

VIRGINIA LAW WEEKLY

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Relevance and Recognition: Perspectives on Black Queerness

Grace Tang '21
Lifestyle Editor

On Monday evening, students from across UVA Law piled into Purcell Reading Room (perhaps lured by the smell of Wayside) for an informative, interactive, and timely panel presentation co-hosted by Lambda and BLSA following Black History Month in February.

"It's important to have these open discussions about black queerness, and bring ideas to the forefront. We want this event to be a conversation starter which addresses tough issues from different angles," said Jameil Brown '21, one of the event's co-hosts. "The event highlights the role that queer black individuals have played in law, politics, history of civil rights, and other movements. There are individuals in this school who may not always be heard, supported and empowered; and we hope to change this through intersectionality activism in the community across disciplines."

Michele St. Julien, the moderator and other co-host, is this year's Swanson Award Recipient. She was joined by Professor Kevin Gaines, professor of civil rights and social justice at Main Grounds, Professor Dayna Matthews, professor of human rights and public health at the Law School, and Tocara Nelson '19, recipient of the inaugural Swanson Award at UVA.

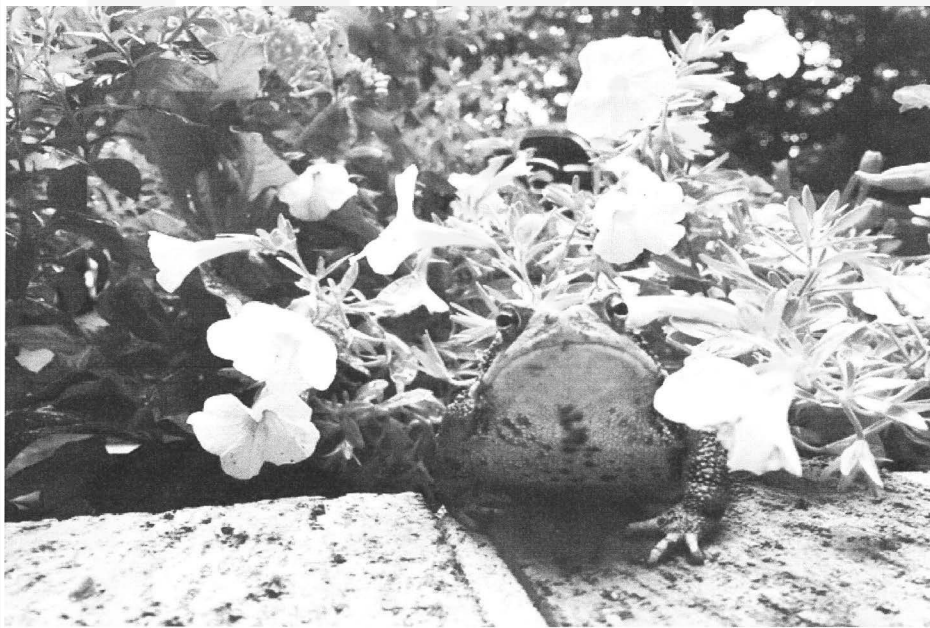
The event kicked off with a recent video narrated by Patrisse Cullors, one of the co-founders of the Black Lives Matter movement and a queer black woman. "Blackness is everything," said Cullors. "I am black. I am queer. It's shaped my reality. It's shaped my world."

"The struggle for visibility and recognition within public culture of black freedom is part of a long history and persists to this day," said Professor Gaines. "There has been a challenging history of dismissal and erasure. Black queer people throughout history have been fighting for everyone else."

Professor Matthews recalls growing up in the New York at the tail end of the civil rights movement and recounts when LGBT groups were not included as part of important conversations when community organizations were invited to share their ideas. Drawing upon an essay called "Privilege," Professor Matthews discusses shifting the concept of discrimination to broaden and encompass more individuals and the idea that every one of us has a respon-

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Coughlin vs. Paw Review A Ribbit-ing Tale of Injustice



Tell your Paw Review representatives to end the speciesism.

#ImWithTheToad

Photo Credit Friends of Gary PAC.

Coughlin v. Virginia Animal Law Society

912 U.Va. 16 (2019)

VANDERMEULEN, J., delivered the opinion of the Court, in which SHMAZZLE, C. J., and RANZINI, ELICEGUI, and SCHMID, JJ., joined. ELICEGUI, J., filed a concurring opinion.

Justice VANDERMEULEN delivered the opinion of the Court.

The sun sets in the west and rises in the east; the trees sprout new leaves in the spring and shed them in the fall; and the Virginia Animal Law Society discriminates against non-dog-and-cat animals. It's a tale as old as time, folks, and it's happening again.

I

Each year since the founding of the Law School,¹ the Virginia Animal Law Society (VALS) has held a "Paw Review" contest, wherein pet owners submit photos of their animal companions, the photos are placed on jars in the Hunton Andrews Kurth² hallway by ScoCo, and denizens of the Law School place money in the jars to signal their aesthetic approval of the pets. The pet with the most money in its jar at the end of the week receives the title of "the Law School's most loved pet," according to VALS. The money is donated to a no-kill shelter. It's all very charming and cute and great

1 We're pretty sure this is right.

2 RIP Williams.

for distracting us temporarily from our overwhelming existential dread. There's just one problem—VALS viciously and unlawfully discriminates against animals other than dogs and cats.

Professor Anne Coughlin complained about the practice in 2017, winning an injunction from this Petty Court ordering Paw Review to include Coughlin's garden toad, Gary. See *Coughlin v. Virginia Animal Law Society*, 90 U.Va. 403 (2017) (*Coughlin I*). There, we famously held that "all pets are beloved by their owners." Unfortunately, VALS must have missed the armed goons we sent to enforce that ruling. Coughlin submitted photographic evidence that this year's Paw Review consists of three categories: Cats, Dogs, and "Other." Coughlin contends that, while "Other" ostensibly includes pets like Gary, the stigma attached to the blatant otherizing of a group of animals and Paw Review's shameless request that participants submit photos of their "furry friend[s]" lay bare that VALS has simply applied a shiny gloss to its bigoted policies—a gloss meant to evade this Court's injunction. Coughlin has sued to enjoin VALS to include both Gary and Sweetsong, a hummingbird that frequents Coughlin's back porch. The lower court ruled for Coughlin, finding that VALS was attempting to evade the injunction in *Coughlin I*. VALS appealed, holding that the lower court failed to grant its decision-making deference under this Court's *Exxon* doc-

trine. We now affirm.

II
A

Appellant VALS contends that under this Court's *Exxon* doctrine (not to be confused with *Chevron*),³ student groups are entitled to deference as long as there exists a rational basis for their decision. *Class of 2005 v. Exxon Station on Emmett*, 617 U.Va. 102 (2004) ("SBA's decision to buy Exxon chicken wings for admitted students is baffling, but is nonetheless 'rational' in the barest sense."). That is, this Court will not generally review *de novo* decisions of student organizations deemed to be supported by reason, however flimsy, to determine whether they were the best possible decision for the student body.⁴ On this basis, Appellant argues its decision to advertise Paw Review for "furry friend[s]" and label animals other than cats and dogs "Other"—allegedly based on a need to "limit the number of category prizes" and "prevent a redux of the Hamster Debacle of 1978"—should receive deference.

But Appellant misreads our precedents. VALS is correct to note that student organiza-

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3 Jk it's really just *Chevron*.

4 Can you imagine the nonsense we'd have to deal with? SBA alone would cost us weeks of invaluable blacked-out-at-Bilt time!

around north grounds



The Law Weekly sends its sincerest condolences to the family and friends of Allison Angel '19.



Thumbs up to UVA's No. 1 seed in the South region of this year's March Madness. ANG has a joke about this, but ANG has been told this "isn't that kind of publication."



Thumbs sideways to MPRE testing this weekend. On the one hand, ANG knows ethics are central to this profession and our responsibilities to society. On the other hand, the college admissions scandal.



Thumbs up to UVA Law moving up in the U.S. News Rankings. ANG can rub it in just slightly harder at Thanksgiving dinner this year.



Thumbs down to 1L constitutional law. ANG's only taking it again this semester because the hollowed out casebook is THE perfect size for ANG's favorite flask.



Thumbs sideways to MyLab going green and requiring students to bring their own cups in an effort to "save the world." On the one hand, ANG likes the world. On the other, ANG is going to throw a grocery bag into the ocean each time ANG has to walk down to the circulation desk to get a fix.



Thumbs up to Jonas Brothers' comeback. ANG's a #sucker for random, unrequested celibacy status updates.



Thumbs down to the broken massage chair. ANG has been lying on top of the Ivy Gardens dryers for weeks, but the effect just isn't the same.



Thumbs up to the start of softball season. ANG looks forward to defending ANG's title of "If you don't stop sleeping under these bleachers we're calling the cops right now."

Libel According to a 1L

Listen. We have fun here. But somebody has to keep things serious. When pressing issues arise—like who is going to serve

Sam Pickett '21
News Editor



us alcohol every other week and where I'm going to get course packets I may not open—somebody has to step up to the plate. So when I heard about Libel, a supposedly hilarious and fun-filled experience, I knew I had to seriously investigate. I decided to investigate so seriously, in fact, that I auditioned for the show and landed a spot—one that gave me access to undercover sources and the underground world of Libel.

The first thing I talked to my source about was the lack of a theme this year. To be completely honest, I wasn't aware that these types of things were supposed to have a theme, given that they are already based around law school. But given that prior shows had themes, this still seemed to be a dramatic change. Don't worry though, my source said that theme "was taken away to the farm" and that it is now "very happy there." I wonder if it's the same farm my old dog went to...

Anyway, this source also shared with me a number of the sketches that will be accompanying this year's show. We have SCOTUS sketches, sketches about drama between 1L sec-

tions (imagine West Side Story, but more dramatic), musical numbers, professors playing Dungeons and Dragons in Professor Setear's basement, and videos starring people ranging from Professor Cohen to the fabulous member of Career Services. But, some even spicier rumors have emerged. Apparently, we are finally going to figure out who ANG is, "To Catch a Predator" style, based off ANG's activity on the ATL message boards. Dean Dugas is going to open the show with a rousing performance of "Star Spangled Banner" sung in falsetto, and an anxiety-ridden 1L is going to close the show by screeching for four minutes straight. I can't wait. I can also neither confirm

nor deny a report that Lil Sebastian will be there. As in, I *actually* can't confirm or deny it because I was hiding in a closet and listening to the directors' conversations so it could be Lil Sebastian is coming or that there is a song based off of "Under the Sea" by The Little Mermaid's Sebastian. Either way would be pretty cool though??

Now I know what you're thinking—with all of these things happening, how long could this last? Well, I'm glad you asked, because I'm so committed to this story that I shut myself in a theater closet (the same one where I heard the Lil Sebastian rumor) and timed it during rehearsals. I've now determined that it could either be

one hour and five minutes long, or it could be seven hours long. And while I can't tell you exactly, I can tell you it has to be somewhere in-between those two times. You're welcome for this insight. If you're anxious about sitting there that long unmedicated (I'm in the show and I am also anxious) HAVE NO FEAR, THERE WILL BE BEER! So, sit down and listen real quick because this is arguably the most important part of the article. If you get a drinking ticket, you can get two beers before the show and two beers at intermission. According to my sources, $2 + 2 = 4$. That means you get FOUR beers for just FIVE dollars extra. That is a DEAL and I

1 I'm really proud of this one. Okay? I am. Screw the haters. This is me. Please keep reading though it gets better.

should know because I am from the Midwest and therefore very uncomfortable committing to spending money unless it is a DEAL. SORRY for all the CAPS.

But you won't really even need alcohol,² because this show is destined to be great. When I was in my closet,³ I heard Lin Manuel Miranda watching rehearsals in the audience and crying because he can never be good enough. (You could say his "Shot" wasn't good enough.) The show has even been nominated for a Tony, which gives K-Don a shot at the much coveted EGOT and the screeching 1L a chance at "Best Original Score." And, while it's hard to admit it, this investigative reporter can confirm that Kim Hopkin, John Dao, and Nicole Llinares are ready to deliver a truly excellent show. Even if Lil Sebastian doesn't show. But to find out, you'll have to buy a ticket—available from 11:00 a.m.—2:00 p.m. in Hunton Andrews Hallway every school day until March 28.

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Nicole Llinares '19 gives stage directions to a group of actors. Photo Credit Kim Hopkin '19.

2 Though I've heard section S plans to pregame 24 hours before...a true lesson in endurance that would make Big Law blink.

3 This is the third time I've mentioned being crushed in a closet in one article...I feel like I'm in a stereotypical Disney movie about a kid being crammed in a locker.

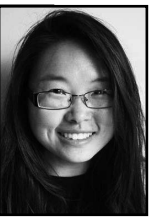
Brunch, Not Breakfast: *Law Weekly* Investigates the Charlottesville Brunch Scene

Sedona Taphouse at 1035 Millmont St.

Brunch Time: Sundays 10:30 a.m.—1:30 p.m.

Grace: Although I was initially attracted to Se-

Grace Tang '21
Lifestyle Editor



dona for their steak specials on Mondays, I was pleasantly surprised to learn that they had quite the extensive brunch menu as well. Sedona is a great spot as they're right by the

brunch needs to a restaurant that doesn't prioritize breakfast foods served at lunch? Still, I am a reporter of great integrity and hunger, and I do not allow my own correctly formed prejudices to keep me from a meal. If you cannot imagine a brunch without eggs, you are in good company at Sedona—their brunch menu features two omelets, three eggs benedicts, and an egg hash. The remaining item is their nutella french toast, which I heard is #eggscellent. The mimosas were decent. 3.5/5

Oakhurst Inn Cafe & Espresso Bar at 1616 Jefferson Park Ave

Brunch Time: Weekends 8:00 a.m.—2:00 p.m.

Grace: Brunch at Oakhurst Inn was trendy, modern and felt just over the top enough to make things fun. The exterior of the building is in a charming white house with wood trim, which makes the atmosphere relaxing and a little whimsical. The menu was very quirky and interesting, featuring seasonal items such as pumpkin waffles, coconut rice grits, and the classic millennial avocado toast. I ordered the eggs meurette, their most popular item, which is like a fancy take on eggs benedict but with much more extra. You know things are good when they come with "shiitake burgundy

wine sauce" on top. Most ingredients are locally sourced as well, so you can feel good while you chow down a delicious brunch. 4.50/5

Christina: If you're looking for brunch with a twist, Oakhurst is the place for you. It's farther out from the Law School than Sedona, but that adds to its charm. It has less parking space, but remember, victory whets the appetite. My good friend Joy calls Oakhurst "the cutest little bed and breakfast," but I have never strung those words together in my life, so I'll leave that as it is. The menu is seasonal—because life is unpredictable and cruel—and sometimes your favorite item is missing from the menu. Do not let that discourage you. Brunch requires both courage and mental fortitude. I recommend the eggs meurette for as long as they are on the menu. With abundant natural lighting, great coffee, and amazing service, brunch at Oakhurst will leave you feeling satisfied and energized to start your last-minute Sunday readings. 4.5/5

MarieBette Cafe and Bakery at 700 Rose Hill Dr.

Brunch Time: Weekends 8:00 a.m.—3:00 p.m.

Grace: MarieBette Cafe and Bakery is a gem in Char-

lottesville. They're perhaps most well known for their delicious pastries, which are temptingly displayed behind long glass counters as soon as you step through the front door. I spotted cookies the size of my face, various flaky pastries, and a decadent looking German chocolate cake, along with quiches and breads. Their shop is divided into two sections; the front sells pastries and other baked goods while the back seats hungry guests for their extensive brunch menu. Everything smells heavenly.

Pro-tip: come early, or there will be a line on the weekend. Our party waited forty-five minutes for a seat, but it was worth the wait. I was recommended the banana cream stuffed nutella french toast, which was insanely tasty. I liked that the filling balanced out the sweetness of the nutella. Their croque monsieur is a great choice if you're feeling something savory. Brownie points for the store's great selection of espresso drinks and fresh pressed juices. Rating: 4.44/5

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MarieBette's Croque Madame. Photo Credit: Jenny Kwun.

Christina: I'll be real, I'm suspicious of any place that only offers brunch once a week. How can I entrust myself and my highly cultured

A (Not So) Taxing Lunch: *Law Weekly* Gains Exclusive Interview with Professor Mason

Many 3Ls might remember the first day of orientation in August 2016—the Friday before actual orientation started—when we were invited to attend a bonus session includ-

Katherine Mann '19
Features Editor
Emeritus



ing a panel of professors kind enough to give their time to advise us on our first year and beyond. I clearly remember Professor Ruth Mason, who was introduced as a tax professor, respond to the moderator's request for advice to first years. Her response: "Take tax." Suffice it to say I was skeptical; of all the things I knew I wanted to know about the law, tax was one topic I was pretty sure was not on my list. But I was smart enough to listen, and I took her three-credit Federal Income Tax class that spring. Of course, she was correct, and I would give the same advice to any first year.

Last week, we at the *Law Weekly* attended lunch with Professor Mason and she gave us her story about how she landed in tax herself. An older friend from law school told her about watching all the tax lawyers at his firm leave at a reasonable hour every day. Professor Mason, who had no prior financial background, took a tax class and realized she loved it. She worked as a

tax associate at Wilkie Farr & Gallagher after graduating from Harvard Law School and subsequently worked in the Graduate Tax Program at NYU. She later transitioned to a professor position at the University of Connecticut School of Law before coming to UVA.

Her husband grew up in New York City, and she lived there for ten years. She said that they were both terrified to transition out of the City. Now they live happily with their two children in Charlottesville, where the kids can "walk on dirt," as opposed to the concrete of their former city digs. As an example of the difference between raising kids here as opposed to New York, she said kids in New York know what a bond trader is at a pretty young age. When she has time for non-academic reading, it is mostly about gardening, since they finally have some space to grow vegetables, and their past efforts have led her to research animal-proof fencing. She noted that her husband had a rather different experience as a child in school in New York, as his school was once visited by the local police, who informed the kids that they needed to toughen up because they were becoming easy targets for muggings.

Professor Mason's specialization is international tax, and she said that a major current issue is keeping up with



Professor Ruth Mason sat down with members of the Law Weekly. Photo Credit UVA Law.

international cooperative efforts to address cross-border commerce, particularly with tech companies. Apple is a famous example of a company that was able to avoid taxation by incorporating in Ireland but being active elsewhere, and countries are currently engaged in negotiations to avoid similar future tax avoidance. The recent changes to the United States Tax Code have also kept tax lawyers busy.

Professor Mason teaches the International Tax Practicum, which prepares students for the International and Euro-

pean Tax Moot Court Competition. Last year the UVA team became the first U.S. team to win the competition, and they are defending their title this week in Belgium. Professor Mason encourages all students to take at least one tax class, and to take it early. If you take it too late and find out you love it, you'll have missed an opportunity to take more advanced tax classes. If you have an opportunity to take a class with her, you'll find she has a good sense of humor, but she's not afraid to give students a little scare once in a while. She

once handed out a class evaluation form during a break, and when a few stragglers returned a few minutes late, she asked the other students to hand in their quizzes.

She has also been a visiting professor at Johannes Kepler University, Leiden University, Universite Paris 1 (Pantheon Sorbonne), and Yale Law School. Last summer, Professor Mason spent six weeks in Amsterdam as the first and youngest female professor in residence at the International Bureau of Fiscal Documentation. The goal of the appointment is to get perspectives from tax scholars around the world to facilitate discussion on cross-border taxation. She and her family enjoyed the city, and she said her kids were even speaking a little Dutch by the time they left. And she gave a pro-tip for parents: don't entirely shift kids to the new time zone. They slept in and stayed up late, so they could do activities in the evening as a family.

I may not have fallen in love with tax enough to pursue courses beyond Federal Income Tax, but I am glad I took Professor Mason's advice early on. I will echo her advice and say "take tax," but especially if you can get into one of her sections. Just make sure to return from the break on time.

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sibility to make change. When considering avenues where assistance is truly needed, Professor Matthews encourages students to look at who is left behind in the public healthcare system as the clear gap in care provided indicates a legal need. "In black queer legal activism, we should identify those groups and move towards them. Write briefs, get involved."

Nelson began her discussion with a provoking quote from "Double Consciousness" by W. E. B. Du Bois: "One ever feels his two-ness, an American, a Negro; two souls, two thoughts, two unreconciled strivings; two warring ideals in one dark body, whose dogged strength alone keeps it from being torn asunder." "Nobody in this nation should feel like they can't be the person they were meant to be," said Nelson. She points out that artists not known for being a part of the LGBT community, such as Baldwin, have created universal experiences for everyone else. "It is not easy when black queers are pulled from different sides and dismissed from different sides of the equation."

For those like myself who are interested in learning more and want to engage further, the panelists suggested several media and literature options. Moonlight (movie), Pariah (movie), documentaries on the Stonewall riots, Brother Outsider (documentary), literature by James Baldwin and Audre Lorde are all excellent choices. Additionally, UVA Law students and faculty are encouraged to join the allyship listserv at socialaction@uvablsa.org.

gt5ay@virginia.edu

The Malicious Chinchilla Part Three: This Time It's Personal

Brutus and I, having survived our first few months living together at college, moved to the D.C. suburbs for the summer. I grew up

Will Palmer '21
Staff Editor



in the area, but staying at my parents' house was out of the question—my father made it very clear that "The Vermin" was not welcome in his establishment. Thus, I rented an apartment close to my work, smuggled Brutus inside under a sheet, and continued to make poor life decisions. One day in late July serves to indicate the character of our lives during those months.

I woke up at around two in the afternoon. The inside of my head felt like Dresden circa February 1945 and Brutus was sitting on my chest, holding a mirror up to my nostrils (presumably to check for breathing). He seemed mildly disappointed at the results but made no move to leave. I heard a dull metallic noise emanating from outside. *Thwang...thwang...thwang*. "Ugh." I sat up, boosted Brutus onto my shoulder, and staggered to the bathroom. Barry, one of my friends from home, was slumped over next to the toilet, sleeping peacefully in a pile of Cheetos bags and crushed Lime-a-Rita

cans. I gave him a rousing kick in the ribs while I shoveled Advil into my face, then wandered out to the living room. It appeared that the Tunguska explosion had been recreated at a slightly smaller scale within my apartment; my friend Luke was seated, bodhisattva-like, at the center of the wreckage, a trifection of hookahs aligned on the table in front of him. I rubbed at my temples. "Where's Derek?"

Luke gestured towards the terrace and I glanced through the sliding-glass doors to the source of the noise. Derek was out on the balcony in a bathrobe, firing a paintball gun at cars in the parking lot across the street and hawking dip spit into a bucket full of cigarette butts and Bud Light cans. I sighed, took a hit off the middle hookah and coughed up approximately three lungs. "Christ Jesus man, what flavor is that?"

Luke looked at me reproachfully. "Don't take the lord's name in vain, bro. It's Gummi Bear flavored."

"Are you goddamn serious? I don't." The faint sound of shattering glass interrupted my rebuttal. Derek hurried inside, shutting the door and pulling the blinds closed before he slid the paintball gun behind the couch. I continued in a hiss, "When I'm abusing my lungs with tobacco products I want to *know* it! You

don't see me walking around hitting fruity flavored vape pens, do you?"

Brutus slithered off my shoulder and onto the table, padding between the hookahs before hopping onto the floor and disappearing into the kitchen.

My phone rang. I groaned and accepted the call. "Hey, what's up, Maddie?"

Maddie was displeased with me. "What's *up* is that your goddamned *rat* tried to kill me with a hairdryer while I was in the shower last night!"

"Wait, why were you showering here?" I replied. "You know my bathroom is mad gross. This place is a hive of scum and villainy." (For the record, my current domicile is quite clean. Just saying.)

"My water was out. *We talked about this*. You guys couldn't have had *all* those Lime-a-Ritas—oh, my god, you did."

From the kitchen, Barry called out, "Bro, who put all this broken glass in the garbage disposal? Oh, shit."

Luke, Derek and I simultaneously responded, "What is it?"

"Uh. Brutus is, uh, in the wall." Barry shot back.

"Maddie, I gotta let you go, Brutus is in the wall." I said.

"He's in the *what*? Leave him! He tried to electrocute

me!" she fumed.

"Yeah, he does that sometimes. Especially when people call him a rat. I'll have a talk with him if/slash-when we get him out..." I hung up and jogged over to the kitchen.

"Well," said Barry, "the little bastard got under the cabinets here," he gestured beside the fridge, "...and now he's there." A loud gnawing noise echoed out of the wall.

After mulling it over, I decided that the best way to lure the little guy out would be by playing Peruvian pan flute music at a high volume and hoping that he heeded the call of his species' homeland. Unfortunately, he is from New Jersey, and there's not a lot of overlap there. He remained in the wall, merrily chewing away at what I assume were key structural supports for half an hour, before wriggling out from underneath the cabinet and hopping back to the couch like nothing had happened. I regarded him sternly and said, "Do you ever wonder what life would be like if you weren't cute as hell?"

He cocked his head and looked back at me for a moment, then leaned down and started chewing the power button off the TV remote.

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LAW WEEKLY FEATURE: Court of Petty Procedure

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

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tion decisions are normally reviewed to determine if their bases are rational and upheld if so. But where a student organization’s action may plausibly be shown to demonstrate animus toward a protected class, not only does *Exxon* not apply, but the Court will subject the decision to the most exacting scrutiny. See *Davies v. Rod & Gun Club*, 764 U.Va. 33 (2013) (“A student’s being ‘a no-good hippie’—while probs true—is not a valid reason for her exclusion from a shooting trip.”) The famous protected classes of UVA Law are, of course, (1) hippies, (2) pets, and (3) masage chairs. *Id.*

B
The questions here are (1) whether Gary and Sweetsong are “pets” under *Rod & Gun* and (2) if Appellant’s decision to otherize them was based in animus. If yes to both, then we apply strict scrutiny and BLAMMO! VALS loses.⁵

First off, obvi the toad and hummingbirds are pets. Professor Coughlin loves them and they frequent her home and bring her joy. Appellants, quoting Justice JANI’s dissent in *Coughlin I*, claim Gary “is not a cherished pet but rather a trespasser in an otherwise lovely garden.” 90 U.Va. at 406 (JANI, J., dissenting). But evidence in the record that Coughlin allows Gary in her home and frequently feeds him scraps of granola and veg-an mayonnaise. If that’s not owner–pet love we don’t know what is. And Sweetsong depends on Coughlin for sugary sustenance like most children do on their parents. Relying on the famed doctrine of *ipse dixit*, we hold that these are pretty clearly pets, folks.

Second, VALS’s decision to otherize Gary and Sweetsong is virtually *dripping* with

5 This is literally the only thing the Court remembers from Con Law.

The famous protected classes of UVA Law are, of course, (1) hippies, (2) pets, and (3) masage chairs.
- C.J. VanderMeulen

animus, as is its not-so-clever “furry friend[s]” wink, clearly designed as it is to communicate that Toads and Hummingbirds Need Not Apply. VALS’s clear notice of its animus via our previous injunctions and the aforementioned armed goons leaves no room for doubt that it knows what it is doing. These guys are straight jerks, no doubt about it.

III
Once animus against a protected class is determined, our precedents’ commands are clear: INJUNCTION, baby. *Rod & Gun*. Appellant is, for the forty-sixth year in a row, formally labelled a SPECIE-SIST CRETIN and ordered to suspend its unlawful animus. In terms of remedy, we leave it to Appellant to determine how it can include Gary and Sweetsong without the “Other” category, but they are fur sure ordered to get rid of the “furry friend” bullshit from their ads and undergo some sensitivity training about speciesism, the sick creeps.

The court below is affirmed and Coughlin wins again.

It is so ordered.

Justice ELICEGUI, concurring.

“All pets are beloved by their owners.” *Coughlin v. Virginia Animal Law Society*, 90 U.Va. 403, 406 (2017). Under this long-standing (okay,

it’s only two years old, but it’s TRUE) and just principle, my esteemed colleague, Justice VANDERMEULEN correctly protected Gary and Sweetsong from VALS’s blatant, targeted discrimination.

I write separately from my capable colleagues to note two points. I would extend the pet-love doctrine even further to explicitly include all creatures self-identified as pets, regardless of species, age, or “existence.” I personally have two beloved pets, Cassie and Princess Star,⁶ who are uniquely special to me, their owner, even though they now live in doggy Heaven.⁷ In fact, I cried at a brewery over Spring Break because I had to put them down nine and four years ago, respectively. While my dear pets meet the qualification of “furry friend,” they need additional protection lest they experience discrimination for no longer residing in my household. I don’t trust VALS to treat my darling pets with the dignity they deserve.

I also note my disagreement with the *Exxon* doctrine and urge the Court to revisit

6 Princess was her first name and Star was her middle name. What self-respecting 8-year-old would give a dear pet only one name? Smh. Plus, I couldn’t decide between Princess and Star.

7 All pets go to Heaven. Or a farm upstate.

this old, mistake-riddled doctrine that has no basis in the Petty Constitution of the Law School. As the court of highest jurisdiction over all petty disputes at UVA Law,⁸ this Court cannot limit its power to reviewing the decisions of student groups by granting groups deference so long as the decision is “rational.” *Exxon* itself shows the error

8 Serious disputes need not apply. If you have a real problem, take it to the experts in Student Affairs, folks. If you have a *petty* problem—break-ups, stolen candy, undergrads in the library—well, you know who the experts are.

of this doctrine. The Court exists to protect students, even oLs, from the tummy troubles that follow after eating chicken wings from a gas station. *Class of 2005 v. Exxon Station on Emmett*, 617 U.Va. 102 (2004). If the Court is not going to stand up for what is right, delicious, and just, who will? Next thing you know, we’ll rubber stamp the decision to replace the cookies at the Weekly Wind Down with fruit. Not on my watch.

The Court of Petty Appeals has a duty to the UVA Law community. My colleagues do an adequate job of protecting Gary and Sweetsong, and I fully agree with that decision. However, the Court can do more to protect the citizens of UVA Law from petty slights by clarifying the pet-love doctrine to include *my* beloved pets and exercising the full power of petty court review, instead of limiting the Court’s jurisdiction under *Exxon*.

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Correction

The Law Weekly regrets two errors in its last edition. First, the Law Weekly omitted the name of the new SBA secretary for the 2019-2020 school year; the new secretary is Katharine Janes ’21. Second, Sam Pickett ’21 was labeled as a mere Staff Editor when he is, in fact, the Law Weekly News Editor. The Law Weekly apologizes for these oversights and hope our readers do not hold these against us in their future reading decisions.

Faculty Quotes

M. Collins: “My break was good. At least I remembered where the classroom was, I can’t say the same for everyone else.”

A. Bamzai: “What about Fortnite or that...Striking on the Counter thing...”


S. Walt: “Individual cows are movable.”

J. Setear: Amsterdam, what a place: lots of... bicycles. And prostitutes.

G. Rutherglen: “I don’t like it when students say, this is substantive so it is important, and this is procedural so it is unimportant. Suddenly I feel that you are ‘dissing.’”

J. Harrison: “If it’s done by law firm partners, it’s kind of per se unreasonable.”

M. Gilbert: “It turns out love is not a prerequisite for efficient bargaining.”



Virginia Law Weekly

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


Caring for the Community

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BRUNCH

continued from page 2



Christina Luk '21, Grace Tang '21, Kolleen Gladden '21 Brunch at MarieBette's. Photo Credit: Jenny Kwun.

Christina: Nothing pumps me up for brunch like a forty-five-minute wait. Life and eggs are both sweeter when I'm at the ravenous edge of hunger. I highly recommend MarieBette's "The Morning Jørgensen," which is possibly the bougiest open-face smoked salmon sandwich in C'ville. When I went in February, MarieBette was serving a different featured flavor of hot chocolate each week, which is an event they should continue forever. The baked goods are the real highlight of the café! If you

indulge as I do in the fantasy of ever writing a Great American Novel, nothing intimates productivity like a cup of coffee and chocolate almond croissant. Pick up a financier while you're at it, because no one is ever gonna pay you for that book. Life is pain! 4.0/5

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Letter to the Editor

Letters of interest to the Law School community may be sent to editor@lawweekly.org. Letters may be published at the discretion of the Editorial Board and are subject to editing for grammar, style, and clarity, but not content or viewpoint. The Law Weekly does not necessarily endorse the content or viewpoint of any letter herein published.

The Line Between Legitimate Critiques of Israel and Anti-Semitism

Guest Writers
Jason Fruchter & Julian Kritz

The last few months has been an especially painful time to be Jewish in the United States. Hate crimes against Jews are on the rise; in New York City for instance, a majority of the city's hate crimes have been anti-Semitic. And Congress has failed to lead on combating anti-Semitism. In the wake of a series of anti-Semitic comments made by Congresswoman Ilhan Omar, Congress failed to denounce her remarks, instead passing a resolution condemning bigotry in general. We recognize that there are widespread misconceptions about what constitutes anti-Semitism and when hateful rhetoric about Israel and its supporters crosses the line from legitimate criticisms of Israel into anti-Semitism. We understand that this line is not intuitive and that there must be ample space for criticism of Israel. However, as engaged leaders of the organized Jewish community at the Law School, we see it as our obligation to use recent events as a teachable moment

for our fellow students, many of whom will assume positions of leadership in the future and have a responsibility to eradicate hate.

The International Holocaust Remembrance Alliance (IHRA), a coalition of thirty-one countries committed to a coordinated effort against anti-Semitism, uses a series of examples to illustrate what constitutes anti-Semitic rhetoric. Two of them are directly applicable to Congresswoman Omar's comments. Anti-Semitism includes "making mendacious, dehumanizing, demonizing, or stereotypical allegations about Jews as such or the power of Jews as collective—such as, especially but not exclusively, the myth about a world Jewish conspiracy or of Jews controlling the media, economy, government or other societal institutions," and "accusing Jewish citizens of being more loyal to Israel, or to the alleged priorities of Jews worldwide, than to the interests of their own nations."

These are forms of anti-Semitism with deep roots in Jewish history. For centuries, there have been conspiracy theories about Jewish domination and accusations of Jewish disloyalty, which have been used to justify discrimination and violence against Jews. Representative Omar has repeatedly invoked anti-Semitic themes, suggesting that the Jewish State has "hypnotized" the world, that it's Jewish money that drives Congressional support for Israel, and that Jewish-Americans who feel affinity for Israel are disloyal. These are textbook examples of anti-Semitism. It is not a coincidence that former Klu Klux Klan Grand Wizard David Duke praised Ilhan Omar for her defiance to the "Z.O.G.," which stands for the Zionist Occupation Government that he believes runs the U.S. Likewise, writers for the Neo-Nazi Daily Stormer have praised Omar in the "Jewish Problem" section of their website.

Similar to other types of bigotry, Omar's claims are not grounded in reality. The Jewish State is the world's scapegoat, the target of more condemnatory U.N. resolutions than any other nation in the world, despite being the Middle East's only liberal democracy. If Israel were trying to hypnotize the world, it would be failing miserably. AIPAC, America's largest pro-Israel group that seeks to strengthen the U.S.-Israel relationship, comes in 147th in lobbying expenditures according to a Tablet Magazine study. Last year, Gallup pegged support for Israel at 64 percent amongst Americans, a much better explanation of congressional support for Israel than money. The poll also indicates that Jews—a paltry two percent of America's population—are not alone in feeling affinity for the Middle East's only liberal democracy and a vital American ally.

Omar's anti-Semitic rhetoric is especially unfortunate because of how important it is for Jewish and Muslim communities to stand together against hate, and work together to bring peace to the Middle East. Omar herself has been the victim of despicable Islamophobia, most notably when she was depicted as being responsible for 9/11 at the West Virginia State Capitol. The recent white supremacist terror attack on mosques in New Zealand and the attack on Pittsburgh's Tree of Life Synagogue underscore the need for solidarity between our communities. This solidarity can also lead to progress towards Middle East peace, as we work together to promote reconciliation between Israelis and Palestinians.

We want to be very clear. We are not trying to silence debate about the contours of the Israeli-American alliance or criticism of the Israeli government. Indeed, we welcome debate and engagement with the country that is so dear to our community. At times, we ourselves are very critical of the current Israeli government. No country is perfect or immune from criticism, including Israel, though we firmly believe that much criticism of Israel is unwarranted, especially in view of Israel's status as the Middle East's only democracy.

But the fact that not all criticism of Israel is anti-Semitic does not mean that none of it is. One of the most disingenuous lines we often hear is that condemnation of anti-Semitic rhetoric directed at Israel or Israel-supporting Jews is an attempt to stifle criticism of Israel. In reality, it is the anti-Semites who are trying to silence criticism of their anti-Semitism by falsely claiming that they are just criticizing Israel.

To distinguish between bigoted and legitimate criticism of the Jewish state, the IHRA adopted what is known as the Three D's framework, which identifies criticism of Israel that "Delegitimizes," "Demonizes," or applies "Double Standards" as anti-Semitic.

Delegitimization means denying the Jewish right of self-determination in their historic homeland, Israel. For instance, remarks that refuse to acknowledge any Jewish connection to the Land of Israel or call Israel the "Zionist Settler-Colonial Entity" rather than acknowledge Israel's existence as a rightful state invoke this "D." To uniquely deny the Jewish people the right of self-determination in their historic home is an act of hate and denial, not a legitimate policy critique.

Demonization means the portrayal of Israeli Jews as evil, often using historically-rooted, anti-Semitic tropes. For instance, the blood libel

HOT BENCH



Andrew Roberts '19

What is your favorite word/phrase?
"Go Dawgs."

Where did you grow up?
Atlanta, Georgia.

If you could meet one celebrity, who would it be and why?
I'd go on an outdoor adventure with survival instructor and adventurer Bear Grylls.

What's your favorite hobby to avoid the stress of law school?
Working out at North Grounds.

Where is your favorite place to vacation?
The Bahamas.

What's something you wish you'd known about law school before coming to UVA Law?
It's all about 1L.

*NSYNC?
Backstreet Boys, I guess.

If you could live anywhere, where would it be?
A new house on an old farm with incredible views of the countryside.

What's your least favorite sound?
"Roll Tide."

What is the best concert you have ever been to?
Turnpike Troubadours here in Charlottesville.

What's your favorite thing to do in Charlottesville?
Probably either trying new restaurants, hanging out at Common House on the downtown mall, or watching UVA basketball at JPJ.

If you could make one rule that everyone had to follow, what would it be?
Use of the Oxford comma.

What's your spirit animal?
A cow.

If you had Matrix-like learning, what would you learn?
How to become an actually decent golfer and not the hack that I am.

If you could be in the Olympics, which sport would you compete in?
Curling.

Where is a place you haven't been but want to travel to?
The Holy Land—Israel and the surrounding region.

What are you looking forward to after you graduate?
Clerking back home in the great state of Georgia and marrying my fiancée, Hannah Basta (#HastaLaBasta).

What are you going to miss most about the law school?
I am genuinely going to miss school itself; most of us will never again spend three years doing nothing but learning interesting subjects taught by incredible people (we miss you at the law school, Professor Jeffries) and taking advantage of countless events and opportunities (Foxfield, PILA, Libel, softball, Bilt—you name it).

What are the 7 wonders of the law school?
(1) The "area of rescue assistance" closets in the law library; (2) the inane ordering system for the room numbers on the second floor of Slaughter; (3) whoever is bankrolling Fed Soc; (4) the third floor of the law library; (5) the vulture mentality around the free food table; (6) the curve; and (7) the massive industrial basement under Slaughter.

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Backstreet Boys or

LETTER

continued from page 5

accused demonic Jews of using the blood of Christian children in their Passover Matzah. This trope was used to justify anti-Jewish riots and massacres. The anti-Israel movement often uses tropes about Jewish bloodthirstiness to demonize the Israeli Defense Force's efforts to protect their country.

Double standards refers to the singling out of Israel for international opprobrium and sanction. For instance, the BDS movement targets Israel for boycotts, divestment, and sanctions, based on flimsy or even false claims about Israel's human rights record, while ignoring the blatant human rights abuses of countries around the world, especially in the Middle East.

Students should know that some in our community consider almost all criticisms of Israel to be grounded in anti-Semitism, and others assert that practically no criticism of

Israel is anti-Semitic. Both are extreme views unrepresentative of the mainstream of our community. What is mainstream and has been accepted by the vast majority of Jews and Jewish organizations—across the political spectrum—is the Three D approach to delineating the line between legitimate critiques of Israel and anti-Semitism.

We welcome debate about strengths and shortcomings of Israeli policy, Israeli civil society, the Israeli-Palestinian peace process, and U.S.-Israeli relations. But we must remain vigilant to ensure that these conversations do not devolve into bigotry. We will wholeheartedly condemn such bigotry against our own and any other community. We hope you will too.

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Cartoon By Raphael



Week 1 and 2 Softball Scores

- Bearly Legal over Section I '19 by 16
- CRG over Rio Grande Slams by 17
- '21 Savage over Green Machine by 24
- CRB over Rip's Rangers by 17
- Rio Grande Slams over Allied Front by forfeit
- Justice RBI's over DDD by forfeit



THE DOCKET

TIME	EVENT	LOCATION	COST	FOOD?
WEDNESDAY – March 20, 2019				
12:00	Lexis Lunch & Learn	WB 101	Free, RSVP link sent via email	Provided
17:00	Islamic Finance Panel	WB 104	Free	Provided
THURSDAY – March 21, 2019				
20:00	2019 Virginia Festival of the Book Presents: All of Our Rights – America's Legacy of Inequality	Paramount Theater	\$11.50 for students, \$22 for public	----
FRIDAY – March 22, 2019				
17:30	Inside the Artists' Studio: Closing Reception and Artists' Talk	Second Street Gallery	Free	----
SATURDAY – March 23, 2019				
20:00	Charlottesville Symphony Masterworks Concert	Old Cabell Hall, Main Grounds	Starts at \$10	----
SUNDAY – March 24, 2019				
8:30 – 13:00	PILA Annual Spring Day of Service	WB Alcove	RSVP	----
MONDAY – March 25, 2019				
11:00 – 14:00	Artificial Intelligence Panel	Caplin Pavilion	Free	Provided
11:20 – 13:35	FedSoc: Administrative Law Discussion with Jennifer Mascott, Professor at George Mason University Antonin Scalia Law School	WB 101	Free	----
12:00	Postgraduate Fellowships 101	WB 103	Free	Provided with RSVP via Symplicity by 3/22
17:15	Event with Holocaust Survivor Allan Hall	Caplin Pavilion	Free	----
18:00	Crash Course in Private Equity with Kirkland & Ellis	WB 104	Free	----
TUESDAY – March 26, 2019				
12:00	Legalizing Prostitution Debate	Purcell	Free	Provided
15:45	Real World Finances: Budgeting for Life	WB 128	Free	----

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Solution

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