



VIRGINIA LAW WEEKLY

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

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Fourth Annual Shaping Justice Conference

Sarah Houston '20
Guest Writer

As future lawyers of America, we are taught in Law School to take convoluted issues and make them clear, to put them in neat little boxes, and to embrace the linear. But at this year's Shaping Justice Conference, panelists and speakers alike pushed us to embrace complexity in non-linear ways. When these social justice lawyers are trying to not only assist people who have been marginalized, but to transform the entire system within which this subjugation is created, the solutions are often found in very unlikely coalitions. Members of these unexpected partnerships spoke side-by-side at panels throughout the day, highlighting the multi-dimensional character of progressive lawyering in areas such as transgender rights, sex work, environmental change, and restorative justice. Many of the panelists' clients face intersecting levels of oppression, from housing to immigration to healthcare, and it is within these areas that activists have found meaningful collaborative space.

The Advocacy for Transgender Rights panel gave us a look into what fighting for transgender rights looks like in community centers, on the streets, and in the courtroom. Joaquin Carcaño, the lead Plaintiff in *Carcaño v. Cooper*, spoke of his experience being thrown into the national spotlight as he worked with lawyers, minimum wage groups, and sexual assault prevention organizations to challenge HB 2, the North Carolina bill banning transgender individuals from using public restrooms consistent with their gender identity. Mia Yamamoto, a community activist and criminal defense lawyer who grew up in a Japanese internment camp, explained how "coming out is the most

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Barrister's Ball 2020

An Affair To Remember?



Barrister's revelers. Top row from left to right: Luke Smalanskas, Kareem Ramadan '20, Jake Rush '20, Ben Bhamdeo '20, Ethan Silverman '21. Front row from left to right: Anna Noone '20, Megan Mers '20, Allie Block '20, Kayla Seltzer '20. Photo credit Kolleen Gladden '21.

Phil Tonseth '22
Staff Editor

7:53 a.m.: Wake up, crack a cold one. Senior prom way back in 2011 didn't go as well as it could've,¹ so today will make up for everything that night wasn't.

8:02 a.m.: I lace up the Nikes™ to get a jog in. I specifically tailored my pants to show off my assets, so this run is my last hope I don't split my pants breaking it down to "hot girl bummer."

8:19 a.m.: That was the worst two miles I have ever run in my life. Bud Light burps don't coincide well with regrets over running at 8 a.m. on a Saturday.

8:20 a.m.: Bud Light Seltzers are both delicious and also water-like. Classic form of both hydration and intoxication. Cheers to you, Bud.

11:31 a.m.: Turning twenty-seven next week means it takes a three-hour nap post-run to recover. Time to start the day, part two.

11:32 a.m.: In typical 1L fashion, I'm doing homework on the weekend. Will I remember any of this ConLaw on Monday? Doubtful, but that's equally attributable to my pending drunkenness as to ConLaw being utterly made up nonsense.

1 If you're reading this Alee, you were a wonderful date. I, on the other hand, was a typical teenage boy and wish I could re-do things.

2:05 p.m.: Football is back on TV. I have abandoned all hope of productivity for today. Bud Light, DiGiornos, and the XFL. Could this be more American?

3:17 p.m.: It's not drinking alone when you get your two cats to have a glass of Pinot Meow and Mos-Cat-o with you.²

6:13 p.m.: My mandatory friends,³ who I know voluntarily hang out with me, have catered in Italian food for our pre-game. I lovingly support this suggestion, because it's a classy way to request pizza. However, thumbs down to Charlottesville for not having an Olive Garden. That's true Italian-o.

7:22 p.m.: I asked for one thing for my birthday: a dinosaur tie-tack. I have lost said tie-tack. I am morose.⁴

7:23 p.m.: My girlfriend has informed me that she already put my tie-tack on me, as she knew I'd forget it. At least one of us is smart; she's earned her keep. Maybe forgetting my tie-tack on my chest is a

2 This is cat-nip wine, not actual alcohol. Please don't call PETA on me. I have no other friends besides my cats.

3 S/O big J.D. energy

4 It's a brontosaurus, my go-to dino. Did you guess right? Refer to Vol. 72, No. 13, "What Type of Dinosaur Are You? The Results Will Shock You!"

sign, I should slow down on the beers. Then again, I paid \$65 for an open bar and will get my money's worth. Sorry, Mom.

8:10 p.m.: I showed up fashionably on time. Benefits? The open food bar had pizza and chicken and waffle bites. I should've worn expandable pants.

8:43 p.m.: \$2 for a professional picture? That was a steal. I crossed off a new headshot for LinkedIn, my next Christmas card, and something to send my mom to show her I know how to tie my own tie now.

10:15 p.m.: Good thing my drink is cold. Apparently "dabbing" and hitting your girlfriend in the face isn't the best way to show I can break it down low.

10:29 p.m.: The DJ played "Hit Me Baby, One More Time," "Party in the USA," and "Get Low," all within ten minutes. I wasn't prepared to relive my angsty teenage years, but am very thankful for the open bar now.

11:07 p.m.: S/O to Kolleen Gladden for taking pictures all night. I may have taken forty different shots, but the camera loved me. I can't apologize for that.

11:25 p.m.: Coat check is getting wild. Plus side, they keep bringing pizza by so I can steal a slice. Double plus side, I forgot I put slices of bread in my peacoat. Snacks

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around north grounds



Thumbs up to Dan Richardson for landing a clerkship with Justice Breyer. ANG just hopes that Dan doesn't get caught up in the den of vipers that is D.C., and returns soon to the Law School, which has never had problems with snake infestations.



Thumbs slight-downward angle to the stage at the Jefferson Theater. ANG liked watching pre-lawyers lost to the law of gravity.



Thumbs up to surprise Best Picture Winner, *Parasite*. There was a lot of talk about a lack of representation at the Oscars, but ANG survives on free food and secretly sleeps in the secret Law School basement, so ANG felt highly represented by the winner.



Thumbs down to the new library thief at the Law School. Go back to stealing the Kennedy bust and leave our wallets and laptops alone.



Thumbs up to Mitt Romney. You can't be that much of a silver fox without possessing at least some moral character.



Thumbs down to the inexplicable "Lose Yourself" performance by Eminem at the Oscars. ANG is pretty sure it is 2020, not 2002.



Congratulations to Abbey Meyers Thornhill '20 and Austin Seymour Johnson '20 on their quick engagement and upcoming wedding, happening tonight. Wishing you all the happiness and children this world has to offer!



Thumbs up to the Iowa Caucuses. People might complain, but they still got the results out faster than ANG's grades. Next semester ANG will just declare ANG received all As before any grades have been released. Caucus? They hardly know us!

McCorkle Lecture: Equality and the First Amendment

This past Thursday, February 6, Catherine A. MacKinnon delivered the 2020 McCorkle Lecture, entitled *The First*

Sam Pickett '21
News Editor



Amendment: An Equality Reading. MacKinnon is a professor at the University of Michigan Law School and has been a visiting professor at Harvard Law School since 2009. She has written dozens of books, but is perhaps best known for her work arguing that sexual harassment constitutes sex discrimination. In fact, in 1980 the Equal Employment Opportunity Commission followed her framework on sexual harassment in prohibiting *quid pro quo* harassment and hostile work environment harassment. She also represented Bosnian women survivors of Serbian genocidal sexual atrocities in a case where she won a \$745 million verdict at trial in 2000. The case represented the first time that rape was considered an act of genocide. These are just a few of MacKinnon's accomplishments, which, as Dean Goluboff noted, show her commitment to ending the inequality that affects women's lives.

Before MacKinnon began,

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revolutionary thing one can do" and emphasized how important it is for different progressive movements to put themselves on the line for each other when so many stand by as transgender men and women are routinely outed in public without any choice in the matter. Bary Hausrath, who runs a firm that specializes in LGBTQ+ representation in trust and estates, warned us to never discount someone as a potential ally based on the community they come from. He has found very meaningful support in rural communities outside his usual network. When asked by an audience member what allies can do to further trans-

Dean Goluboff gave an introduction discussing the origin of the McCorkle Lecture Series. The series is funded by the wife and son of Claiborne Ross McCorkle, who graduated from UVA Law in 1910 and gained fame when he prosecuted two leaders of a lynch mob in 1920, securing their conviction and dealing a severe blow to mob violence in southwest Virginia. This lecture was particularly important, Dean Goluboff said, because it marks the 100th anniversary of co-education at UVA Law—Elizabeth Tompkins was admitted to UVA Law in 1920. Dean Goluboff also recognized, however, that it took another forty-seven years for the first African American woman, Elaine Jones '70, to be admitted. The Dean was careful to point this out because, "as we celebrate our milestones in the story of gender and sex equality, we have to locate these stories and milestones within the similarly messy stories of the inequalities experienced by others." The Dean's comments, which coincided with UVA's Diversity Week, were a strong reminder of how far we have come and how much more work we all have to do.

Beginning her lecture, MacKinnon started by giving the Dean a shout-out, remarking that it is not often that you

genders rights, the answer was simple: "employ us, give us jobs."

Restorative justice was the focus on the Dismantling Mass Incarceration through Restorative Justice panel. Many of us in the audience had no idea what restorative justice looked like in practice, but by the end were inspired by this paradigm-shifting response to the mass incarceration that currently defines the US's criminal justice system. This practice brings together victims and perpetrators in order to heal harm instead of punish. The issue is that restorative justice is not generalizable. It is not, contrary to the beliefs of many, focused squarely on obtaining forgiveness from the victim. It looks different based on the parties

involved, the incident that occurred, and what everyone agrees to beforehand. It is meant to rehabilitate the person who committed the crime by forcing them to confront what they did and mend relations with both the victim and the wider community. We were given the chance to hear from a Restorative Justice advocate, a professor of social work, a member of the NGO Restorative Justice Project, and a public defender who are all working in different ways to deter perpetrators while treating them as real people. One of the speakers warned against the tendency we have to take one person's story as indicative of an entire group's lived reality, instead challenging us to "hold

1 We at the *Law Weekly* also **stan** Dean Goluboff.

2 I would like to say ahead of time that I did my best to follow MacKinnon's speech, but there were certain portions that admittedly went over my head. She mentioned many Supreme Court cases and I would have liked to have been able to read the speech so I could fully absorb it. That being said, this is my best effort.

quent research has focused on how we have arrived at this point; she traced various Supreme Court cases dealing with free speech to see how the doctrine has shifted from "content neutrality" to "viewpoint neutrality." The problem with this shift, MacKinnon argued, is that neutrality is rooted in the abstract notion of "formal equality" that lacks substantive direction. This doctrine enforces social inequality and silences the speech of the disadvantaged and subordinated. One example she gave was the constitutionalization of the law of libel. While I had always taken for granted that making it hard to sue under libel was a good thing, MacKinnon challenged that perspective by demonstrating how it made the media, an already powerful social institution, even more powerful and made it unnecessary for the law or the public to consider the power to publish falsehoods.

MacKinnon then transitioned from discussing libel to discussing obscenity, and more specifically, pornography. MacKinnon discussed how obscenity protected pornography, despite the fact that the harms of the production and consumption of pornography have been empirically demonstrated for many years. The major theme of the speech

things with complexity" and to embrace often changing, messy coalitions. Lawyers should continuously be asking "Who is in this community?" or "Who is being affected by this perpetrators actions?" in order to gain even more support for this movement away from mass incarceration.

The keynote speaker, Reginald Dwayne Betts, had a difficult time getting to UVA for the conference. His plane was canceled, so he decided to take a car from D.C. to Charlottesville. It was during that car ride that he decided to completely change his planned speech

was clear: The weaponization of the First Amendment by society's powerful groups did not "come out of nowhere" and it is not counterbalanced by the neutrality. MacKinnon advocated for a return to the First Amendment's protection of dissent and for a building into the First Amendment a substantive understanding of inequality that would help the Court expose expressions of inequality and support expression by subordinated groups about their inequality.

MacKinnon's speech was fascinating and seems as groundbreaking as her work on sex discrimination. She challenged many of my own notions about the law and has inspired me to reconsider my own view on the First Amendment and the role it plays in the power dynamics of our society.

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for the event, instead using the cities and towns he passed as sign posts for us, explaining his winding journey from prison, to Yale Law School, to political appointment. Mr. Betts is first and foremost a poet. This was evident as he told us about his life as if we were on the curving road with him. It is so important for lawyers and students of the law to engage with those who bear the results of their actions, but too often there is a divide. Mr. Betts, who was still legally a minor when he was impris-

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Chris Kavanaugh '06 speaks in Caplin Pavilion after receiving the Shaping Justice Award for Extraordinary Achievement. Photo credit Michael Schmid '21.



Keynote speaker Reginald Dwayne Betts speaks about his life and career in Caplin Pavilion on Friday evening. Photo credit Kolleen Gladden '21.

Tweedledee and Tweedledum:

When it comes to our favorite in the High School Musical series, sometimes, we are not all in this together.

High School Musical 3 > OG High School Musical

Lena and I are both huge fans of the High School Musical Trilogy. Beginning in 2006, *High*

Sam Pickett '21
News Editor

School Musical, *High School Musical 2*, and *High School Musical 3: Senior Year*, the



trilogy follows the journey of two teens, Troy Bolton and Gabriella Montez, from very different worlds as they work to discover who they are and what they believe in.

We both agree that *HSM2* is the best movie. The plot? Engaging and aspirational. Who hasn't wanted to spend the summer working at a swanky summer resort with your friends? The music? Unmatched in any of the other films. "Fabulous" showed us the value of knowing what you want out of life; "Work This Out" taught us that anything can be a musical instrument; "I Don't Dance" proved that baseball and dancing are the same game; "Gotta Go My Own Way" tore our hearts out and gave me my go-to karaoke song for the rest of my life; "Bet On It" graciously gave us the iconic image of Troy Bolton dancing passionately on a golf course and hitting his own reflection; and "Everyday" put the pieces of our hearts back together. This was also the first movie where we saw Troy

and Gabriella kiss, so there isn't really much argument.

So where do I diverge from Lena? I believe *HSM3* is better than *HSM1*, and to be honest, if you disagree with me it's because you're being nostalgic. *HSM1* is an excellent movie, but it is also the one where the characters are the least developed, the plot is the simplest, and the music is undeniably the worst.¹

First, the characters in *HSM1* are still at that stage in the trilogy where they embrace their typical high school stereotypes. Chad is still a basketball jock who lacks any big-picture view of life; Ryan and Sharpay are still the snooty theater kids; and Taylor is still the annoying science geek who hates all of the popular people. While the whole point of the first movie is how these characters break out of their shells, I would prefer for there to be no shell at all. The second and third movies are so good, in fact, because the characters are all friends and they have each others' backs no matter what. The friends are so supportive that in the third movie Chad is even okay with his best friend Troy violating their childhood pact to play at the University of Albuquerque so that he can attend Berkeley to be closer to Gabriella.

1 I want to be clear, worst is a relative term. The worst music in the *HSM* trilogy is still better than most songs in the world.

Watching these characters become more mature is one of the great joys in the *HSM* universe, and *HSM3* is the best example of it.

Secondly, the plot of *HSM1* is basic. A boy and a girl discover that they want to break out of the "status quo" society has set for them, but their friends don't want them to. After some shenanigans, they all learn the value in being who they want to be, and they come together to accomplish all of their goals and everyone is friends. That's it. It was perfect for 2006, but 2008 (When *HSM3* was released) demanded more. In *HSM3*, the characters juggle the following conflicts: Troy and Gabriella must decide what will happen to their relationship when she goes off to Stanford; they must all organize and plan a musical about their high school careers; Sharpay must fight to maintain her role in the musical after her assistant almost takes over; Troy has to pick a college; and everyone must deal with the impending separation that college will bring. It is riveting. Also, Troy and the East High Wildcats won a championship at the beginning of the movie. How can a movie starting with "Rocketman" hitting a game winner NOT BE AMAZING?

Finally, there's the music. Oh sweet lawd, the music. It starts with Troy leading a comeback in the state championship game with "Now or Never," a song so

inspirational that I feel ready to write the rest of this article after listening to it just once. It also features a touching moment between Gabriella and Troy, where she gives him the strength to win the game. All very intense. Then there is the classic "Can I Have This Dance?" where Troy and Gabriella dance BEAUTIFULLY and ROMANTICALLY on the roof of the school after TROY has just bought GABRIELLA tickets to the prom. Go watch the video of it and tell me you are not inspired. If Maria² saw that and wanted to leave me for someone who could dance like Troy, I would honestly help her because I also aspire to leave myself for someone who could dance like Troy.

I could keep going on about the songs, but I would also like to emphasize how intricate the choreography is for the film. "The Boys are Back," filmed in a junkyard, features the boys doing *sick* acrobatic moves with the junk. "Scream" features Troy passionately singing and dancing in the school hallways WHICH START TO MOVE. AND TROY JUST GOES WITH IT. Then there is "Night to Remember," which I watched the night of my senior year prom to get me hyped up for the main event. I could go on about every song, but I think my point is proven.

This is in grave contrast to

2 My girlfriend.

HSM1, which features some classics in its own right, like "Start of Something New," "Get'cha Head in the Game," "Bop to the Top," and, of course, "Breaking Free." But those songs aren't the ones you want to listen to over and over again. You hear them once, you acknowledge that they're great, but then you move on. "Bop to the Top" does Bop, but it is also just a bit annoying after a while. Not true with *HSM3*.

Anyway, in conclusion *HSM3* is the second best *HSM*, and anyone who denies it should re-watch the first and see how much of a difference two years can make in how EXCELLENT a movie can be.

What Team?! OG HSM

Please email editor@law-weekly.org if you would like to see two dummies fulfill their

Lena Welch '20
New Media Editor



upper-level writing requirements by dissecting the High School Musical franchise. I was supposed to cut down my original 1,129-word draft, but I ended up writing more...

I'm quite impressed by Sam's argument, given how little merit it possesses. *High School Musical*, which Sam calls "*HSM1*" even though it is simply

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for days.

12:37 a.m.: Common House's chairs are so comfy that I may have actually fallen asleep waiting for a drink. Time to go home. Until next year, Barristers. #lawhoos

1:05 a.m.: This is the one time that future me loves past me. Saving a slice of DiGiornos pizza for my drunken stupor was the best idea since sliced bread.

1:06 a.m.: Turns out I had one last piece of sliced bread in my pocket. I cannot decide which is better now. My stomach is very content.

1:22 a.m.: My cats are very miffed that I'm up, eating, and keeping them awake. They're off their cat-nip high now, guess it's my turn to sleep too. Case dismissed.

Christina Luk '21
Executive Editor

So, I was asked to give a 2L perspective on Barrister's this year, but I'm just going to talk about eating dumplings, which is how I actually spent the evening of February 8, 2020.

Step One: Fail to procure a ticket to Barrister's and rejoice in the freedom this brings you.

Step Two: Find a mom-friend who will host your sorry ass on a Saturday night and convince her that this would be a great time to gorge yourselves on dumplings because you do not have to fit into a little black dress. (My mom-friend is Kunchok Dolma '21, who makes amazing Tibetan momos—y'all can find your own. I will not share.)

Step Three: Show up at her house in your most comfort-

able hoodie with your Nintendo Switch—because why the heck not—and two other friends.

Step Four: Fold dumplings. Am I actually going to explain this? Yes, because I haven't met my word count yet. We're starting with imaginary store-bought dumpling skins because I'm too lazy to imagine making them myself. Make sure they're circular, we're making pot stickers here, not wontons, jeez. Now place one dumpling skin flour-side up on your palm and fill with your filling of choice. Dip your finger in a saucer of water and run it along the lip of the circle. Now bring the bottom edge of the circle up to the top and crimp the skin toward the center until you've closed the gap. If that made zero sense to you, then you read it right.

The proper way to learn how to make dumplings is to watch your grandmother make them and then be relentlessly ridiculed until you're old enough to tell someone else they're doing it wrong. I am available on Friday evenings to laugh at anyone who wants to learn.

Step Five: Eat the dumplings while reading and laughing at all the group texts you're getting that say, "are u here yet?" "come dance~" or "omg there's pizza here." Hahahaha. Man, those dumplings were good.

Taylor Elicequi '20
Features Editor

The time-honored tradition of law students getting dressed up to get down on the dance floor has come and gone, and I'm here to provide

the jaded 3Ls take on An Affair to Remember.

Despite some snafus, I'd say Barrister's was a hit, and people (those who could attend) had a great time. However, I feel compelled to get my critiques out of the way before moving on to the positive things. Obviously, the event venue wasn't big enough. Given the lack of tickets to the main event, it was particularly unfortunate that Common House reached capacity and wouldn't let people in. I know it's hard to find a venue in Charlottesville and I did appreciate being somewhere other than The Omni, but 600 tickets are not enough for a school the size of UVA plus non-law significant others. My other critique: The entire

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Dumplings (left) made by Christina Luk '21 instead of attending Barrister's. Photo credit Christina Luk '21. Barrister's photo (right) from left to right: top Marc Petrino '21, Jacob Sillyman '21, Jacob Jones '21, Zane Clark '21, Will Joyce '21, bottom: Jonah Panikar '21, and Samwise Pickett '21. Photo credit Kolleen Gladden '21.

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 mes5hf@virginia.edu

1L Cookie Monsters v. UVA 370 U.Va 100 (2020)

JUDGE STIEVATER, sitting by designation, delivered the opinion of the Court, in which Judges BIRCH, VIERIA, IMADI, TONSETH, WUNDERLI, AND QUERNER join, also sitting by designation. SHMAZZLE, C.J., filed a dissenting opinion. CALAMARO, J., filed a dissenting opinion in which LUK, J., joined.

JUDGE STIEVATER delivered the opinion of the Court.

“I have had a very long day; I am very small; and I have no money, so you can imagine the kind of stress that I am under.”

While comedian John Mulaney uttered these words in his 2015 Netflix special *The Comeback Kid* to describe the life of an elementary schooler, he also inadvertently articulated the plight of thousands of first-year law students across the nation. To be sure, law students of all years may relate to Mr. Mulaney’s proclamation, but it is recognized that the days of 1L seem longer, that the 1Ls are indeed smaller in knowledge and experience, that they have no money nor any immediate prospect of money on the horizon, and that they are thus slightly more frazzled. It is within this context that the 1L class stands before the Court today. The facts are as follows:

For approximately 16 weeks during the fall semester, the Student Affairs Office hosted a “Weekly Wind Down” (henceforth, WWD) for 1Ls in the Withers-Brown Lounge on Fridays, wherein two to three trays of cookies were always provided with the exception of one week where mini cupcakes were substituted (See, *1L Anti-Cupcake League v. UVA Law* 465 CoPA 213 (2019), wherein summary judgment was granted to the defendant after the Court found that mini cupcakes, though constituting a decrease in portion size,

were an acceptable substitute for cookies in this singular instance due to the high quality of their buttercream frosting). These WWDs were, of course, pretense to grab as many cookies as their little 1L hands could carry back to the library to stuff their faces with as they read and cried, but they were nevertheless appreciated. Indeed, with a variety of cookie flavors to choose from, what was not to love?

[A two-page criticism of oat-

relatives who ask if they’ve put on any weight as much. While the Court did indeed establish an inalienable right to snack that does encompass eating cookies, the 1Ls confuse this right with an expectation that the Law School provides them. No one contests that 1Ls have a right to eat cookies—it is the provider of the cookies at issue.

This leads precisely to the 1Ls’ second cause of action: that the Law School has a duty to provide them cookies. One

dent before *Hangry* were left to wander as a collective, hungry Moses through the school. Options, albeit not as scrumptious as a Snickerdoodle, are nevertheless available to all. The Court declines to extend our holding in *Hangry* to require free cookies for law students at this time.

The 1Ls’ third and final cause of action is that the Law School breached a contract with the 1Ls when they did not continue WWDs in the spring se-

otherwise expressly stated, acceptance by any manner or medium reasonable in the circumstances is valid. The Court can think of no more reasonable manner of acceptance than by eating the cookies which were offered. Furthermore, UCC Section 2-204 states that orders and acceptances exist as a routine process; therefore, since the 1Ls silence was routine in the fall semester, there was no need to specify that they would like the cookies to continue. As such, a valid contract was offered, accepted, and then breached by the defendant. UCC Section 2-713 dictates that the damages be the difference in contract and market price. However, to establish such a difference would require the Court to determine the weekly price of tuition, what percentage went towards cookies, and what a tray of cookies goes for these days. As the Court draws a hard line at participating in basic algebra, damages are instead to be nine trays of cookies (three for each week missed) provided in the WB Lounge on three discretionary days this semester, as well as the reinstatement of WWDs with cookies.

SHMAZZLE, C.J. dissenting.

The Justice sitting by designation (whose name is worse than mine, tbh) has come in hot with this decision demanding that the Law School provide cookies to 1Ls on Fridays. When I was your age, I never got cookies on Fridays, and

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“The smiles have now faded quicker than the dopamine hits from the sugar, however, as this semester there has been nary a cookie to be found.” - Judge Stievater

meal raisin cookies, as well as an overview of the differences between a snickerdoodle and sugar cookie and why one should always choose the former, has been omitted.]

The smiles have now faded quicker than the dopamine hits from the sugar, however, as this semester there has been nary a cookie to be found. For three consecutive weeks since the start of spring semester, the 1Ls allege that there have been no WWDs and, by extension, no cookies. They come to us today with three causes of action that will be taken in turn.

The 1Ls first argue that they have an inalienable right to cookies, pursuant to our holding in *Law Students Home for the Holidays v. Nosy Relatives* 880 CoPA 251 (1988) in which we established that law students had a license to snack however much they so please and that they are entitled to tell

generally does not owe a duty unless falling into one of four categories—statutorily compelled, landowners, custodians, and enablers. The 1Ls allege that the Law School owes a custodial duty to protect their well-being (i.e., hunger) by virtue of them paying tuition to the tune of \$63,200 (but, hey, who’s counting?). The court has already ruled on this issue in our landmark decision in *Hangry Law Students v. UVA Law* 852 CoPA 777 (2015), where it was found in a unanimous decision that the faculty was required to provide sustenance in the form of snacks to law students, wherefore the “Snack Room” was created. The case before us is distinguished from *Hangry*, however, because students today already have an oasis of snacks in the desert of the Law School from which to seek refuge, that is to say, the “Snack Room,” whereas stu-

mester. The Law School insists that providing cookies each week was gratuitous and is unsupported by consideration, to which the 1Ls again reply that they are paying \$63,200. We side with the 1Ls that sufficient consideration exists. Undeterred, the Law School further insists the 1Ls never accepted any offer of cookies and that it is free to revoke its offer pursuant to UCC Section 2-206(2). UCC Section 2-206(1), however, makes it clear that unless

Faculty Quotes

K. Ferzan: “Professor Harmon gets mad at me because I’ve never read *Miranda* . . . I was a federal prosecutor and I just watched TV.”

A. Bamzai: “I’m sure these are things you already know, but to be safe... The North won the Civil War.”


M. Gilbert: “FDA would ban cigarettes because they don’t have a benefit. When you look cool behind the high school, that’s not a ‘benefit.’”

J. Fischman: “Presumably with enough mobsters you can enforce any agreement.”

M. Collins: “If you’re a rich person and you think someone’s going to get a judgment against you, move to Florida.”

A. Coughlin: “Sarah Davies told me I’d have to wear a poncho, and, as a fashion icon, I said no.”

Have a good professor quote? Email editor@law-weekly.org



Virginia Law Weekly

COLOPHON

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TWEEDLE

continued from page 3

HSM, is the best in the *HSM* trilogy. It not only inspired generations of fans, but it helped to establish the DCOM musical era, a gift that kept giving.³

Before I demonstrate the superiority of *HSM* over *HSM3*, I want to note a few things about the best *HSM* film: *HSM2*. I don't think I'll ever be in love with someone as much as I was in love with Zac Efron in 2007. *High School Musical 2* and *Hairspray*? An incredible combo. His darker, Link Larkin hair really made his eyes pop. Songs, summer, Sharpay. To borrow from the Hannah Montana movie, "What's not to like?" My family had just gotten Verizon FiOS, and new customers were able to access *HSM2* a week early. I watched it eleven times in that week (my friends who remember me talking about *To All the Boys I've Loved Before* during 2L fall won't be surprised by this⁴), memorizing the dances to "What Time Is It?" "All for One," and "Work This Out."

I actually watched the premiere of *High School Musical* at the home of UVA Law alumna Laura Cooley '18 (L.C.). I can't describe everything that went

3 Where would we be without *Camp Rock*? And I'm dead serious. I've seen the Jonas Brothers and Demi Lovato upwards of ten times in concert.

4 Email editor@lawweekly.org if you want me to review the sequel, P.S. I Still Love You.

down that night, but everyone in attendance knew that our lives had changed with the introduction of Troy.

Whereas Sam feels the characters and plot were nothing special in *HSM*, I have to respectfully disagree. These characters are complicated with motivations that change as they learn and grow, but they share a very important characteristic: ambition. This movie explains to its viewers that ambition, dreams, confidence, and drive are not things to hide, but things to cultivate and work to achieve. This is a particularly important message because it accompanies Troy and Gabriella's discovery about themselves. The "shell" is necessary to illustrate that the boxes other people put us in—or that we put ourselves in—do not contain us if we are brave enough to try something new. You mean like going left?

I also want to stan for Sharpay for a moment. Back then, she was my idol. Her fashion was iconic. She was an independent woman who didn't need no man. She just had to include Ryan (and let me be clear, I adore Ryan) because East High was too afraid to do a humble one-woman show. Now, she is my avatar for my Disney+ account. Mah!

I don't have space to get into all of the songs, but I want to address something highly important. Some of y'all may know that Drew Seeley provided much of the singing voice for Troy in *HSM*. Maybe I'm just a Drew Seeley believer,⁵ but I'm

5 Seriously, scope out Another *Cinderella Story*, to get some more D.S. in your life.

not sure Zac Efron could hit the right nOoOoote in 2006, so it's a good thing they brought in a ringer. Nevertheless, Drew Seeley could never do what Zac Efron did in his acting performance. You can't fake his chemistry with Vanessa *Anne* Hudgens.

To try to touch on every song here are some stream-of-consciousness notes I wrote during Nonprofit Organizations because contrary to Sam's argument above, these songs are exceptional:

The "Start of Something New" it was. Having just attended a karaoke night on iTrek, I feel prepared to say that this karaoke night was special. I actually stood on a coffee table to sing along when I watched on December 31, 2019. There's no better song to ring in a new year.

"Getcha Head in the Game." Again, shouts to Drew Seeley. The dancing is amazing, with some of the best prop work of all time.

"What I've been Looking For." When my sister and I acted out this song, we would trade off between Ryan and Sharpay. Sharpay gets a time step, but Ryan gets jazz squares and a one-handed cartwheel. But, y'all, this is why we gather in this hallowed hall.

Reprise. On re-watches, it maintains the emotional power from the first time you saw Troy step forward. "I'll sing with her."

~*-CALLBACKS~*

"Stick to the Status Quo." I cel-

I've seen that movie at least five times, mainly to try to figure out if Selena Gomez is doing *any* of the dancing.

brated Thanksgiving with one of my childhood best friends. I can't remember why, but at some point she and I burst out in a near-complete rendition of "Stick to the Status Quo." Plus, this song features two of the loves of my life: baking and homework. Just kidding. But baking. Crème brûlée, baby.

"When There Was Me and You."⁶ The weak point of the movie, but it leads to the "But I"/"Me Neither" lines. Two of the most devastating lines of all time.

Pause for Troy singing on Gabriella's balcony. It's a pairs audition, baby.

"Bop to the Top." Honestly, justice for "Bop to the Top." Sharpay and Ryan are performers. They are here to entertain. And they would be happy to do it again for their fellow students, an audience they deserve.

My biggest issue with "Bop to the Top" is that there's no way in this fictional world where Kelsey Nielsen wrote the winter musical that "Bop to the Top" exists in the same musical as "What I was Looking For (Reprise)" (because "if you do that part with that particular song I imagined it much slower," "If...") and "Breaking Free."

"Breaking Free." Look at me, right at me. And I have every day since Troy said that. This song made a couple of stars. There's

6 If you've never liked "When There was Me and You," I recommend watching *High School Musical: The Musical: The Series*, a Disney+ show that features a decent rendition in the sixth episode.

COPA

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especially none for free from the school administration. You twerps get free cookies for 16 weeks, hand delivered on *literal* platters, and you're now demanding more? While I do love and respect the desire to stick it to the Man, I think the majority is forgetting the second-most important rule of this court: 1Ls always lose. And here again, the 1Ls should lose. If I had written this dissent before 7:21 p.m. the night of production of this paper, I am confident I would have won the hearts of the majority and my decision would have been elevated to the majority decision. But I am a 3L, and this is my last week in charge, so anyone expecting me to do that was definitely expecting too much.

Down with the 1Ls. End the coddling, no more free cookies. Face ConLaw and Property with an empty stomach like your 3L predecessors who came before you.

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

I fully agree with Justice Shmaezal's dissent, but believe that it is incomplete. The famous words of philosopher Laura Numeroff come to mind, writing in her opus *If You Give a Mouse a Cookie*, that "he's going to ask for a glass of milk. When you give him the milk, he'll probably ask you for a straw. When he's finished, he'll ask you for a napkin." I believe that Numeroff's original intent, however, was to warn against giving 1Ls cookies for free, espe-

cially when they demand them of the school administration. Indeed, Numeroff later wrote that she would have added, "And when the mouse is done with the napkin, he will ask for a full scholarship from the administration and organize the students to sue the school in to obtain benefits." These words hold as much weight today as they did in Numeroff's time, and, indeed, across all times. Clearly cognizant of the burden that entitlements can have on an administration's budget, Numeroff's brilliant work has been a guidepost for many great legislators and was even the inspiration for Ayn Rand's *Atlas Shrugged*.

Perhaps the majority believes that it is okay to do away with tradition? P'raps they feel that mice like the 1Ls should get anything they want. Giving them only oatmeal raisin cookies is one thing, but, to provide these benefits, when they had no right to them in the first place, is going too far. I support the administration in its willingness to do away with these frivolous cookie programs, the execution of which was half baked at best.

7 Before law school, I worked at Johns Hopkins University, and I had to accompany the baseball team to Florida for their spring break games. During this time, the upperclassmen like to initiate the new kids by making them sing. And often they make the staff do this as well. I am a terrible singer, but I'm not quite as bad as my favorite student-athlete of all time, a kid I call Long Island. So, Long Island and I decided we would sing *Breaking Free*. Fortunately, the upperclassmen called on Long Island when I wasn't there. He sang *Sweet Caroline*, and when they asked me to sing on the bus ride back to campus, I said no. And that was that. A star was not born.

8 October 24. Which is now my best friend's birthday, but I will always remember it because it was the night *HSM3* came out.

TWEEDLE page 8

HOT BENCH



Jeffrey Stiles '22

Where are you from?

I was born in Peru and spent 10 years there, but in America I'm from near Gettysburg, PA.

What did you do before Law School?

I was a Peace Corps Volunteer in Western Samoa after graduating college, but during the several-month gap between that and Law School I worked in a cardboard box factory.

When did you start thinking about law school?

I took a law course on international protection of human rights while studying abroad in Barcelona that really excited me. The actual material of the course itself was pretty cool, but I really loved my classmates and the way they thought.

What's something you know now that you would tell yourself coming into law school?

It is okay to know nothing and look stupid. That's probably how everyone actually feels anyways.

What kind of impact do you hope to have as a lawyer?

I hope I never forget that there are always actual people involved and impacted by the work we do—I hope their encounters with me help them see their inherent value and dignity.

Let's do a lightning round!

Favorite food?

Picante de Choclo.

Favorite place in Charlottesville?

Not a specific place, but riding my scooter on the roads that meander through the horse farms.

Anti-Stress Hobby?

Dance-llipticaling (dancing on an elliptical).

Pet peeve?

Multiple long dissents that functionally say the same thing.

Favorite word?

Tort (shouted when something less than reasonable is being done).

If you could live anywhere, where would it be?

Barcelona—the public transportation system is divine and the city is marvelous.

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

Hunt for the Wilderpeople.

If you could pick one song to play in the background of your life, what

would it be?

Donovan's "Break it Down" aka the song that stole Britney's "Crazy" (See generally, anyone in Buck's LRW class).

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

After funding a 401(k), I would buy a huge swath of land and sow native wildflowers.

What is your least favorite sound?

Nicholas Cage's voice.

What animal are you most like?

An otter.

What are the Seven Wonders of the Law School?

- (1) Professor Rutherglen on an exercise bike,
- (2) Professor Geis saying "I think that's right,"
- (3) the altars of sustenance (the free food table and Student Affairs),
- (4) the neo-classical brutalist architectural style,
- (5) the two painted portraits of women I have found,
- (6) the water-bottle fill up stations that actually dispense water rapidly, and
- (7) the numbering system of Slaughter .

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

We would sing "The Good Old Song" before every final.

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To Journal Tryout or Not to Journal Tryout?

Pro-Journal Tryout

The journal tryout is perhaps the most important, life-altering process you can

Kolleen Gladden '21
Photographer



undergo as a student at UVA Law. It is, without a doubt, an absolute necessity.

I'm sorry, did you say that you don't intend to be an appellate clerk? Move on, this is not the article for you. Oh, you want to do public service? Go forth, live your life of journal-free luxury. This is not about you. I'm talking strictly to the private sector folks. You see, the reason to jump through the hoops of landing a journal has little to do with prestige and even less to do with relevant experience. You should join a journal because it offers the closest insight you'll get in Law School on what it's like to work for a firm. Those three grueling days spent trying out for journals offer the tiniest glimpse into the next two years of your life spent doing doc review. Picking a journal is much like picking a firm, attempting to discern the right choice for you based on the vague promises of snacks, the possibility of prestige, a collegial vibe, and relevant experience to be gained. You then get to spend the remainder of your time doing thankless work under superiors with a modicum more

experience than you under vague instruction and strict deadlines. The shimmery snacks dull in their sparkle under the weight of impossibly elusive sources. Your eyes glaze over as you highlight quotes, proving they in fact exist. Welcome to the real world, kiddo. Or at least, as close as you'll get to it in this institution. So go ahead, join a journal, and let yourself be immersed in the work; soon you'll be remembering the most anguished moments as "the good ol' days."

Con-Journal Tryout

"You must try out for a journal." "To get a job, you have to be on a journal." "Ev-

Corey Parker '20
Guest Writer



everyone has to do the journal tryout." Does this sound familiar? It is what 1Ls at UVA Law hear from their peer advisors, classmates, and professors every spring. At first, I believed the hype. I had no interest in being on a journal and felt overwhelmed by the tryout process, but I thought I had no choice.

I went to an informational meeting held by the *Law Review* Managing Board. I starting planning how I would get my other work done that was due the weekend after the tryout. Then the week of tryouts, I remembered a short conversation

that I had with two 2Ls very early in the fall semester. I really admired these two and one was even on the Managing Board of *Law Review*. They quietly whispered to me, "You know, you don't have to be on a journal." One of them said that being on a journal was her biggest regret in law school.

As I prepared to study my Bluebook and color code it with hundreds of little sticky tabs, I thought about that advice. And I decided I wasn't going to do it. When one of my PAs organized a small section gathering in ScoCo to talk about tryouts, I walked up and told her that I was out. She was appalled and told me that I was making a *huge* mistake. I immediately went to the Career Center and walked into my advisor's office, without an invitation. "Can I still get a job without a journal on my resume?" My career advisor slowly got up, shut the door to the office and told me that, yes, without a doubt I could still get a job. In fact, not only could I get a job, but I could get the job of my dreams.

That weekend, while my classmates slogged their way through journal tryouts, I read for class. I worked on a midterm that was due the following week. And I slept.

To be clear, this decision was not about laziness. It was not about wanting to avoid extra work. My decision was based on not believing that

checking the citations on someone else's writing was going to make me a good lawyer. It was also based on a belief that we should choose our own path. Instead of joining a journal, I worked as a Legal Writing Fellow. Through that role, my legal writing improved tremendously, which is something that will make me a better lawyer. That role also created the opportunity to meet and work with 1Ls whom I might not otherwise know, some of whom are now close friends.

I get it. Some of you want to clerk. If so, I am guessing you should probably try out for a journal. Some of you want to go to a *top tier firm*. Maybe you should also try out for a journal. But the point is, before you work very hard on a journal tryout, only to be "rewarded" with more work, it is okay to question the process. Ask yourself if there are other ways that you can develop the skills to be a good lawyer. More importantly, ask your career advisor whether your job market absolutely requires a journal. You might be surprised by the answer . . . I was. But I did get the job of my dreams and will be a public defender in Colorado later this year.

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Law School & Darden Pong Tourney Recap

The JD/MBAs held their Feb Club event this past Friday at Trinity, and surprise, surprise, it

Will McDermott '22
Staff Editor



was a beer pong tournament. This was a good opportunity for many of us to finally see eye-to-eye with our North Grounds neighbors (pun intended).

The event was a hit with a whopping sixty-four teams signed up. The event was such a hit that there was a waitlist with four teams on reserve in the event that people didn't show. Big shoutout to Ethan Silverman, JD/MBA '21 for putting everything together.

"I'm just thrilled that so many good people from each of Darden and Law came together for the evening with something in common to bond over. Also, it is so perfect that we had in the Final Four one 1L, 2L, 3L, and Darden team to represent our North Grounds community. Can't wait for next year!"

We crowned the team "Live, Laugh, Love" as champions. Congrats to Drew Calamaro '21 and Zach Turk '21, beautiful team name and impressive performance. We owe our finalists Bernie kegStanders [J. Carr Gamble '22 and Tallulah Tepper '22] a congratulations as well; they fought a hard journey to the finals but ultimately ended up

PONG page 8

UVA Law Split Second Sightings

Given the amount of events around the Law School, this section of the Virginia Law Weekly is a compilation of events seen and heard around the Law School, allowing readers to see more of the happenings at UVA Law. All photo credits to Kolleen Gladden '21.

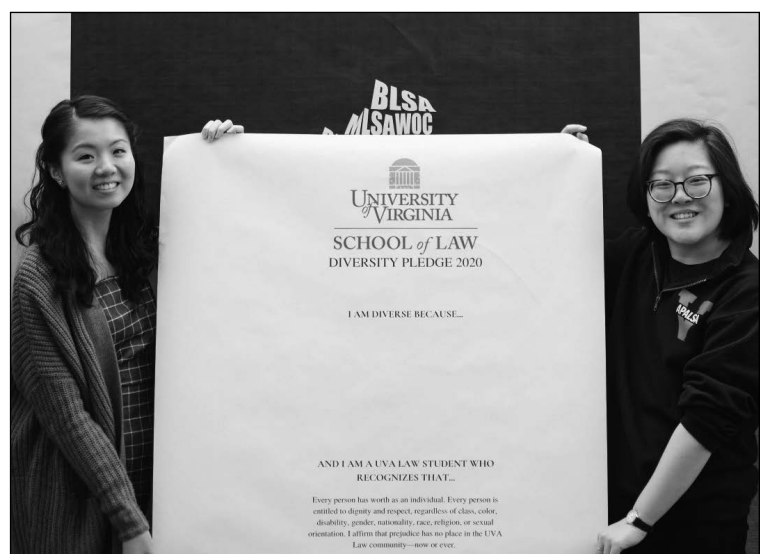


Top left: Gustavo Angeles, Chris Espinosa, Miranda Cady Hallett, and Kimberly Fields speak as part of "The Intersection of Immigrant Rights and Environmental Justice" panel.

Top right: Caroline Spadaro '22 and Jack Zipple '22 pose at Barrister's Ball.

Bottom left: Abby Porter '22, Marlyse Vieira '22, Emily Anne Owen '22, and Megan Ong '22 at Barrister's Ball.

Bottom right: Joy Wang '21 and Christina Luk '21 hold up Diversity Pledge.



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Tuesday, February 18 and **Wednesday, February 19**

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and \$25/hour for three or more
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- Friendly Alumni and delicious food



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LAWHOOWA!

Questions? Contact Lindsey Peters at peters@law.virginia.edu

PONG
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falling short.
“Our closest game was in the opening round against Saucy and Notorious [Davin Laskin '22 and Will McDermott (me) '22]; the two came out strong. After that first game we got in the groove and knew nothing could stop us.” Calamaro said after the event.
Trinity was a great venue, even with the 150+ in attendance there was just enough room for the two schools to mingle without having to physically touch each other. My only regret was being one of the first teams to play. We weren't going to beat Live, Laugh, Love anyway, but another twenty minutes of entertaining the fantasy would have been nice at least.
The team names obviously did not disappoint. Some interesting ones: Two Guys, Six Cups; Two Guys, Ten Cups; Size Matters; ~Lean and Tight 2020~; Brown v. Board of Intoxication; Learned Handz; ModeloVirus; and The Beerie Doctrine.
Overall, the event was a huge success. It was a great way to take it easy the day before the Barrister's Ball. We're definitely looking forward to keeping the championship trophy at the Law School next year. But we should watch out, I'd bet Darden will be working hard this offseason, Lord knows they have nothing better to do. To those who wish they performed better—hit the gym, watch game film, and work on your technique. We'll see you next year.

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SHAPING JUSTICE
continued from page 2
oned for nine years, bridges this divide. He knows what it is like to be incarcerated, and can testify to the complete lack of training one is given in prison before they enter back into the real world. He knows what it's like to study the law and immerse yourself in it, and to struggle to pass national changes through the Office of Juvenile Justice. And it is through his award-winning poetry that Mr. Betts transverses both sides to bring national attention to the devastating effects of mass incarceration. We as UVA students should take his words as inspiration to begin engaging more actively with those currently marginalized by the law. At the end of a day filled with lawyers and activists telling us to reach out and form non-linear networks, challenging us to expand our idea of what justice really means, Reginald Dwayne Betts was the perfect person to send us off on this journey.

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TWEEDLE
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and I dressed up as Troy in the “The Boys are Back” scene. Don't get me wrong, I was enthralled. If *HSM2* is the Zac Efron abs movie (which don't hold up on re-watches because we all know the heights he will reach in *Baywatch*), *HSM3* is the Zac Efron's outstretched arms movie. And the *HSM* line I quote most often is from the third movie: “Yo, yo, yo. It's lunch time.” But the large scale diminished some of the things I loved about *High School Musical*, such as the CG fireworks over a grassy hill at what should be a snowy ski resort or dances that I can pick up in just a few viewings. How am I supposed to learn the dances in *HSM3* without a partner? Because no one wants to learn these dances with me. *HSM3* also does my girl Sharpay dirty. She learned so much in the first two movies, and then they cast her as the villain once again. We all know who the real villain is: the costume designer who always gave Troy a shirt.

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BARRISTER'S
continued from page 3
dance floor was just one giant spilled drink, which was brutal on the dress shoes. I know we had an open bar, but we clearly all need to work on being a little less klutzy.
Now, on to the positives. First and foremost: Damn, this school cleans up well. I appreciated that you all brought your A-game. Tuxes and ball gowns, the student body did not disappoint and looked incredibly fly. The DJ played some good music, and I really enjoyed seeing everyone let loose and have fun on the dance floor. We were also treated to an extra-special dance performance from our

very own Griffin Peeples '20, who sure knows how to break it down.⁵ The Jefferson was a nice change of pace and the bars moved quickly enough that the wait for drinks wasn't too bad. The snacks were also delicious—particularly the chicken and waffle bites. Big shout-out to whoever picked out the snacks.
All in all, my final Barrister's was a ball. I think we had the fanciest attire I've seen in all three years and I enjoyed getting to dance the night away one last time.

5 The Editor-in-Chief would like to publicly express her disagreement here.



Law Weekly 3Ls (minus David Ranzini '20) abuse their last week of power to get featured in the Law Weekly. Please send your complaints to Christina Luk '21 and Michael Schmid '21. Photo credit Kolleen Gladden '21.

TIME	EVENT	LOCATION	COST	FOOD?
WEDNESDAY – February 12				
11:30 – 13:30	The Importance of Diversity in the Academy	Purcell	Free	Provided
13:00 – 14:00	Law Review Journal Tryout Workshop	WB 152	Free	---
14:30 – 15:30	2L Clerkship Update	SL 278	Free	---
16:00	1L Antitrust Practice Group Panel with Weil	Purcell	RSVP requested	Reception to follow
19:00 – 20:00	How the Rich Stay Rich: A Glimpse Behind the Velvet Curtain	Miller Center	Free	---
THURSDAY – February 13				
13:00 – 14:00	Law Review Journal Tryout Workshop	WB 152	Free	---
16:00 – 18:00	Tu BiShvat Indoor	WB 105	Free	---
17:00 – 19:00	APALSA and SALSA Career Networking Day	WB 104	Free	Provided
FRIDAY – February 14				
19:00	The Currys with Genna Matthew	Southern Music Café and Music Hall	\$12 advance	---
20:00 – 23:00	Trevor Noah	JPJ	Varies	---
SATURDAY – February 15				
18:00 – 19:30	Broadway Talks Back: <i>Waitress</i>	Ruth Caplin Theatre	Free tickets through UVA Arts Box Office	---
20:00 – 21:00	Charlottesville Symphony: British Riches	Old Cabell Hall	1 free ticket per student	---
SUNDAY – February 16				
15:30 – 17:00	Charlottesville Symphony: British Riches	Old Cabell Hall	1 free ticket per student	---
19:00 – 22:00	The Lumineers	JPJ	Varies	---
MONDAY – February 17				
17:00 – 18:00	James A.D. Co Distinguished Lecture: Beatriz Colomina	Campbell Hall	Free	---
17:00 – 18:30	Food Law Presentation & Discussion	WB 126	Free	Provided (lol, it better be)
TUESDAY – February 18				
10:00 – 11:00	2L Clerkship Update	SL 258	Free	---
10:00 – 11:15	Ambassadors Unplugged; A Hard Look at the State of the World	Miller Center	Free	---
15:40 – 16:40	Journal Tryout Bluebook Workshop	WB 152	Free	---

THE DOCKET

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