

THE COMMENTATOR

Vol. XLI, No. 1

The Student Newspaper of the New York University School of Law

September 13, 2007

Early Interview Week Draws Over 350 Firms, 492 Students, and 14,600 Interview Slots

EIW Continues as Nation's Largest On-Campus Legal Recruiting Event

By LAURIE STARK '10

This year's Early Interview Week (EIW) took place from August 20-24 and was an emphatic success with 492 students participating, just slightly more than took part last year. Over 350 firms were represented this year with 14,600 available interview slots. Latham & Watkins offered the most interviews this year with over 450 available slots – nearly one for each student.

Many NYU Law students want to stay in New York after graduation, and the New York-centric firm representation at EIW reflects that desire. Nevertheless, opportunities also abounded for students interested in working in other markets such as the District of Columbia, California and even abroad. "We're seeing an emerging market in China with several firms opening offices," said Astrid Schmidt, Assistant Director of Recruiting and Marketing in the Office of Career Services (OCS), "so there are new opportunities for students."

Despite the interest many students have shown in working in markets other than New York, weak responses to some firms prompted them to cancel their EIW appearances. Irene Dorzback, Assistant Dean of OCS, indicated that "in such cases, it is often more cost-effective for the firm to fly . . . student[s] to the city for . . . interview[s], rather than send a partner to New York to conduct two to three interviews."

Early Interview Week is the largest on-campus recruiting program in the country and an important part of the job search for 2Ls who are interested in working for large firms in the private sector.

EIW is also a great opportunity for 3Ls who are still exploring post-graduation career options, although 3Ls only made up about 14% of EIW participants this year. Most other 3Ls plan to accept full-time positions from their summer employers and don't need to use EIW to find employment.

"These firms want NYU students," said Dorzback. "Not just for their intellect, academic achievements and varied backgrounds, but also for the sense of community and 'work hard, play hard' approach that they contribute to the summer program and beyond."

However, OCS warns that firms aren't just looking at grades and accomplishments but also at a student's professional conduct during his or her summer associateship. "Students have rarely not received offers due to their substantive work," Dorzback said. When the market is up, jobs are easy to come by for students at top law schools. But Dorzback and Schmidt cautioned that this halcyon period may not last forever. When the market changes, Dorzback advises that professional conduct may be the deciding factor in permanent offers. "The new challenge for students is to make themselves recession-proof – to demonstrate the work ethic, sound judgment and professional comportment, in addition to strong lawyering skills that have always been the hallmarks of NYU Law graduates."

While EIW interviews took place in vacant D'Agostino Hall dorm rooms this year, as it has been in years past, the law school is planning to move the program to a hotel in 2008. Such a move has been under discussion for the past year, but plans have not yet been finalized.

Arthur Miller Joins NYU Law Faculty



David Shankbone

After 26 years at Harvard, Arthur R. Miller has accepted a position as an NYU University Professor – an appointment to both the School of Law and the School of Continuing and Professional Studies.

By GARRETT COYLE '08

Fall 2007 brings to NYU Law several new faculty members, including the former Bruce Bromley Professor of Law at the Harvard Law School, Arthur R. Miller. Miller, an expert in civil litigation and copyright law, has taught for the last 26 years at Harvard. Before that, he taught at the University of Michigan, the University of Minnesota, and Columbia University.

In addition to his storied academic career, Professor

Miller has remained active in the practice of law, arguing a number of cases every year. Last spring, he argued a case before the United States Supreme Court. He began his legal career as an associate at Cleary, Gottlieb, Steen & Hamilton LLP, a law firm headquartered in New York.

Professor Miller is also a public figure due to his television career. He was the legal editor for ABC's *Good Morning, America* for more than 20 years. He also hosted his own program called *Miller's Court*. Moreover, according to popular (or at least

law school) lore, Miller served as the basis for the character Professor Perini in the book *One L*, a chronicle of a law student's journey through his first year at Harvard. The book's author, Scott Turow, was a student in Professor Miller's first-year Civil Procedure course at Harvard.

At NYU, Miller will take a position as a University Professor, which entails an appointment to both the School of Law and the School of Continuing and Professional Studies. The honor is reserved for scholars whose work bridges multiple disciplines. Currently, there are 24 University Professors at NYU.

Professor Miller is the co-author (along with NYU President John Sexton, NYU Law professor Helen Hershkoff, and George Washington University professor Jack Friedenthal) of the country's best-selling casebook, which covers a variety of topics in civil procedure. He is also the co-author of an authoritative and often-cited treatise on federal procedure. This semester, Professor Miller is teaching Civil Procedure to first-year law students. Next semester, along with Professor Samuel Issacharoff, he will teach a course in Complex Litigation for second- and third-year students.

The other two new professors, Troy McKenzie and Katherine Sharkey, will be profiled in later issues.

JD Class of 2010 Profile

- 448 students
- LSAT 173/169 (75%/25%)
- GPA 3.9/3.5 (75%/25%)
- 130 colleges and 45 states represented
- 48% women
- 26% students of color
- 29% enrolled directly after college
- 64% out of college one to four years
- 7% out of college five or more years
- 15% hold advanced or professional degrees
- 8 students with PhDs
- 13 students 30 or older

Top Feeder Schools:

1. NYU (25)
2. Harvard (20)
3. UCLA (19)
4. Penn (18)
5. Princeton (15)
6. Yale (14)
7. Columbia (12)
8. Berkeley (10), UChicago (10), Duke (10), Stanford (10)
12. Georgetown (9)
13. Wesleyan (8)

Sources: Associate Director of Admissions Andrea Gershwin and <http://www.law.nyu.edu/depts/admissions/info/jd/classprofile.html>

Infra

- Is NYU Law Putting Its Best Face Forward? page 2
- EIW Horror Stories page 3
- The Commentator's Perennial Hodgepodge 1L Guide to Greenwich Village Grub page 4

Welcome from the SBA President



By TAREK M. KHANACHET '08

Hello! I would like to welcome all of the 1Ls, transfers, LLMs and JSDs to NYU Law, and to welcome back all of the 2Ls and 3Ls. I hope you all had excellent summers and are excited to start another great year here at the law school.

My name is Tarek Khanachet, and I am the President of the Student Bar Association (SBA). The SBA is the student governance body of the law school. We host weekly parties and other school-wide social events, as well as charter and oversee student groups. We facilitate the dissemination of student information around campus and serve as a liaison between the student body and the various administrative offices at NYU Law. At its core, the SBA is not only designed to serve as a resource for students, but also to lobby and advocate on behalf of the needs and interests of the law school student body. I sincerely hope you take advantage of the SBA throughout your time in law school.

As we look forward to the upcoming semester, I want to encourage everyone, new and old, to really take advantage of everything NYU Law has to offer. The law school has created an incredible academic community, and I hope that all of you go to see speakers and events, attend brown bag lunches with professors, and sit in on colloquia. These are all great opportunities to see the amazing work that is being done here and to connect with professors and community members.

I also have a few words of advice for the 1Ls. As I said in my opening speech, you have all joined an incredibly supportive and collaborative community, and I hope that you embrace it. Get to know your classmates; they are incredible resources, and the friends you make 1L year stick with you forever. Take your classes seriously. It may come as a surprise, but the law can be really interesting. Sometimes you even discover that you fall in love with a subject. Lastly, don't let school consume all of your time. Part of what makes this a great and vibrant environment is that students have interests and pursue them. So I encourage you all to join some student groups, do some community service, engage in activism, or join the Student-Lawyer Athletic Program (SLAP) – whatever piques your interest.

I hope the school year has started well, and I hope to see you all at the next SBA party.

Fix Your Lipstick and Ditch the Zip Disk, NYU School of Law

By THE EDITORIAL BOARD

The law school appears to be embracing the technological future. Or, at least, so say the multitudes of law students that now feel secure in their use of Macs for taking exams. (Why anyone would feel secure using a Mac to take an exam when doing so requires use of beta software is beyond me.) The appeal of the Mac is that it's supposed to be sleeker, more streamlined, easier to use than a Windows-based machine. Given, then, that the tech-powers-that-be have recognized that law students like the minimalist aesthetic of the Mac, why does NYU Law's website continue to confound those that have to use its un-navigable layout?

I know what you're thinking: "This is an incredibly edgy topic, and I can't believe he's going there." But someone's got to say something. The website (conveniently located at law.nyu.edu) sucks. I don't know that I really need to back that assertion up; three minutes of browsing through the site will get you so hopelessly lost in the endless branches that you'll never want to return. God help you if you actually need to find something. (By the way, can anyone tell me how to find breakdowns of grade distributions? I know they exist, but I'll be damned if I can find them.)

There are, as I see it, two independent negative effects of the school's website looking like it does. First, we're driving

away potential law school applicants, or at least making the school a less appealing place when it comes time to decide where to go. The website is the initial face the school presents to today's applicants. (Okay, so, that's not true. Their first exposure to the school is probably the *US News* rankings, and the second is probably the school's Wikipedia page. But those aren't really things I'd suggest the school try to change, so just go with my focus on the website.) Just like when you go to an interview, you want to comb your hair and make sure your breath is acceptable because that initial impression is going to color everything else you do. But – to extend the metaphor, perhaps unnecessarily – NYU Law's lipstick is smeared and it has some spinach in its teeth. Do I even need to mention the zip disk? (See photo.)

Second, students that actually go here are less able to make use of the resources that are available to us. If I can't find the grade distributions, then it doesn't matter that they exist; it's as good as if they don't. And I'm even in an advantageous position because I know that the grade distributions are out there, so with a determined targeted search, maybe I could find them. But it doesn't take much of a stretch of the imagination to think of someone that doesn't know that, oh, there are statistics on how many members of each year got into a given class during pre-registration. That person would never know to look for those numbers, and so never get to make use of them.

That problem aside, some of the functions that I can reliably find are woefully lacking. I'll just take a for-instance. The picture book is basically only useful for professors, and in some very limited circumstances the students. But it has the potential to be so much more widely utile. Imagine a world where next to a student's name and photo you could also find their email address (since it's typically impossible to guess a student's email address, given the apparently random numbers appended to them). As it is, I find myself heading to Facebook whenever I need someone's email and don't happen to know it. Woe is me if that person doesn't have an account. It just strikes me as sad that a third party is filling in what seems like an incredibly basic service for the law school. This is a situation that's easily remedied.

I've always hated op/eds that criticize and don't construct, but I'm not sure that there's much need for me to say more: it should be pretty obvious how to fix these problems. Put information in places that make sense. Combine website branches so there are fewer paths to have to check before you find what you're looking for. Get some graphics that are at least post-Y2K. Add emails to the picture book. Generally make things prettier, and cut out all the stuff that no one ever looks at. In short, learn from the generations of websites that have come before and failed.



<http://www.law.nyu.edu/prospective/>

Exhibit A: The zip disk, that data storage hero of the '90s, continues to stake out a prominent position on the NYU School of Law's webpage for prospective students.

THE COMMENTATOR

The Student Newspaper of
New York University School of Law

Editors-in-Chief

Bobbie Andelson
Andrew Gehring

Managing Editors

Robert Gerrity
Ben Kleinman

Staff Editors

Jaimee Lederman
Roberto Reyes-Gaskin
Ian Samuel
Laurie Stark
Derek Tokaz

The *Commentator* serves as a forum for news, opinions and ideas of members of the Law School community. The Editorial Board consists of the Editors-in-Chief and the Managing Editors. Only editorials and policies developed by the Editorial Board reflect the opinion of the Editorial Board. All other opinions expressed are those of the author and not necessarily those of *The Commentator*. *The Commentator* is issued on alternate Thursdays during the academic year except during vacations and examination periods. Advertising rates are available on request. Subscriptions are also available at a rate of \$15 per year. Letters to the Editor should be sent to the following address, either on paper or via e-mail.

135 MacDougal Street #4G
New York, NY 10012
212.998.6518 (phone) | 212.995.4032 (fax)
bj216@nyu.edu

Copyright 2007 New York University

Have your writing read by dozens of readers –

Write a Letter to the Editors

Contact bj216@nyu.edu.
Do it before it's too late.

Avril, the War on Terror, and Who Ruled the Summer

BY RAHUL SHARMA '10

Probably the fastest way for me to destroy my credibility is to say that Avril Lavigne ruled the summer. Her toxic reputation aside (the ruiner of rock, poseur of punk, the girl who inspired Liz Phair to sing "Why Can't I?"), other artists would have a much easier time making that claim.

Rihanna had the top song in the nation for seven weeks running with "Umbrella" and has a couple more tracks making their way up the charts right now. Sean Kingston had a hit and – perhaps more importantly – a lot of attention paid to him for singing so innocuously about thoughts of suicide. And considering how much tabloids seemed to care about Britney and Lindsay's attempts to remain sober, it seemed inevitable that "Rehab" by Amy Winehouse would become a hit (not least because she ended up going herself).

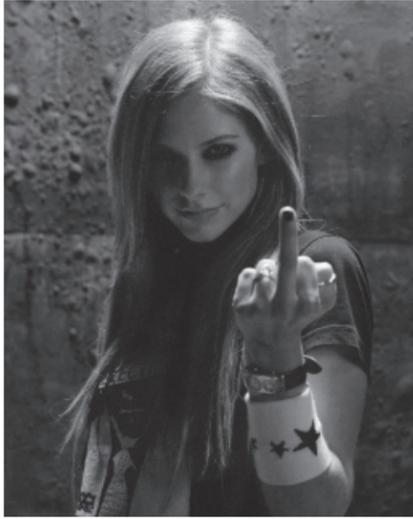
Avril Lavigne, on the other hand, hit number one back in early May and only stayed there for a week with the peppy, derivative (some say plagiarized) "Girl-

friend." The next and current single, "When You're Gone," has been out for two months now and still hasn't entered the top 20. So how is this even an issue?

Well, maybe Billboard shouldn't be the last word. In the age of viral video, it's useful to check YouTube. And when you do, something interesting surfaces. The number of people who favorited the videos for "Girlfriend" and "When You're Gone," respectively, surpasses the number for each of the other songs' videos. "Girlfriend" is also the second most popular video in the site's history, beat out only by comedian Judson Laipply's "Evolution of Dance." And just so we're not focusing solely on the numbers, something great *did* come from "Girlfriend" – namely, the summer remix featuring Lil' Mama, who added some much needed... non-Avrilness.

But it's the popularity of the other video that's a sign of the times. As a song, "When You're

Gone" is shamefully addictive. Shameful because everything about Ms. Lavigne kind of is, but



Avril doesn't need your love. But she gets it anyway.

also because it's hard to imagine that it isn't the product of a marketing scheme: all those kids on *Engaged & Underage* need a wedding song, right?

The reference to that MTV

reality show isn't a mistake; some of the couples on it are directly affected by our missions in the Middle East (one post on the show's website is titled "Little Soldiers"). Despite generic lyrics that make no mention of combat, there's something about Ms. Lavigne's nostalgic singing (not to mention the mix of soft piano and crashing guitars) that makes it obvious that the performance is meant for soldiers' loved ones. Sure enough, within the first ten seconds of the video, you see Ms. Lavigne in a wedding dress and a military couple parting ways.

The video hits all the usual tropes: the idyllic porch on which they say goodbye, the wife's concerned stroke of her pregnant belly, a TV report of violence, the silent vigil with other soldiers' wives, and finally, in the form of a text message, salvation ("I'm Okay. I Miss U.").

It's hard to watch the video without comparing it to the one for Green Day's "Wake Me Up When September Ends," which also de-

picted a couple forced apart because of military service. "Wake Me Up" goes for a more graphic realism, leaving the girl at the end without a clue as to how her beau is doing, and the guy in the middle of a fire fight.

Could that be why the video is so much less popular than Ms. Lavigne's? (Only one-fifth as many people favorited it.) Or is it that the video came out before YouTube was an omnipresent force? (It was released in June 2005, just four months after YouTube premiered on the web.)

There's a whole slew of possibilities – it could also be that the actors in Green Day's video are terrible – and that's the point. Just as there's no sure measure of who ruled the summer (I'd still probably vote for Rihanna), there's no sure way to figure out why Avril Lavigne's Iraq video is more popular than Green Day's.

Which is just as well: one of the only things that's definitely been produced in the War on Terror is a pair of first-rate power ballads. Anything bigger remains willfully, tragically undecided.

It Happened at EIW...

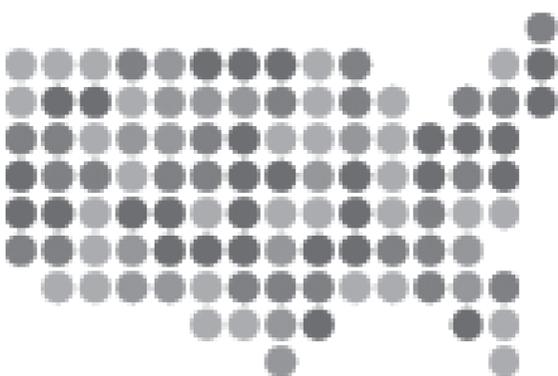
If there's one thing people can never get enough of, it's hearing about how other people screwed up. And what better place to screw up royally than at NYU Law's Early Interview Week (EIW), where employers come to campus to interview for positions at their firms over the summer? Below, you'll find just a sampling of the myriad ways people have embarrassed themselves and others at EIW.

"At the beginning of a post-lunch interview, the law student stops the interviewer and says, 'I'm sorry, I think you have something stuck in your teeth.' The interviewer says, 'Oh... just a second.' The interviewer gets up and walks to the suite's bathroom, then comes right back. 'Nope,' he says. 'That's just the gap in my teeth.'"

"I get into the interview and it's the middle of the day, like my third or fourth interview of the day on Wednesday. By this point in the week I'm feeling a little goofy. I hand over my transcript and resume at the outset (because I had been forgetting to do that), then started off with something about how 'this interview is right in my sweet spot, not too early, not too late.' So the interviewer says, 'You think you're ready?' and since I could tell by her demeanor that we were playing the faux-interrogation game, I responded, 'Oh yeah, I brought my A game.' Then – and here comes the punch line – she looks down at my transcript and says, 'It doesn't look like you have an A game.' What can I say? I got served! She was brilliant. I think I fell in love with her witty repartee. Unfortunately, though, no callback."

"At the end of the day on Thursday – so at this point I'm really tired and kind of generally pissed off – I'm in this terrible interview. I can tell the guy doesn't like me, and I really don't like him. And then he asks my least favorite question ever: 'Where do you see yourself in five years?' I think for a moment, then say, 'Named partner of [his firm].' He stared at me blankly for a beat or two, at which point I laughed and waved as if he'd understood that I had just made a joke. I followed up with, 'Just kidding. I won't even be working at [his firm] in five years.' And, boy, was I right – I never heard back from them."

"A partner at my firm always hated conducting interviews in D'Ag – tiny rooms, poor lighting (too little or, in the case of sun shining on interviewees' faces, too much), no decor but the dorm furniture. He tried to make up for the atmosphere by being particularly friendly and inviting. One day, shortly after he began to interview a young woman, the bed standing in the corner of the room fell into a horizontal position. The partner focused his eyes and conversation on the woman's resume for the rest of the interview."



COMMON GOOD

RESTORING COMMON SENSE TO AMERICA

Common Good, the bipartisan legal reform coalition, is seeking one or more Law Interns for the 2007-08 academic year to work from our New York City office and help advance our civil justice initiatives. The program is open to second- and third-year law students and pays \$15/hour.

For more information, please visit Common Good's website at www.cgood.org or contact Andrew Park at apark@cgood.org.

Village Essentials

COFFEE

Barnes & Noble

(Union Square North; Astor Place; 6th Ave. b/w W. 8th & Waverly) Flagship location sports a large cafe on the 4th floor with views of the park; sunny and study-friendly; regular readings with interesting authors.

Dean & DeLuca

(University Place at 11th St; Broadway at Spring) Beautiful, light-filled space with outlets; smoke-free; fairly quiet; great music; high-end baked goods, coffee, salads and sandwiches.

Esperanto Cafe

(114 MacDougal b/w W. 3rd & Bleecker) Solid food and beverage choices; packed with the student/Village crowd; can be very smoky; open 24 hours.

J&B Coffee Shop

(123 W. 3rd b/w MacDougal & 6th Ave.) The law school coffee shop: good low fat muffins, nice vanilla lattes and best of all personal service from the sweet guy who's always there.

Patisserie Claude

(187 W. 4th b/w 6th & 7th Aves.) Perfect pastries and lattes; tiny, tiny place; no outlets; sparse yet charming; closes at 8pm.

Porto Rico Importing Co.

(201 Bleecker b/w 6th Ave. & MacDougal) Widely known as the best coffee in the city; take away and bean sales only; slow service, but worth it.

Starbucks

(Astor Place; 6th Ave. at 8th St.; Broadway near W. 3rd; 7th Ave. at Sheridan Sq.; Greenwich west of 7th Ave.; various other locations) The ubiquitous coffee shop; reminds us suburban kids of home.

TeaSpot

(MacDougal, across from Vanderbilt) All tea, no coffee; free internet; lots of tables; a staff that is very knowledgeable about tea.

Think Coffee

(248 Mercer b/w W. 3rd & 4th Sts.) Cheaper than Starbucks; wireless internet; Scrabble on Tuesdays; live music on Thursdays.

DINERS

Sullivan Street Diner

(Sullivan b/w Bleecker and Houston) Friendly service; good food (try the crepes).

Washington Square Diner

(150 W. 4th at 6th Ave.) Good, cheap and fast, though greasy at times; frequented by Sexton and other NYU glitterati; open 24 hours.

Waverly Restaurant

(385 6th Ave. at Waverly) Similar to Washington Square Diner but with a hip model crowd; very smoky.

LUNCH

DeMarco's Pizza

(146 W. Houston at MacDougal) It's expensive – a slice and can of soda will cost you \$4.25 – but it's the best single slice around.

Freshco Burrito Taco

(235 Sullivan b/w W. 3rd & Bleecker) "Tex-Mexican" food, whatever that means; try the eel burrito for an East-meets-West rumble in your mouth; not very good, but cheap.

Fuji

(227 Sullivan b/w W. 3rd & Bleecker) Great cheap lunch sushi; try the

eel over rice for less than \$4; they'll even make specific orders for you.

Jamaican Flavors

(240 Sullivan b/w W. 3rd & Bleecker) Best place for fresh Jamaican patties with lots of different fillings (including vegetarian); also have

place to shop for a pasta lover on a budget; cash only.

Rare Bar & Grill

(228 Bleecker at 6th Ave.) An expensive burger, but a tasty one; they get their cheese fresh from Murray's.



John's of Bleecker (278 Bleecker b/w Jones and Morton): By many standards it's the best pizza in the city: a Village institution.

other Caribbean cuisine; try the jerk chicken sandwich.

Mamoun's Falafel

(119 MacDougal, south of W. 3rd) The definite middle eastern eatery; cheap, fresh falafels; a staple of many law students' diets.

Pepe Rosso

(149 Sullivan b/w Houston & Prince) Can't get better pasta for the money; excellent salads as well; cute place with a few outdoor tables, but not much room inside.

Press Toast

(MacDougal b/w 3rd and Bleecker) Take two pieces of toast, put veggies, cheese, and maybe some meat in it and then press; good, cheap take-out.

Quantum Leap

(226 Thompson, b/w 3rd and Bleecker) All organic, all vegetarian; fabulous, cheap veggie burgers.

Suzie's Restaurant

(163 Bleecker b/w Sullivan & Thompson) A veritable NYU institution, the lunch hour is packed with students eating on the cheap (the lunch specials are all about \$5); quick service; classic ambiance.

DINNER

Meskarem

(124 MacDougal b/w W. 3rd & Bleecker) Great Ethiopian food; don't expect cheap prices just because it's in the basement; as family-style as you can get.

Raffetto's

(Houston b/w MacDougal & Sullivan) Homemade pasta and sauces, fresh meats and cheeses; delicious and inexpensive, it's the perfect

Down the Hatch

(179 W. 4th b/w 6th & 7th Aves.) This dive is where you want to be on a late Saturday night; good specials, loud music, foosball and a fun crowd.

Madame X

(94 W. Houston b/w Thompson & LaGuardia) A Village bar with attitude: red lights, cool music and a velvet lounge make this bar a hot location for any night out.

Off the Wagon

(109 MacDougal b/w Bleecker and W. 3rd) One of the best places in the neighborhood to watch sports; wide variety of drink and food specials.

Peculier Pub

(145 Bleecker at LaGuardia) One of the longest beer lists in the Village; excellent jukebox selection; lots of tables available, so it's a great place to chat with friends.

Red Lion

(151 Bleecker at Thompson) Always features an array of interesting musicians; plays host to many an SBA event.

The Stoned Crow

(85 Washington Place b/w MacDougal & 6th Ave.) This dark, smoky pub is often



West 3rd Street hosts many law school favorites, like Negril Village, featuring Caribbean cuisine and a live music lounge.

Volare

(147 W. 4th b/w MacDougal & 6th Ave.) A favorite local Italian place; the real deal – Tony Soprano would go... fuhgeddabowdit!

crowded with folks admiring the many posters decorating the place; two pool tables in the back; tasty burgers.

BARS

Barrow Street Ale House

(15 Barrow b/w W. 4th & 7th Ave.) Only slightly off the beaten path, but well worth the walk; a big room, a young crowd and a good place to watch Duke lose in the semi-finals.

The Bowery Bar

(Bowery at W. 4th) The outdoor patio is a perfect summer spot, attracting the chill-out crowd; the DJ inside keeps you moving; slightly pricey.



Il Corallo Trattoria (176 Prince b/w Thompson & Sullivan): Charming Italian in Soho with affordable lunch specials.



Cones (272 Bleecker b/w Morton and Jones): Argentinian gelato that's perfect for the final days of summer.