My name seems to lend itself well to nicknames, so I've had a plethora of them. Growing up my dad called me "Mac the Knife" (referencing the Bobby Darin classic) and my siblings called me "Clano" (no cool 1920s connection). In school, I garnered several other nicknames including "Mac Deluxe," "Big Mac," "Mac & Cheese," and "Mac Attack." I guess being a chubby kid leads to a lot of food tie-ins. Generally, most people call me by my full name or just simply "Mac."

2. What is your favorite word?

R-E-S-P-E-C-T. Ask me what it means to me.

3. Where did you grow up?

I grew up in East Millcreek, just outside of Salt Lake City, Utah.

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

I lived in Brazil for a couple years on a service mission and when I was working in a rural area outside of Sao Paulo we often visited with a woman from Rio de Janeiro. In 2012, she made me the best birthday lunch I've ever had in 2012. It was steak with caramelized onions, French fries topped with feijao carioca (beans in the style of Rio de Janeiro), fried eggs, and a simple salad. My favorite meal to this day.

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

I have a big (verging on inappropriate) crush on Emma Watson. I would love to meet her in the hopes that she would instantly fall in love with me, and we would live happily ever after. I think she's a great actress and am really impressed with how she has used her platform to fight for women's rights. Pretty sure I would embarrass myself if I ever had the opportunity though.

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

I am not very coordinated so although I love playing sports, I am fairly certain my team wouldn't do very well. So, I'd pick something nerdy like an owl wearing glasses and a graduation cap that would go around encouraging kids to go to college or something.

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

California Gurls (feat. Snoop Dogg) - Katy Perry
#westcoastbestcoast

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

I have always thought it would be cool to be telekinetic. But if we're talking "Last Airbender" territory, I'm a total waterbender.

9. What's something you wish you'd known about law school before coming to UVa Law?

I come from a very blue collar family (my dad loads airplanes and my mom is a high school teacher) and am the first person in my family to pursue a professional degree, so I had zero exposure to law school or the field of law before coming to law school. During 1L, I always thought there was some big secret everybody else knew that I didn't. I wish I had known that everyone is in the same boat for the most part.

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

Truth 1: I (disastrously) auditioned for American Idol in Oklahoma City during undergrad. Truth 2: I've eaten Domino's pizza in New Delhi, India. Lie: I am a black belt in Tae Kwon Do (I'm really only a yellow belt with a green stripe).

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

Mr. Congeniality

LUNCH

continued from page 2

Advancement Officer. Ryan describes his job as talking to alums and "encouraging their philanthropic endeavors." Ever the investigative reporters, we asked if this meant fundraising. Laughing, he agreed that, yes, it involves fundraising, but it gives him the opportunity to fill alums in on what the Law School is doing now and why they should continue to be proud of their alma mater. He describes his job as "making friends and being a resource [for those friends.]" Overall, his job is essential to the Foundation, which is responsible for managing the Law School's funds.

Ryan asserted earnestly that the Law School community is what sets UVa apart. Speaking as a former Peer Advisor (PA), he urged current PAs to welcome and invite 1Ls, LLMs, and transfers to the community as gatekeepers of this tradition. "You start this [tradition] for the school each year," he explained. For 1Ls, Ryan encouraged them to "dive in" and diversify their interests. While he thinks you should try as hard as you can in law school, Ryan also stressed the importance of not "doing it at the expense of your life." As for his remarkable resemblance to a certain LRW Professor, Ryan laughs at all the times people would mistakenly call him the wrong name in the hallway. While he doesn't take offense to the confusion, he joked that he would like the Law School to know that he "was the original new shiny thing."

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DOMESTIC

continued from page 1
a presentation by staff from the University's Title IX and Equal Opportunity and Civil Rights Office on processes and protections available for students in instances of sex or gender-based harassment or violence. (Lunch provided to those who RSVP to Cory at cks2fm@virginia.edu).

November 4: Run (or walk) in a 5K on the Downtown Mall; proceeds will benefit Charlottesville's Shelter for Help in Case of Emergency (the 5K is on Saturday, November 4th; sign up here: <http://www.shelterforhelpinemergency.org/5k-runwalk-shelter/>).

Key Facts from the National Coalition Against Domestic Violence:

1 in 3 women and 1 in 4 men have been physically abused by an intimate partner

Domestic violence is prevalent in every community, and affects all people regardless of age, socio-economic status, sexual orientation, gender, race, religion, or nationality. Domestic violence can include physical violence, sexual violence, threats, stalking, economic abuse, and emotional/psychological abuse.

To sign up for any of the above events, or to join the Domestic Violence Project e-mail list, please contact Cory Sagduyu at cks2fm@virginia.edu.

lms5ah@virginia.edu

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.

Jeannette Rankin, the first woman elected to a national office, began her tenure in the House of Representatives

Kendall Burchard '19 (she/her/hers) Vice President, Virginia Law Women



exactly one hundred years ago. Since then, 319 women have represented their states and districts in the House, Senate, or both.¹ In our current Congress, 105 of the 535 members of Congress are women. Twenty-one serve in the Senate, and eighty-four serve in the House. Sixty-one women of color have served in Congress to date, and thirty-eight are serving in 2017. In high school, boys and girls report almost an equal interest in politics.² Then in college, statistically, women's political ambitions begin to fade.³ Years later, although most women are equally likely to have the same amount of relevant political experience in "feeder" careers as their male colleagues, only 57 percent of women feel qualified to run, as opposed to 73 percent of men.⁴

The equalizer? Encouragement.

Women respond just as positively as men when encouraged to run for office. But they are less likely to receive this encouragement than their male counterparts,

starting in college and extending far beyond.⁵ Allow me to make up for some lost

those who run. Last spring, VLW and Women in Policy welcomed founder and CEO

team have specifically tailored Elect Her's curriculum to help an enthusiastic audience

networking, fundraising, and campaigning. After a campaign simulation, we'll hear from a panel of those who have done it—Delegate Marcia Price, Commonwealth's Attorney Shannon Taylor, Future Majority Project Director at the Republican State Leadership Committee Neri Martinez, and Delegate Lashrece Aird will offer a first-hand account on what it's like to run for office and what it means to serve the public. The panelists will focus on what it is like to run for office as a woman—not as a member of a particular political party. This a bipartisan event intended for everyone, regardless of political persuasion, sex, gender identity, race, ethnicity, religion, or other classification.

When will there be enough women in Congress and in other elected offices? To borrow from Justice Ginsburg's refined wisdom: "When I'm sometimes asked when will there be enough [women on the Supreme Court] and I say, 'When there are nine,' people are shocked. But there'd been nine men, and nobody's ever raised a question about that."

You look like a politician, and we'd love to see you run. Get your name on the ballot. Join us on Saturday.

Check in for Elect Her starts at 12:30 PM on Saturday, October 21 in Caplin Pavilion. Events begin sharply at 1 PM. Programming concludes at 4, with a wine and cheese reception to follow. Please see Facebook event or Law Street Journal to RSVP.

ktb4xe@virginia.edu

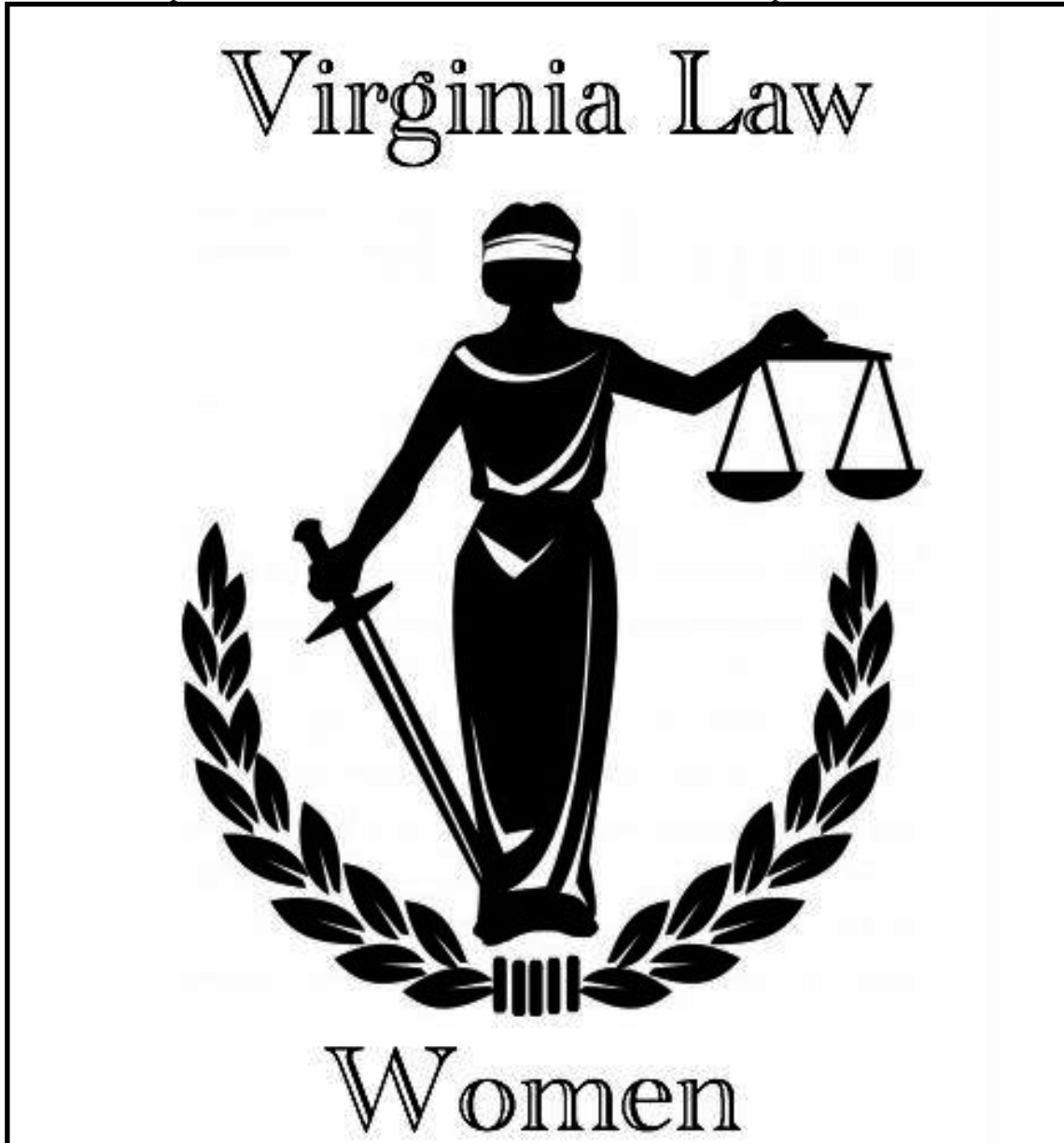


Photo courtesy of Facebook

1 Center for American Women & Politics, Women in the U.S. Congress 2017, Rutgers (2017), <http://www.cawp.rutgers.edu/women-us-congress-2017>.

2 Janie Boschma, Why women don't run for office, Politico (June 12, 2017 5:00 AM), <http://www.politico.com/interactives/2017/women-rule-politics-graphic/>

3 Id.

4 Id.

time—YOU should run. And on Saturday, we'll tell you how.

Virginia Law Women is excited to partner with the Women in Policy at the Batten School of Public Policy, Women of Color, Feminist Legal Forum, Virginia Law Republicans, and Virginia Law Democrats to bring Running Start's "Elect Her" to Caplin Pavilion on October 21 at 1 PM. Elect Her is a three-hour crash course in how to run for office and how to support

5 Id.

of Running Start Susannah Wellford '08 back to the Law School to address barriers to women running for office. Wellford first asked how many in attendance had considered running for office. As hands began to go up, Wellford's shock quickly gave way to excitement. "I've never had this happen," she said. "I've never had so many women in a room admit they wanted to run. We've got a lot to talk about."

The discussion continues on Saturday. Wellford and her

recognize opportunities to serve their communities in the future. After brief introductions, the day will include a crash course in

Faculty Quotes

J. Hylton: "Is anyone here from Connecticut and versed in pronunciation of Connecticut surnames?"

K. Ferzan: "I don't even know how to drop acid."

F. Schauer: "The rapper BOB—I don't know if he pronounces it "Bob", I have aged out of interest in modern music"


G. Geis: No! You can't crush a butterfly!

J. Mahoney: "If you say something loopy in academia, you often get tenure."

K. Abraham: "I don't want to be a Francophile about this."

T. Heytens: "My sister's getting married. It's her second. But it's good."

Heard a good professor quote?
Email editor@lawweekly.org!



Virginia Law Weekly

COLOPHON

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A Moveable Feast

I discovered the joy of food trucks when I moved to Portland, Oregon for college,

Allie Hemmings '18
(she/her/hers)
Guest Columnist



and I have been an ardent fan ever since. Food is inexorably tied to memory, with certain foods vividly evoking a moment or place with just one simple taste.¹ I have always found food trucks to be particularly poignant creators of this type of recollection, and I could draw you a map of my time in Portland based on the trucks I ate at. Given my long-standing love of food trucks, I am delighted to review some of the trucks that Charlottesville has to offer so you can start your own exercise in culinary cartography.

Côte-Rôtie:

I was intrigued by the initial description of Côte-Rôtie as a yakitori/roastisserie truck. The owners of Côte-Rôtie, Peter and Merrill Robertson, met in culinary school and opened a restaurant together in the Hamptons before moving to Charlottesville in 2015. The truck has no set menu and the offerings are incredibly diverse—the day we went they were serving sesame chicken and pork empanadas.

¹ I'm not making this up, see "The Omnivorous Mind" by John Allen.

TRUMPCARE

continued from page 1

from a high of 18.2% in 2010 to a low of 10.4% last year. Kaiser Family Foundation, *Key Facts about the Uninsured Population* (2017), available at <https://www.kff.org/uninsured/fact-sheet/key-facts-about-the-uninsured-population/>. In 2009, a study published in the *American Journal of*



Donald J. Trump
@realDonaldTrump

Follow

The Democrats ObamaCare is imploding. Massive subsidy payments to their pet insurance companies has stopped. Dems should call me to fix!

2:36 AM - 13 Oct 2017
Photo courtesy of Twitter

Public Health found that almost 45,000 deaths per year could be directly attributed to lack of health insurance in the United States. See Wilper, et. al., *Health Insurance and Mortality in US Adults*, 99 Am. J. Pub. Health 2289, 2294 (Dec. 2009). A 2002 consensus study report by the Institute of Medicine placed the number at about 18,000. Committee on the Consequences of Uninsurance, Institute of Medicine, *Care Without Coverage: Too Little, Too Late* 162 (2002). A researcher for the Urban Institute, applying the IOM's methodology to newer data, estimated the 2006 as 22,000. Stan Dorn, *Uninsured and Dying Because of It: Updating the Institute of Medicine Analysis on the Impact of*

However, the unifying theme is roasting and grilling (the truck's name means "roasted slope" in French). It is kitted out with a custom yakitori grill imported from Japan and a rotisserie.

The day we visited them they were behind the JAG school,² but they are regularly at Champion Brewing and other breweries and wineries around Charlottesville. The prices were quite reasonable at \$8-12 for a healthy portion and a drink. Everything we ate was delicious, but one drawback was that the vegetarian options were limited due to the small menu.

I tried the crispy crunchy chicken with Japanese BBQ and sesame noodles as well as the pork empanadas with a mild chili sauce. The chicken was, in fact, both crunchy and crispy and quite delightful. Sesame chicken can be a bit oily or over-seasoned, but this chicken had the perfect blend of flavor with a nice texture. Several of the folks who tried the dish were a big fan of the perfectly cooked chilled noodles and found them quite refreshing given how hot it was that day. My favorite of the two dishes was

² Side Note – the JAG school has food trucks come every few weeks when there are special seminars. All the JAGs we talked to were super friendly, and encouraged us to come over to check out the food trucks anytime.

Uninsurance on Mortality 3. Yes, there is a great deal of variation in these estimates, in large part because it is difficult to pick apart the correlated effects of economic inequality, geography, and racism on trends in insurance availability. But the bottom line is, reversing the ACA will leave a lot more people without insurance and, if you don't have insurance, it is around 20% to 40% more

likely than otherwise that you will die within a year. Beyond a doubt, a great many people will die. Denying that taking away people's health insurance substantially increases mortality is like denying that climate change exists: the unfeeling, actuarial math doesn't care who you voted for in 2016.

Donald Trump, by contrast, *does* care. Indeed, he's still stinging from his win and looking for ways of punishing his political, racial, and class enemies. So it is that, somewhere between establishing a taskforce to address a completely imaginary wave of voter fraud through voter suppression, issuing a succession of racist orders on immigration, and encouraging his attorney

the empanadas. The pastry was perfect: thin, slightly flaky, and very buttery. It practically melted in your mouth. The filling was basically smoked pulled pork, which I was 100% here for, but some of the tasters who were expecting more veggies were a bit disappointed.

Overall, the consensus about Côte-Rôtie was overwhelmingly positive. You can keep up with Côte-

menus.

El Tako Nako:

I had heard about this truck from several friends, and I was eager to check it out for myself. I totally missed the truck the first time I drove past; it is at 2405 Hydraulic Road, behind the Stonefield Shops in the same parking lot as a laundromat. The gentlemen running the truck were friendly, and the service

great at \$2.50 per taco. For me, three was a good portion.

The tortillas were OK, and I appreciated that they were doubled up to prevent leaks. The toppings and the meat were where these tacos really shined. Each taco comes topped with cilantro and a blend of caramelized and chopped onions. I loved the mix of the two types of onion, as the caramelized onion was a nice counterpoint to the



Photo courtesy of Yelp

Rôtie by following them on Facebook, where they post their weekly schedule and

was lightning fast—we got our order about five minutes after placing it. The prices are also

slight bite of the chopped

FEAST page 6

VELJ

continued from page 3

mains to be seen, they nevertheless lead one to ask: if state and local governments, with the cooperation of non-profits and private business, could have the means and capability to protect the environment on their own, would federal laws and regulations toward that same end be necessary?

On Thursday, October 19, the Virginia Environmental Law Journal will host its symposium *Whose Mess Is It? Federalism and Environmental Regulation in a New Political Climate* to consider this potential paradigm shift through issues that impact closer to home.

One panel, co-sponsored by the, will focus on the Center for Oceans Law and Policy Chesapeake Bay Program, an agreement between six states, the EPA, and the District of Columbia to cooperate on reducing the pollution of the waters feeding the Chesapeake Bay. The panel will examine how the program's specific requirements, including the role played by the EPA, and successes have varied since it was first created in 1983.

A second panel, co-sponsored by the Virginia Environmental Law Forum, will discuss the federal leasing and exploration of offshore fossil fuel resources. While this program occurs under federal waters, as was seen by the 2010 BP oil spill, negative externalities associated with environmental

degradation are felt most acutely on state-controlled coasts. Coastal cities and states in the southeast have seen growing opposition to expanding these leases as the environmental and economic impacts of offshore energy development become more fully known.

A final roundtable will bring together legal scholars to discuss these issues: Caroline Cecot of the Antonin Scalia Law School, Michael Livermore of the University of Virginia School of Law, and Hannah Wiseman of the Florida State University College of Law. These scholars will build on prior topics as well as the history, politics, and policy of environmentalism and federalism in order to consider the most effective role the federal government should play in protecting the environment.

Lunch will be provided by Brazos Tacos.

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FEAST

continued from page 5

onion. The taco also came with your choice of guacamole sauce, green sauce, and red sauce. It is worth pointing out that the guacamole was a true sauce, not a dip, but it added a lovely, almost creamy flavor to the tacos. I personally love salsa made with tomatillos, so the green sauce was perfect for me. My friends with a slightly higher spice tolerance described the red sauce as “optimally spicy.”

We tried the pollo, asada, and pastor taco fillings. Chicken can so easily be too dry, so I was really pleased with how moist the pollo taco was. Likewise, the asada taco

was tender and flavorful. My favorite was probably the pastor. The meat itself had a nice kick to it, and was well seasoned. I was disappointed that they were out of the beef cheek filling, as the reviews about it online had been very positive.

La Michoacana is probably still going to be my go-to for tacos in Charlottesville, but I would definitely go back to El Tako Nako. Thank you to Ashley Finger, Katarina Siefkas, Hannah Sowell, Jonathan Babcock, Cory Sagduyu, and Natasha Pereira for agreeing to be guinea pigs and giving me their feedback.

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COPA

continued from page 2

as a victim of contractual malfeasance, no such claim will lie in this Court.

Still, we are not unsympathetic to plaintiff's desire for decisions from this august body. How would the Law School function without this Court's tireless dedication to adjudicating the disputes that arise on North Grounds? The Court, therefore, finds that the plaintiff has failed to state a claim upon which relief may be granted, and the case is hereby dismissed. But out of its own magnanimity, the Court will indeed indulge in a “Best of the Court of Petty Appeals” series, to begin the week of 2 November. Congrats, Anonymous 3L.

MANN, J., concurring.
I concur with the majority, and agree that in no way has a tort claim been stated. By consuming this fine publication regularly, plaintiff has assumed the risk that the content might change from week to week, and that Justices¹¹ may be occasionally too hungover to address the myriad issues that come before this court. Plaintiff's claim of implied contract is straight out of crazy town as well, as no elements of a contract, implied or otherwise, exist. While this fine publication faithfully provides high-brow journalism, the drivel we

11 No coincidence that Justice Jani couldn't be found to contribute to this opinion.

get in return—mostly angry and misinformed emails – can hardly be construed as consideration.

KENNEDY, J., sitting by designation, concurring in the judgment

I write to specifically rebut the plaintiff's bizarre presumption that “the fact that [the Court] has or has not had Bodo's this morning [should not] have an effect on its ruling.” I often find that certain Court pronouncements should take effect on Tuesday with the right to change them on Wednesday. It gives Justices the flexibility to condemn their enemies without making any real decisions. And *that* is real justice.

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Photo courtesy of Twitter

Cartoon By Ali



| TIME | EVENT | LOCATION | COST | FOOD? |
|-------------------------------------|--|-------------------------|------|--|
| WEDNESDAY – October 18, 2017 | | | | |
| 11:30 AM | Panel on Pro-Life Careers and Advocacy Efforts in Virginia | Purcell | Free | Bellair, might have to cross a protest to get in tho |
| 5:30 PM | Life After the Firm: In-House Careers | WB 126 | Free | Greener pastures |
| THURSDAY – October 19, 2017 | | | | |
| 9:30 AM - 2:00 PM | Whose Mess Is It? Federalism and Environmental Regulation in a New Political Climate | Caplin Pavilion | Free | Brazos Tacos |
| 1:00 PM | Imprisoned Justice: Inside Two Georgia Immigrant Detention Centers | Purcell | Free | Yes |
| FRIDAY – October 20, 2017 | | | | |
| 10:00 AM - 3:00 PM | Common Law Grounds Symposium: "Of Bubbles and Biases: The Press and Democratic Dialogue" | Caplin Pavilion | Free | Yes? |
| 8:00 PM | Third Eye Blind | The Jefferson Theater | \$42 | I want something else to get me through this |
| 8:30 PM | SALSA/LALO/BLSA/APALS A/KLSA Mixer | Pavilion Clubhouse | Free | Snacks, drinks, and alphabet soup |
| SATURDAY – October 21, 2017 | | | | |
| 11:30 AM | Public Service Job Search in 60 Minutes | WB 126 | Free | No. |
| 1:00 PM - 4:00 PM | Elect Her! | Caplin Pavilion | Free | Shards of glass ceiling |
| SUNDAY – October 22, 2017 | | | | |
| 2:00 PM | A Delicate Balance | 123 East Water Street | \$20 | No. |
| 6:00 PM | HallowQueen | Sprint Pavilion | \$20 | No. |
| 9:00 PM | The Walking Dead – Season 8 Premiere! | Paramount Theater | Free | Concessions for purchase |
| MONDAY – October 23, 2017 | | | | |
| 12:30 PM | Titanic! - Lunch with Ole Varmer, NOAA International Section | WB 104 | Free | Yes, bobbing for apples |
| 6:00 PM | Voter Protection Training | WB 101 | Free | Yes |
| TUESDAY – October 24, 2017 | | | | |
| 5:00 PM | Barbara Stephenson, Chief of Mission, American Embassy in London | Purcell | Free | Not sure |
| 7:30 PM | Walk With Me: A Documentary on Thich Nhat Hanh | Regal Cinema Stonefield | \$11 | Concessions for purchase |

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