



# the Commentator

The Student Newspaper of the New York University School of Law

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## New SBA Officers Elected

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On March 28, the All-ALSA Coalition held a moment of silence in the Vanderbilt Courtyard "to honor the memory of Trayvon Martin, to condemn the racism and hate that his death represents, and to show our frustration and outrage that such events continue to plague our society." Martin was killed last month by George Zimmerman, who has not been charged with a crime.

## PILC Dean Departs, Stirring Uncertainty

By GRANT TSE '14  
STAFF EDITOR

After nine years leading the Public Interest Law Center to new heights, Deborah Ellis '82 will end her time at NYU Law, leaving behind a storm of speculation over the future of public interest at the school.

Last month, Dean Richard Revesz announced Ms. Ellis, the Assistant Dean for Public Service, would depart at the end of May. The move appears to have been sudden and unplanned — NYU does not have a successor lined up. A search committee composed of faculty, administrators and student representatives has been convened and charged with finding a successor before the beginning of the next academic year. Dean Revesz said he would appoint an interim Assistant Dean if necessary, and estimated the search would take about four months.

The administration has dismissed the idea that Ms. Ellis's departure heralded a change in the way public interest would be handled at the school.

"[Ms. Ellis's departure] in no way diminishes our institution's long-held dedication to public interest work," said Jeannie Forrest, the school's Vice Dean. "It's

a huge part of our identity and we plan to continue that and — if anything — broaden it. We are committed to maintaining our full range of programs, services, and financial support."

Despite the assurances, news of her departure has fomented a gamut of rumors among the student body. There is speculation her sudden departure was the result of a paradigm shift between Ms. Ellis and the school. A few have even gone so far as to claim the schism developed because the school, still smarting from a recent drop in its U.S. News & World Report ranking, was looking to focus resources on areas outside of public interest as a means of moving back up.

Dean Revesz tackled some of the ambient anxiety at a well-attended town hall meeting on March 20. Responding to a question about whether Ms. Ellis's successor would need to have certain ideas about how PILC would be run, based on the premise that Ms. Ellis had left because of a "difference in vision," Mr. Revesz declared, "There is no secret plan; if there was, I would have told the search committee. I can't speculate on why Ms. Ellis left. People leave jobs for all sorts of reasons, but there was nothing about a difference in vision. We have an excel-



Deb Ellis '82

lent public interest program, but it doesn't mean it can't be better. We are looking for someone who will do a really good job and carry forward what we are doing."

Ms. Ellis herself has been reserved when offering her reasons for leaving. "I decided I had accomplished all that I wanted to accomplish and I decided to move on," Ms. Ellis said. There was no particular impetus for her decision, Ms. Ellis said, but when asked how long she had been planning her departure, she paused and did not answer. Ms. Ellis has

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# Leighton Briefs the This American Life Apple Scandal

By LEIGHTON DELLINGER '12  
EDITOR-IN-CHIEF

I am livid about the Mike Daisey-This American Life-Apple-Foxconn scandal. Livid. Let's brief this out so we can all be on the same page:

## I. The Parties

Mike Daisey (defendant) is a huge Apple nerd. Defendant loves his Macbook and his variety of iProducts (I believe his collection includes a couple -pods, a -phone and a -pad). In 2010, he visited China to investigate the factory conditions at Foxconn, a behemoth of production that supplies Apple, among other American technology companies. Based on what he learned, he created a stage show called "The Agony and the Ecstasy of Steve Jobs."

Ira Glass (plaintiff) is the host of critically acclaimed NPR radio show *This American Life*. If you have ears and a brain you will like Ira and his little hour-long collection of stories — and if you already attend NYU Law there is literally no reason why you wouldn't love them. They're dorky and funny and full of bits by authors you probably read in your free time anyway (David Sedaris, David Rakoff, Sarah Vowell, anyone?). They lean a little left (and sometimes more than a little) and they generally tell interesting, compelling stories about Americans. One guy worked at Macy's as an elf

during Christmastime; one guy went on a month-long juice cleanse and was thrilled with the results until he heard through the grapevine that his languid appearance had inspired rumors that he was dying of cancer. They send journalists to investigate all kinds of things — the assassination of Osama bin Laden, the status of local government during the recession, and the creative ways they're coping with budget cuts, and the fall-out at Penn State after the Jerry Sandusky pedophilia scandal last fall, to name a few.

Sidenote: For the last three years, I have been plagued by the resemblance between Ira Glass's and Barry Friedman's speaking voices. I literally begin every one of my criminal procedure classes (at 9 a.m., sharp) with Ira's voice in my head: "Hey there, podcast listeners." It puts me in an infinitely good mood and probably leaves a weird, vacant, inexplicable smile on my lips that surely taunts or frightens "B" as he begins his lecture.

## II. The Show

"The Agony and the Ecstasy of Steve Jobs" is interesting and infuriating at the same time. Daisey describes going to the Foxconn factory in Shenzhen.

He describes seeing armed guards outside the factory; speaking with a crew of underage girls working in the factory; sitting down with a group of 25-30 workers who have

formed an illegal union and who possess a government-sealed blacklist of activists; watching a whole group of people who had been so poisoned by hexane, a solvent used to clean iPhones during production, that their hands shake and they "literally cannot hold a glass."

He talks about cameras in factory dormitories and a taxi driver who takes him down an exit ramp that is still under construction — the cab dangles 85 feet above the ground before reversing and taking the next exit.

He stands on stage — or, in the case of the radio show, in a sound booth — and says, "these things happened to me." And in Mike Daisey's dramatic stage voice, that phrase can send chills down your spine.

The problem is these things did not happen to Mike Daisey. Not in the literal sense. He stands on stage and says that things happened to him and he saw things and he talked to people. When in fact: only police and military are allowed to carry guns in China; there are underage workers at Foxconn but his translator would certainly recall speaking with them and she does not; the blacklist was not in fact sealed by the government and was likely dubious; the people poisoned by hexane were not at Foxconn but in a different factory in a different city and Mike Daisey never met them; there were not cameras in the dormitories and the bit about the taxi is preposterous. Daisey surely saw in-process highways in China but Cathy the translator assured the crew at NPR that they were never perilously driven near the edge of an 85-foot drop.

## III. The Facts

Plain-tiff attended "The Agony and the Ecstasy of Steve Jobs" and was moved. The story is compelling and heartbreaking and Ira Glass responded

exactly the way he was supposed to — he decided to do something about the abuses Apple's suppliers were perpetrating on oppressed Chinese factory workers in the name of streamlined bourgeois gadgetry. The problem came when Ira Glass's response culminated in broadcasting Daisey's story to millions of listeners on NPR.

The fact is, Mike Daisey lied. In a very big way. To quote the plaintiff, "the most powerful and memorable moments in the story all seem to be fabricated." Ira Glass and the team at *This American Life* were clear with Daisey: though he was not a journalist, their show is held to journalistic standards so everything from "The Agony and the Ecstasy of Steve Jobs" needed to be fact-checked. And Daisey lied. He said he tried to contact the translator who traveled through China with him but that her cell phone number was no longer working. TAL ran the show without a fact check — when the show finally (though rather easily) tracked down the translator, she denied most of the dramatic events Daisey describes in the show.



The Parties: Mike Daisey (top) and Barry Friedman, I mean *This American Life* host Ira Glass.

## IV. The Question

Stripped of the drama (read: lies), does the show have anything to contribute to our discussion of Apple's role as a global labor policy-maker?

When I first heard Mike Daisey's show, I was shocked. I listened to it in my kitchen while I made dinner one night and I literally dropped my jaw. I paused, knife in hand over half-chopped kale, and stared at the wall with my mouth agape. "Oh. My.

certain moral correctness. Under any number of measures, Apple is the most successful company in the world. I wanted them to use the bargaining power that went along with that status to make life better for the people who made their products.

## V. The Takeaway

But now that I know it's not all true, now that I know Mike Daisey didn't meet the people he says he met, I have two reactions (channeling Barry Friedman in my Ira Glass voice): first, I am very, very angry with Mike Daisey and second, I don't really care that he lied — I still want to see Apple raise their factory standards. Sure, Foxconn wasn't the site of the mass hexane poisoning but I'd like to know

that they aren't still using the product. I still think their labor standards should be better than — not commensurate with — local norms. My initial reaction to the story felt like a Torts exam issue spotter: intentional infliction of emotional distress, negligent story-telling ... wasn't there some controversy recently about criminalizing lying? I'm pretty sure that was limited to lying about veteran status but Mike Daisey should be behind bars for this atrocity hiding behind creative license. Well, not behind bars, that's barbaric. Come on, we're NYU students and NPR listeners; we don't necessarily even believe in jail for violent criminals. Mike Daisey deserves a strong slap on the wrist but maybe a pat on the back also — because Ira Glass and millions of NPR listeners are now talking about substandard labor conditions in China. Mike Daisey may not have seen or done the things he said he saw and did, but he turned an eye to a human rights problem that needs attention. And his story (and the subsequent retraction show) are worth a listen and available here: <http://www.thisamericanlife.org/>.

## the Commentator

The Student Newspaper of the New York University School of Law

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## Comment

### The Eager Reader

## Alum Calls for Release of More Transparent Employment Statistics

Dear Editors:

As a recent graduate of the law school, I have no idea what to make of NYU's recent rebuttal to claims that the school is distorting the employment prospects of its graduates. On one hand, I appreciate the school both providing a public response to this important issue and aggressively defending its reputation. At the

the criticism being directed at law schools today. However, facts on the ground suggest that the law school bubble is impacting not only lower-ranked schools but also NYU. It is long past time for NYU to recognize the part it plays in placing students into tremendous debt and forcing them into an increasingly volatile legal job market.

The reality is that the number

yet apparent. It was a tremendous shock for me to realize that as prestigious as NYU is, the opportunities for which I came to law school simply would not exist by the time I graduated. I only recently found employment yet, today, for many of us employment still does not always equate to financial security. I do not blame NYU for my situation, but I do take umbrage at the school's subsequent behavior.

As the legal job market worsened and was ruthlessly transformed during my time at NYU, the standard response from the school was that everything would be okay, that NYU graduates were still a cut above the rest. I understand if the school was trying to cushion the blow to my class or to avoid a panic, but it was tremendously upsetting for me to see this response being used with the students that came after me. During admitted students days and information sessions for prospectives, there was very little honest discussion about the price of an NYU Law education and one's prospects upon graduation. Just try to find NYU's graduate employment statistics on its website. While they are currently on the front page via this rebuttal, most of the time the stats are buried; they certainly aren't easily advertised to prospective students.

When I spoke with the Office of Career Services about how it compiles its statistics last year,

I was told that NYU gathers statistics based upon "how NALP, the ABA, and U.S. News guides us." In other words, NYU does only what it is told to do. I would offer that NYU should do more. The law school prides itself as being an education leader, and it should be leading the effort to increase transparency when it comes to discussing the value of its education, as well.

Currently, NYU provides a mess of statistics to show what graduates are doing nine months out from graduation. At least 8 percent of graduates in this

NYU should endeavor to provide graduates, current students, and prospective students data on what its graduates are doing one year, three years, and five years out. I recognize this is a big burden on the school, but it is a good first step to demonstrating exactly what NYU graduates are doing with their highly priced degrees.

NYU continuously strives to provide the best it can to its students in all facets of their educational experience. Compiling and releasing these numbers would be no disservice to the school

### Comment

#### Letter to the Editor

same time, the response strikes me as shockingly defensive in its tone and substance, and it misses an opportunity to position NYU at the forefront of the law school transparency movement.

When the law school is suggesting Professor Paul Campos is using "tainted numbers," daring him to independently audit NYU's stats, and calling another critical article in The New York Post an "inaccuracy wrapped in innuendo inside omission," one cannot help but think someone struck a nerve. Frankly, it's about time. NYU and its peer schools have managed to avoid much of

of Big Law jobs have decreased, even for NYU students. For the class of 2010, only 56 percent of graduates worked for firms larger than 250 attorneys. A quick look at the pie charts NYU provides shows that only 55 percent of the students in my class worked for firms during their 2L summers, so this percentage is going to continue to decrease. No matter how NYU slices it, with fewer Big Law jobs, there's less big money to be made to pay for an NYU education.

When I started law school, the ramifications of the recession on the legal job market were not

“It is long past time for NYU to recognize the part it plays in placing students into tremendous debt and forcing them into an increasingly volatile job market”

time frame are taking advantage of funding provided by the law school itself to kick-start their careers. An untold number are in transition from short-term employment or in clerkships. Even the Office of Career Services will admit that numbers nine months out don't tell the whole story.

and would further demonstrate how NYU continuously strives to provide the best it can for its students in the classroom and after they have graduated.

Joseph Jerome '11  
Managing Editor, *The Commentator*



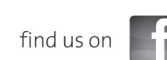
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# Progressive Student Congress Discusses Public Service at NYU

By FARRELL BRODY '12  
STAFF WRITER

What does it mean to be law students at a “Private University in the public service”? Why do so many of us enter NYU using the phrase social justice in our admissions essays and leave NYU discussing billables and bonuses? As NYU solidifies its status as a leading law school, how should it simultaneously maintain our status as a leader in public interest law? These and many other related questions were pondered and discussed Friday, March 23, at the First Annual Progressive Student Congress. Although it was the end of the week, with finals quickly approaching, and the day outside was spring-bliss perfection, a diverse group of nearly 70 NYU law students made it their priority to participate in the electrifying conversations that occurred during the Congress.

The Progressive Student Congress was organized by an informal group of law students unified by a desire to participate in discussions about the current state of NYU Law and have voice in its continuing development. To this point, the organization is not an officially recognized SBA organization and does not have a formal leadership. Membership is open to all and the definition of what is “Progressive” is left to participants to define for themselves. Many of the participants appear to share broad common interests in the ability of NYU to prepare students for careers in public interest, the diversity of faculty and students at the school and the breadth of the coursework

and clinic work available. There also seemed to be an undercurrent of anxiety and concern amongst the members that NYU School of Law today is not as diligently serving its public service role and the needs of its public interest students as much as its capacity warrants.

The Congress occurred in Furman Hall 212 from 4:30-6:30 p.m. Attendance was impressive; the majority of seats in the large lecture hall were filled by a buzzing, diverse group of students representing all three classes and many disparate organizations at NYU. The introductory speaker was Ben Cady, '12, who is also an Editor-In-Chief of the Review of Law and Social Change. Mr. Cady's thoughtful remarks described the impetus for the Progressive Student Congress, as the Law School seems poised at a pivotal point in history. Inside the school, Deb Ellis, the leader of the Public Interest Law Center, is departing, and the recent entering classes are experiencing dramatic disparities in diversity, among a variety of other issues of concern. Finally, Cady said the purpose of the Progressive Student Congress was to take account of how fully NYU Law is achieving its mission of a “private university in the public service,” what more needs to be done, and how students from different communities at the law school can organize together and fight for progressive change.

Following the completion of Mr. Cady's remarks, five breakout groups were organized, covering distinct topics and they repaired to separate classrooms for 45-minute in-depth discussions concerning

their topics. Once completed, the breakout groups reconvened all together in the main classroom to meet the invited speaker panel. The panel was moderated by Dara Young, a 3L who had been a leader in organizing the event, and included CUNY Law Professor Victor Goode, NYU Law Professor Tony Thompson and NYU Law '01 Alum/public interest practitioner Yumari Martínez. The speakers listened to each breakout group as the groups made reports back to the main group concerning their discussions, conclusions, and open-questions. The event then concluded with each speaker responding to the report-backs by offering their own perspectives, experiences, and advice in regards to the topics.

The breakout groups were five in total: 1) Curriculum & Pedagogy, 2) Faculty and student diversity, 3) Private interest and pro bono, 4) Collective action, sustainability, and leverage and 5) SBA as vehicle for change. Attendees choose the breakout group of their choice and each group was led by facilitators who had prepared certain prompts and background information to foster the discussion. The discussions were lively and the report-backs to the entire Congress reflected that a great deal of substantive brainstorming had occurred during each breakout session. Many pro-active ideas and solutions were brought to the floor of the Congress for consideration and received very positive responses.

Professor Goode from CUNY Law School was the first speaker to respond to the reports of the breakout groups. In his sharp and incisive

remarks, he cautioned that students must be aware of the limits on their energies and focus them on where they can do the most good, whether inside or outside the law school. Outside the law school, Occupy Wall Street offers burgeoning opportunities for social change. Inside the school, there is a need to explore what has happened to Critical Legal Studies and its place in the pedagogy. In his conclusion, Professor Goode stated that many of the proposed ideas were achievable and offered his encouragement that students stay committed in realizing them.

The next speaker was beloved NYU Law Professor Tony Thompson. Professor Thompson energized the room with his enthusiastic and inspiring speech. He encouraged the attendees to recognize that they're doing something very important and learning valuable lawyering skills as they organize. His noted that the private versus public sector is an antiquated and divisive discourse that should be avoided because the job market for lawyers today dictates that professionals flow in and out of the sectors interchangeably. In conclusion, Professor Thompson reminded the audience that as students they have the power to make substantive changes in their law school and that their opinions will be considered as long as they strongly voice them and hone their advocacy skills.

Yumari Martínez, public interest lawyer and NYU alum, was the final speaker. Mr. Martínez was involved in student organizing efforts as a student at NYU and he spoke from his experiences. Mr. Martínez cautioned the students that he had

seen many similar efforts from his time at NYU Law rise and fall, and emphasized that the students today must find ways to make their efforts sustainable and practical. The words of the late Professor Derrick Bell were referred to in reminding the audience that they must be daring in process of asserting what is right. Mr. Martínez implored the audience to work on meaningful, necessary, and inclusive goals that will be achieved through a unified coalition of students, faculty, administrators, and alumni working together to better the institution as a whole and for the betterment of all.

On a positive and inspiring note, the Congress then recessed into continued discussions and refreshments. Attendees reported unanimously that they found the Congress to be a positive and thought-provoking experience. Adam Saper, a '14 said, “While attendees seemed to span all classes, I was particularly proud and inspired to see so many 1L classmates invested in the event. Their commitment to making their educational experience at the law school truly meaningful was reflected not only in their presence and immediate concerns, but through their thoughtful input about how to make lasting changes that can help better create a community for progressive voices and interests on the law school campus.” Without a doubt, NYU School of Law has a new force, the Progressive Student Congress, which is a unique venue in which students can organize and voice their opinions regarding change and public service at the institution.

## Former NYU Law Crusader Returns! Kloster Defends Chik-Fil-A

By ANDREW KLOSTER '10

As Ronald Reagan once said, “freedom is never more than one generation away from extinction.” As a member of the Class of 2010, I speak to you from beyond the ether to remind you of the freedoms you enjoy today, and the men and women who fought and died for your freedom.

In 2009, when I was a 2L, Coca-Cola was banned on campus due to the efforts of one financially

ary 18, 2009). That proposal fell flat, and you can now deal with your eggs according to the dictates of your own conscience. I did this not just for myself, but for future generations.

Today, my back bent and my eyes dimmed, I pass the torch to you. It is your responsibility to safeguard the freedom of the Law School and the entire University for posterity. There is a new threat to our freedom, and it is, perhaps, the gravest threat

troglodytes seek to remove the only (alas!) Chick-Fil-A in New York City from NYU, purely because they disagree with the religious views of

As a diverse institution of higher learning, NYU accommodates a number of students from the South, where Chick-Fil-A is plentiful. Not

our lives, sacrificing our well-being at the altar of groupthink. As a proud veteran of our previous gastronomic wars, I admonish you, students, still



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interested activist and a lawsuit that was later dismissed. A number of intrepid NYU Law freedom-fighters fought hard to get Coca-Cola back on campus (“Change We Can Really Believe In: The Coke Ban Needs to Go,” January 21, 2009). Today, all over campus, you can enjoy numerous Coke products, including Vitamin Water. Later, I lampooned the proposal for NYU to buy special eggs for consumption in dining halls (“Coke Now Available, But Some Want to Regulate your Ova,” Febru-

ary 18, 2009). That proposal fell flat, and you can now deal with your eggs according to the dictates of your own conscience. I did this not just for myself, but for future generations.

Today, my back bent and my eyes dimmed, I pass the torch to you. It is your responsibility to safeguard the freedom of the Law School and the entire University for posterity. There is a new threat to our freedom, and it is, perhaps, the gravest threat

the owners.

While as a private university NYU has every right to police its vendors, choosing to kick out vendors for reasons that might raise Establishment Clause issues at a public university (can SUNY ban all Orthodox Jewish vendors for that reason?), this campaign is shameful.

only does Chick-Fil-A provide them with a bit of home, it provides an opportunity for cross-cultural dialogue. Also, chicken sandwiches are delicious.

As against this picture of glorious harmony grunt the knuckle-dragging oafs of orthodoxy, seeking to remove all culinary delight from

safe and warm in the womb of the law school, to stand up for the freedoms of your fellow students. We fought so hard that you might be free: now is your chance to fight for future generations. You are inherently at a disadvantage when your mouth is full, and it is all the more important that you speak up now.

## Beloved PILC Dean Departs, Stirring Uncertainty continued

started looking for another position yet. “I’m kind of giving myself my own sabbatical.”

Ms. Ellis said she would eventually pursue another position in the public service, but noted it would not be at another law school. She said there was no current change in the way PILC was being run, but deferred any questions about the future of PILC to Dean Revesz. Ms. Ellis said she was not on the search committee.

In the meanwhile, Ms. Ellis is institutionalizing much of her work at PILC. She is spending some of her remaining time at the school writing manuals through which she will pass down nine years’ worth of knowledge. “I want to leave things

in good shape,” Ms. Ellis said. “I hope they hire someone else who cares about students and cares about public interest. It was a great joy to serve the students at NYU and work with the colleagues I’ve had.”

At the Town Hall meeting, Dean Revesz did his best to defuse the idea that PILC was headed for drastic changes, but he stopped short of promising that absolutely nothing will change.

“We’re not looking now to define what PILC will look like over the next ten years,” Dean Revesz said. “We want [a department] that will be flexible, prepared to grow with times and respond with the times.” Later, he added, “I want the evolution [of PILC] to grow out of the vision of

the person we bring on, and I want someone who has the vision to grow with time.”

He also suggested that he hoped PILC might broaden the types of students it supported. “I want PILC to support not just people who knew since they were three years old that they wanted to be in public interest, but also the people who wanted to get a job in a law firm, but didn’t get one, and now still want a good legal job,” Dean Revesz said. “I want to deal with students who are in different situations.”

Members of the search committee echoed the assurance that NYU would remain dedicated to the public interest. “There is nothing more important to me than the reputation of this law school in the public interest law field,” said Karen Freedman, a committee member and NYU School of Law Trustee. “That is what I am most proud of this law school for, I will do everything I can to make sure it stays that way.”

Other members spoke about the need for diversity, experience, and looking for candidate that would be best for the school.

Some students also see this as an opportunity for student input into the school’s growth. The Ad Hoc Students for PILC, a group of 15 public-interest students, has formed, hoping to take the pulse of the student body and work with the administration during the transition. “The Ad Hoc Students for PILC feel

that new leadership often comes with innovation; with that in mind, this is a valuable moment for students to think about what innovation we would like to see in PILC and to discuss those ideas with the administration and search committee,” said Sara Maeder, a member, and Root-Tilden-Kern scholar.

Whomever they find, he or she will have some big shoes to fill. Dean Revesz and various faculty members attribute a number of accomplishments to Ms. Ellis. The Root-Tilden-Kern scholarship program grew from 12 students to 20 students each year, who receive full tuition. NYU’s PILC fair became the largest public interest job fair in the country. Summer funding was guaranteed for all students and the program itself was expanded. She created the judicial clerkship office, which has earned the school a record number of clerkships. Recently, Ms. Ellis received a White House Champions of Change Award for her work.

“I can think of no one who commits more to our students; Deb has given her heart and soul to NYU Law,” said Professor Margaret L. Satterthwaite, the Faculty Director of the Root-Tilden-Kern program.

There are some things, of course, that can’t be replaced or replicated. Ms. Ellis was known for her hands-on approach to both public interest and students, as well as her extensive network of alumni institutions.

Rachel Stier, an NYU alumna and staff attorney at the Juvenile Rights Division of the Legal Aid Society in the Bronx, describes Ms. Ellis as someone who “always made time” even if meant counseling a student at 10:30 p.m. Even as a graduate, Ms. Stier had always felt comfortable calling the office for career help, and she expressed dismay Ms. Ellis would no longer be there. “The people who were there when you were there simply made you feel more connected,” Ms. Stier said. “It’s all about building relationships. It’s disappointing, if I was looking to make a transition now, it’d be harder to call because, hey, [the person on the other side doesn’t] know me. Consistency is nice.”

Other students expressed a mixture of gratitude of having known Ms. Ellis while she was at NYU, and sorrow over her departure.

“I was a 1L when I walked into her office and laid bare all my apprehensions,” said Zander Li, a 3L at NYU. “She sat there, listened, and she laid out a five-year and a ten-year game plan. She stayed in contact with me every two and three months. She even set up a lunch with a federal judge for me. She was really looking out for me in a way I didn’t expect and couldn’t have hoped for, especially for someone who wasn’t even firmly public interest. I’m disappointed for 1Ls now — future generations won’t have the benefit of her being here.”

### Dear Peyton Manning,

By VANISH GROVER  
CONTRIBUTING WRITER

An open letter to Peyton Manning:

Dear Peyton,

I first wrote this last week, before you had picked the Denver Broncos. I had first waxed poetic about how glorious your career had been — about your Super Bowl MVP, about how your legacy can’t be doubted after this past Colts season without you, about the way you beautifully orchestrated games, about how you might be the most well-loved athlete in any state in any sport, and about how its time to rest on your laurels and go onto the commentating/coaching/late night TV/Double Stuffed Oreo championship league career it seems like you were destined to have.

But then you chose to come back. I certainly get the appeal — Eric Decker could be a star with you passing to him and Demaryius Thomas is starting to look like the next Calvin Johnson. This is now a league where a rookie can throw for over 4,000 yards and Broncos defense is built to play ahead by ten points. The thin air will make your rusty arm look a lot stronger than it is and you’ll get another shot at the playoffs.

But I’m a little sad you

made that decision.

When I saw Harry Carson, former Giants inside linebacker and current Hall of Famer, give a talk a couple of months ago, he gave us his personal opinion on football. He said that he doesn’t think the sport can stay alive for longer than 20 years the way it is being played. The shelf life of the average football player is three years. Players are destroying their bodies every single Sunday. Concussions, MCLs, ACLs, Achilles, spinal injuries — the list goes on and on.

I was hoping that you would retire. I was hoping that you would say to yourself: “Some day I want to be able to pick up my grandchildren.” I was hoping you would decide that at some point, your health going forward is more important than performing as a gladiator in front of millions of drunken idiots and that four spinal surgeries and severe nerve damage is beyond that point.

You ushered in the period of the aerial attack, the golden age of the quarterback. You showed us that it is possible for a goofy-looking Southern kid could be better than a model-dating pretty boy quarterback from New England. Now help football become safer.

Sincerely,  
Vanish Grover

*Deb has served so many crucial roles in my law school career. She is incredibly effective at her job - thanks to her generous, insightful guidance on internships, coursework, and activities, I approach graduation with a terrific job and a strong set of skills. Whether I'm wondering where I should spend my summer or if I need a haircut for an upcoming interview, I know she will give me a straight answer and that she will be spot on. She has met with me time and again to help get me where I am today.*

*But Deb's role in my NYU experience encompasses so much more than her job title suggests. She is an inspiring female leader, outspoken and passionate in her concern for students and the public good. She is a constant source of personal support and understanding in the stressful, competitive law school world. Her warmth and compassion have been a huge source of comfort to me throughout my law school career.*

*Deb's departure leaves a huge hole in the NYU community. Deb, you will be much missed!*

-Martha Roberts '12

**Deb Ellis has been an amazing source of advice and support throughout my law school career. She provided helpful discussion and advice through two summer job searches and a clerkship application process. From creating innovative internship and fellowship resources to calling me from her home at night to talk through a decision, Deb has consistently gone above-and-beyond. I decided to attend NYU because of the public interest community and support and I'm saddened to hear that it's losing one of its leaders. Thank you for everything, Deb, and you will be missed.**

- Lauren Jones '12

It would be easy enough to love Deb Ellis for all her wonderful personal qualities: accomplished public interest attorney, respected and admired administrator, compassionate mentor, Green Bay Packers fan. But she’s so much more than that.

Deb has a wonderful sense of humor, solidified in my mind by having seen her laugh - and hard - at the caricature of herself in the Law Revue. She has a commitment to her work that is beyond professional, certainly personal, and remarkably effective, as her many formal accolades demonstrate. Deb returns phone calls and emails at 10 at night and 8 in the morning and works tirelessly to advance our careers because she has absolutely internalized students’ successes as her success.

Those of us lucky enough to have her mentorship and guidance have benefited enormously from it. That NYU’s profound loss will inevitably be someone else’s gain lessens the pain of her departure but does not alleviate it. Our institutional commitment to public interest law now faces a most difficult test, which is not whether the next PILC leader can possibly fill Deb’s shoes, but whether she might hope to do so in ten years’ time.

-Austin King '13



# Why Cinema Remains Better Than Television: From *The Wire* to *Luck*

By THOMAS PRIETO '13  
STAFF EDITOR

We have been in the midst of a golden age of television over the last decade. Dramas like “The Sopranos”, “Deadwood”, “The Wire”, “Mad Men”, and “Breaking Bad” have brought writing styles and techniques often reserved for novels, short stories, essays, and plays to television. “The Wire” is a Greek tragedy doubling as a sociological essay. Every great episode of “Mad Men” functions as a short story about the American bourgeoisie of the 1960s and their fragile and collapsing world. One of the greatest “Breaking Bad” episodes, “The Fly”, is the one-act, two-man play at its finest. “Justified” is pulp fiction at its best — big, mythological characters

quite good at detailing American urban decay through a genre (Greek tragedy) that works to simultaneously dramatize and critique society’s ills. Unfortunately, “The Wire” is an awful show to look at. This is not because the images are so haunting and powerful. It’s because the direction on the show is awful. David Simon often attempts to explain this away by saying that he wanted the show to look as realistic as possible. This is, of course, either a fundamental misunderstanding of the term realism as it applies to art or just an artful dodge. The problem

The episode featured classic Scorsese stylistic choices like tracking shots down hallways and even a montage featuring the deaths of multiple characters. Most television shows cycle through multiple directors. In order

solutions are best embodied by the shows “Louie” and “Luck”.

“Luck” is a new HBO show about a horse racetrack executive produced by writer David Milch (“Deadwood”) and filmmaker Michael Mann. From my understanding, this series is the rare instance in which the director most affiliated with the show is as involved as the writer. According to some reports, Michael Mann banned the notoriously controlling David Milch from the set. Michael Mann directed the fantastic pilot and his increased creative control is entirely evident

from the scenes that open with close-ups to the jockey-cam. I have yet to watch any more episodes from the one and only season of the series, but my hope is that the visual style will not decline substantially without Mann’s direction.

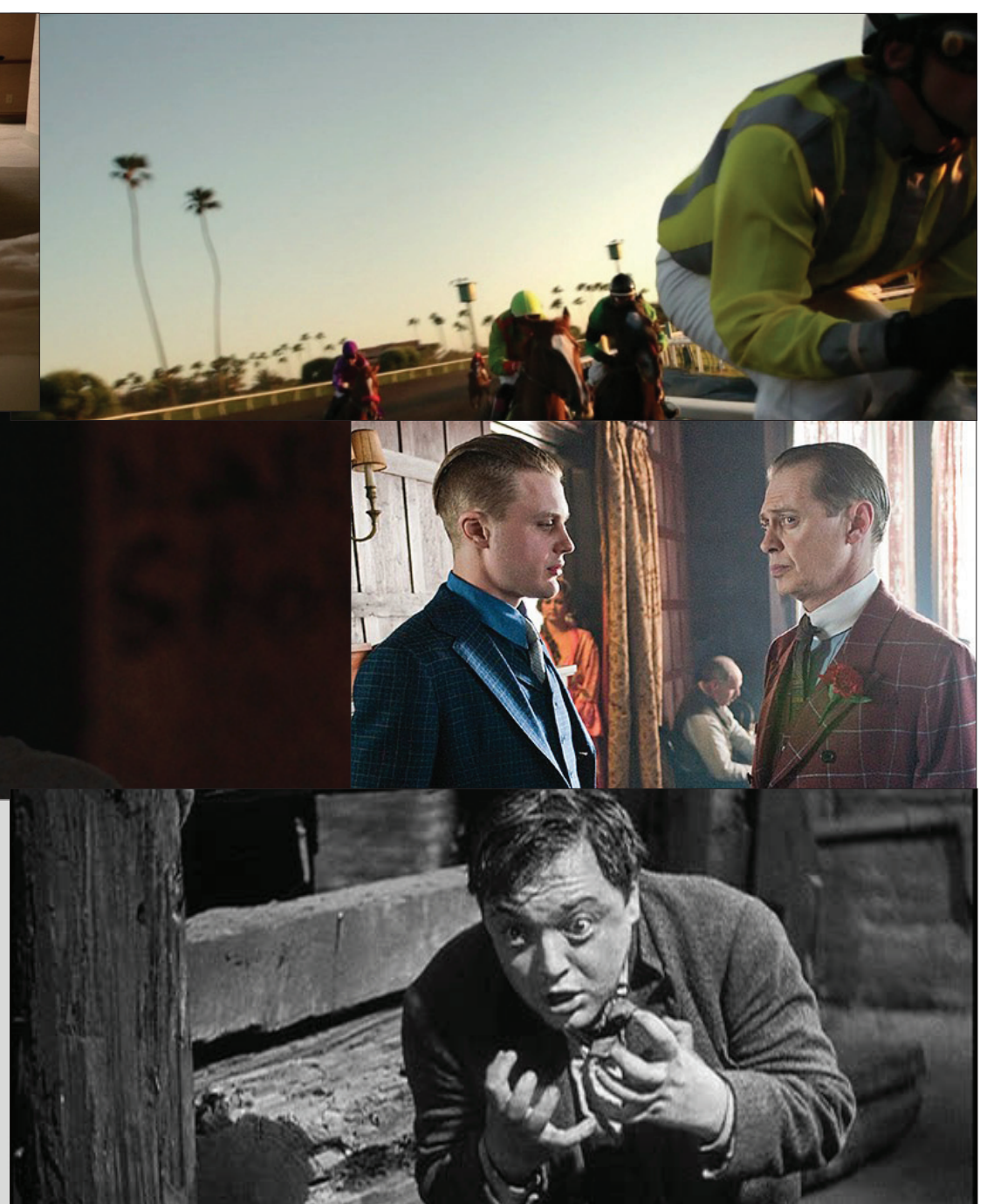
At its best no show takes advantage of both the visual and written aspects of television quite as well as “Louie”. Louis C.K. is the rare example of a writer/showrunner that is as interested in the visual aspects of his program as the writing. C.K. always wanted to be a filmmaker when he was younger and has some experience making short films. C.K. is involved in almost every aspect of his show and plays the roles of writer, director, and editor. The show takes advantage of the medium of television — both visual and writing.

## Comment

### The Man With a Name

to maintain a uniform visual style, the style of the pilot is considered the “house style”. Unfortunately, this is why the rest of the “Boardwalk

Empires” episodes are, directorially, mere bad imitations of Scorsese.



with murky allegiances, an impossibly cool and charismatic lead, and the large sums of money that bring them into conflict.

Cable channels like FX, AMC, and HBO have allowed talented writers to take risks and incorporate more challenging and sophisticated writing into television. However, most television shows have yet to take advantage of the medium’s visual aspects. Many television critics, especially those that claim television has reached greater artistic heights than cinema in the last decade, far too often fail to note this. “The Wire”, likely the most highly touted television show in history, is perhaps the best example of great writing and poor visuals.

The writing on “The Wire” is

with a show like “The Wire” is that it does not take advantage of the medium’s possibilities. I would almost dare say that “The Wire” would work better as a radio show, than a television show were it not for the fantastic casting. Just imagine how much greater the Stringer and Avon fight scene would have been had it been shot by Michael Mann.

It is the lack of a strong directorial presence, like that of Michael Mann, which is largely responsible for the visual mediocrity of television. This is most evident of television shows that have a few (or often only one) episodes directed by great filmmakers. For instance, Martin Scorsese directed the “Boardwalk Empire” pilot, which remains the best episode of the series to date.

Empires” episodes are, directorially, mere bad imitations of Scorsese.

Writers often control television shows under the title of showrunner. They outrank directors and exercise much greater creative control. Networks favor this system because it makes it easier for them to predict what the final product will be from just reading the script. In the cinema, some directors, like Godard, are famous for submitting scripts to investors that they don’t even intend to shoot. Placing all the power with the writers is one of the biggest reasons for the lack of a visual focus in television. There seem to be only two ways to remedy this issue without taking away too much power from the writers and thus cutting off funding from networks. These two

Review in Brief: “M” (Fritz Lang, 1931)

*An absolute masterpiece, Fritz Lang’s “M”, follows citizens, police officers, and criminals as they attempt to hunt down a killer of children (played by the fantastic Peter Lorre). Lang’s facility when cutting between different groups and locations and surrealist use of dialogue, which often becomes a monologue and/or narration, helps re-create an entire society in a way that few films can match. Everything comes to a head in one of the cinema’s greatest scenes in which Peter Lorre is confronted by most of the town, which attempts to exact vigilante justice. The moral issues of the death penalty have never been dealt with as deftly as they are here.*