



the Commentator

The Student Newspaper of the New York University School of Law

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Breaking News: Alcohol Banned at This Year's Law Revue

Bottles and Loud Patrons Blamed for Policy Change; Pre-Show Parties to Occur Before Every Show

By MICHAEL MIX '11
EDITOR-IN-CHIEF

Law Revue, NYU Law's annual music parody, has traditionally been an alcohol-laden event, as students could bring drinks into

"[Dean Richard] Revesz has had a lot of issues in the past ... mostly because there has been such a culture of bottles, bottles running down the aisle, bottles clinking, and it seems like the Law Revue audience has to drink as loudly as

auditorium aisles and from rowdy crowds in general. Instead of introducing the alcohol ban then, the administration made a deal with Law Revue in which its members would police the 2009 show. These policing measures included announcements during the show, students patrolling the aisles, and an SBA email asking people to be respectful and not to yell. However, these new measures proved to be ineffective, as last year's event contained most of the same problems as before; even though people did not roll the same amount of bottles down the aisles, there still was an inordinate amount of noise, and one girl even threw up in the auditorium during the show.

administration felt that it had no choice but to put the ban in place this year. While no alcohol is allowed, there will not be any

searching of persons before the show. In addition, to help maintain some of Law Revue's traditional place in the community, there will be "pre-parties" before every show, sponsored by different groups on campus. A list of pre-parties can be found in the accompanying sidebar.

"One of the positives is that the audience does not need to be screaming the whole time showing everybody how drunk they are," Svoboda said. "We work really hard on the show ... and we like that it is a night that everyone can look forward to."

Despite the changes, Law Revue still hopes and intends that the show will be as good as ever, with the same robust attendance as in years past

"We really hope [that there won't be lower ticket sales], and that's what we are trying to prevent with the ... pre-show party," Svoboda said. "Also ... on [March 25] we are getting a lot of the students involved for one of the two videos we are creating for the show. One of them is sort of a rave party in the library, and we are getting the student body to help with that, so hopefully that will get people excited too."



Tishman Auditorium and imbibe throughout the show. Starting this year, however, students will no longer have the ability to do so, as the administration has banned alcohol from the show, which runs every night from April 7-10.

possible" said Katie Svoboda '11, a producer on the show.

This decision has been in the works for a few years now. Two years ago, in 2008, the show was marred by interruptions, mostly from bottles rolling down the

"While we recognize that alcohol is a part of student life, we also believe that we should be conscious of the public spaces we create for its consumption," said Assistant Dean Pascale Walker.

After the 2009 show, the

Pre-Show Parties

• Apr. 7, 6:30 - 7:45 in Goldberg, hosted by student groups

• Apr. 8, probably 6:00 to 7:30, place TBA, hosted by the SBA

• Apr. 9, 6:30 - 7:45 in Golding, hosted by the alumni services (ODAR), mainly for Law Revue alumni.

There also might be a BYOB party in the journal offices

• Apr. 10, 6:30 - 7:45 in Golding, hosted by the administration, mainly for families.



Experts Talk Antitrust at Annual Survey of American Law Symposium

By LAURA COLLINS '10
CONTRIBUTING WRITER

On Friday, Feb. 19, the NYU Annual Survey of American Law hosted its annual symposium, Critical Directions in Antitrust. Antitrust academics, government officials and practitioners came together from around the country to discuss developments in antitrust law.

There were three panels over the course of the day, on government enforcement, antitrust and innovation, and private enforcement. Each panel consisted of four to five panelists and a moderator.

Professor Harry First, the director of the Trade Regulation program at NYU, moderated the first panel, on government en-

forcement. He is also the former Chief of the Antitrust Bureau of the Office of the Attorney General of the State of New York. The panel featured five current and former federal antitrust officials from the Antitrust Division of the Department of Justice,

ski (FTC), and Jonathan Baker (FCC) were visiting professors at the NYU School of Law in the 2008-09 and 2009-10 school years, and they are all currently serving in the Obama administration. Weiser spoke about the importance of considering the institutional design of antitrust enforcement, Shelanski touched on the expanded use of the FTC's Section 5 powers, and Baker discussed the role of industry-specific agencies in antitrust enforcement.

Joining them were two former government enforcers who currently work in the private sector and academia. Robert Willig (Princeton University and Compass Lexicon), a former Deputy Assistant Attorney General for Economics in the Antitrust Division of the DOJ, filled out the panel by discussing the pending revisions of the Horizontal Merger Guidelines,

the Federal Trade Commission, and the Federal Communications Commission.

Three of the speakers, Philip Weiser (DOJ), Howard Shelan-

which he helped draft during his time at the DOJ. Kevin Arquit (Simpson Thacher), former Head of the Bureau of Competition at the FTC, filled out this panel by drawing the comments together and contributing his thoughts on the additional proposed uses of the FTC's Section 5 powers.

Professor Eleanor Fox, the Walter J. Derenberg Professor of Trade Regulation at NYU, moderated the second panel on antitrust and innovation. She was joined by four panelists who discussed the way antitrust law

See **SYMPOSIUM** page 4



Students dance the night away at the Violet Ball, held on Feb. 27 in the atrium of Bobst Library on the undergrad campus. The formal, black tie-optional event was open to all members of the NYU community.

Infra	Two columns about Wet vs. Dry. Trust us, it's not what you think it is.	page 2
	This is the continuation of the Lawyering debate that never ends. And it goes on and on my friends. Some people started arguing it, not knowing...	page 3
	The April Fools edition, the Rotatnemmoc. It's fake; don't sue us.	pages 5-8

Dry Versus Wet: Two Perspectives on the Law Revue Alcohol Ban

For

BRIAN KINDLE & MATT LAFARGUE '10
CONTRIBUTING WRITERS

Answer quick: which would you be more likely to attend, a college reunion or a law school one? Chances are, it's the college reunion; nearly three-quarters of respondents pick that one, which is a number that's totally real and not based on my imagination (it's based on science). Also, please answer faster next time. It says "quick" right there in the first sentence.

Point is, most graduates simply feel more connected to their college, and for good reason. Colleges are instant communities, with their own social rules, traditions, events and weird idiosyncrasies. Going to college means plugging into an entire freestanding culture, one shared by thousands of other students. If the experience is good, grads walk away with an indelible and lifelong sense of belonging.

Law school, by contrast, can too often feel pretty disconnected, an endless and solitary struggle of man vs. Bluebook, waged in dim subbasements or corners of the library. We spend time by ourselves, or with our study group or section. We only occasionally think of ourselves as a part of the student body of NYU Law. Except, of course, when it comes to impressing distant relations or girls at bars back home. Try it, it works!

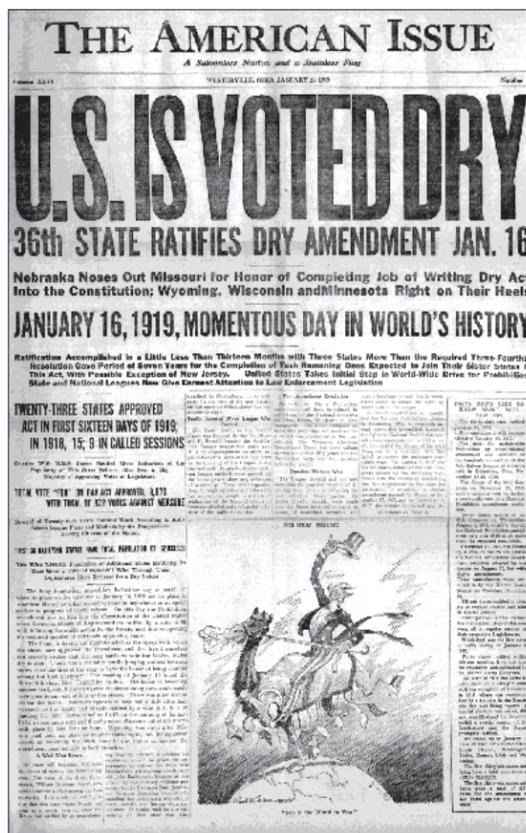
Which makes those rare chances

to get together in one great student body group-hug all the more glorious and appreciated (I'm looking at you, Fall Ball). Frankly, a sense of community is necessary: you don't go through law school alone, and it shouldn't feel that way. And of all the community-building, group-huggy activities (full disclosure: I think group hugs are awesome), probably the best, and certainly the strangest, is Law Revue.

This decades-old annual musical spectacular is the only place you'll see all of NYU Law's unique identity on display, and on stage. Where else will you find overly self-righteous PILCers, corporate law snobs and gunners lovingly satirized by actual, real-life overly self-righteous PILCers, corporate law snobs, and gunners? Where else can you witness a future tax attorney belt out the chorus to "Livin' On a Prayer" like his life depended on it, only with all the lyrics changed to legal puns?

The answer is nowhere else, probably. And if there is somewhere else, I don't want to know about it. Because I don't have to. Because I already have Law Revue.

Law Revue is great— it's a wildly entertaining, seriously hilarious, and very legitimate production. The



Could the Law Revue ban on alcohol become a momentous day in NYU Law history?

people behind it are real talents, and everything from the writing to the singing to the backing band is way better and more polished than it has any right to be.

More importantly, though, Law Revue is us: it's our shared experience, our year-in-review, our small frustrations and triumphs. Even better, it's all of that set to a pumping soundtrack of pop-music jams and Beyonce-inspired choreography.

Law Revue is that elusive celebration of NYU Law as the real community that it is, a chance to

simultaneously recognize and demonstrate NYU's exceptional student culture. And if that sounds cheesy, so be it. There are worse things than cheese. It's delicious on sandwiches, and it builds strong bones.

All of this makes the decision to keep booze out of this year's shows in favor of pre-show receptions the right one. Law Revue is a major annual tradition that draws in not just hundreds of students but alumni, faculty, parents and prospective applicants. Extending the festivities beyond the shows themselves gives all these groups a place to interact, and makes Law Revue much more the community-wide event it's intended to be.

Drinking at a pre-show reception, rather than during the show, is just a better kind of drinking—surrounded by friends and fellow students, enjoying one another's company and laughing at each other. It's a big party vs. a solitary pursuit, and fostering that kind of social connection is the point of the show in the first place.

Besides, let's face it, drinking at Law Revue was getting a little out of hand. In recent years the focus had shifted way too far from watching a great show and into the liver-demolishing, drunken-mess end of the spectrum. And don't forget about the people up on the stage—they spent three months (and in the case of the writers, eight months) working on the show, ignoring their casebooks and helping the curve in

that class you hate, all so you could get together with your buddies and have a good time.

People pay to come watch the show and have fun—they don't pay to hear your friend yell out something that he thinks is funny because he's been double-fisting MD 20/20 for three hours. And remember all those family members and admitted students who attend? For many of them, Law Revue is their only firsthand glimpse at NYU Law... and in recent years they've left with the impression that we're a bunch of idiots. Getting a little buzzed and cheering on your friends: awesome and fun. Spilling Woodchuck Cider on my shoes while drunkenly howling at all times, and leaving a six-pack of empty bottles under your seat for someone else to clean up: embarrassing and unnecessary.

I think we can all manage to drink appropriately, guys; we're all adults here. Except child prodigies who were admitted at age 16, of course. Child prodigies are exempt from any drinking regulations. They'll have to make their own mistakes.

Law Revue should be more than just a bunch of really drunk people in a room together, partially ignoring an amazing display of music and dance put on by people who really don't have enough time to be mounting a full-scale theatrical production. Law Revue is our annual reminder of why we'd rather attend law school at NYU than anywhere else on the planet.

So leave the 40s at home this year, and come raise a glass or two before the show instead. It's something you'll want to remember in the morning.

the Commentator

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Against

BY ELYSE FEUER '11
STAFF EDITOR

Upon hearing about the NYU Law administration's decision to ban alcohol at Law Revue, many students, like myself, are annoyed with the new policy and feel that it takes away what some would regard as an integral component of the Law Revue experience.

While I wholeheartedly agree that noise and excessive drinking cause substantial problems at the event, I believe there is a solution that addresses these problems while maintaining an environment where people can relax and enjoy a fun show that pokes fun at the law school and its students.

The new alcohol policy, which prohibits students from bringing in alcohol, was created by the administration mainly to address the problem of audience noise at Law Revue performances. I understand this frustration with students' extreme lack of respect for those who have given up much of their free time to write for the show, memorize lines and practice choreography and songs.

Last year I couldn't even hear half the words of the songs in the show. This problem

was partially due to horrible microphones, but the brunt of the noise came from students talking (at normal speaking volumes!) and from students knocking over the empty beer bottles by their feet, which then bump around or shatter. Law Revue had ushers, who tried to collect bottles to prevent this, but it's inconvenient to pass empty bottles all the way down your row; therefore, this solution failed. I truly empathize with those involved in Law Revue as they put so much into the show to make it funny and creative and yet students blatantly disrespect those on stage throughout nearly the entire show.

NYU's solution to this problem is to ban alcohol outright, but this will not keep students from bringing alcohol into the event as the new procedures will not include searching students for alcohol. One positive aspect of the new policy is that student groups will be hosting pre-parties for students to drink at. While I think this is an excellent idea and it does foster the same sense of community as Law Revue, I do not think it is an adequate substitute for allowing alcohol at the event. Students will likely binge drink at the pre-parties (ah, the noise is back!) or may end

up even skipping Law Revue altogether.

So how then do we keep the noise down while still maintaining the fun atmosphere and feeling of a cohesive community? We split the baby! Why not ban outside alcohol (or anything in a glass bottle) and sell beer/wine at cost at the event to be served in those neat little plastic cups? Students could similarly receive a bracelet that gets them a set number of drinks. This solution would rid the theater of glass bottles, which are a huge source of noise during Law Revue, and would provide the administration with some modicum of control over the volume of alcohol that is consumed on the premises. Of course, many will still show up drunk or will bring in flasks and there is no way to control this; however, the proposed policy would substantially cut down on the amount of noise in the theater.

Only students can control THE VOLUME OF THEIR VOICE! So, it's up to all of you to get up and leave the theater if you must talk instead of doing so during the performance. NYU, I hope you reconsider your policy; we sure love waking up with those headaches the day after a night of drinking NYU's wine.

Getting No-Offered is like Breaking Up with your Girlfriend

By DAVID GOODWIN '10
CONTRIBUTING WRITER

By my informal count, I got the bad news about seven months ago today. It was delivered by phone, thankfully—a rare courtesy in this age of instant messaging. We exchanged the usual pleasantries, me on pins and needles, and then it came: “look, you’re not a bad guy, but we’re just not *connecting*, and I think we should see other people. Besides, you’d probably be happier with other options.” I had a fair idea of who these “other people” were, but I kept my cool; as goodbyes go, it wasn’t very tearful. And, six months later, I would like to think I’m over the experience, except that *every single*

interview dredges it back up again.

Getting no-offered, you see, is a lot like getting dumped, with the following assumptions stipulated for ease of hyperbolic parallelism: your dating pool is composed exclusively of extraordinarily rich people who are governed by a committee of powerful (mostly) men, you are fine with the idea of your friends openly pursuing your former partners, and you are nonplussed to discover that news of your rejection has spread like wildfire among your paramour’s chatty, identikit friends. There’s the same feeling of rejection, the same poring over of your behavior—and, yes, occasional sniffles when your firm’s name shows up on AboveTheLaw—but instead of

eHarmony or match.com, you have PSLawNet and CSM, where your eye color is slightly less important than your journal affiliation. And, of course, nobody’s impressed that you are a lawyer.

And in this economic climate, professional closure is about as elusive as romantic closure. OCS, well meaning as they are, will tell you that it wasn’t *you* that screwed up, it was the economy—everyone will understand, really, and nobody will hold it against you, and you really ARE a good and well-meaning person that some employer will treasure someday—but fat chance getting that message loud and clear from your ex-firm. If you’re lucky, they will cite poverty, and if you’re

unlucky they will blame you for the functional equivalent of leaving the toilet seat up—building a castle out of firm mugs, for example (I did this, and only the fact that my officemate and partner in crime got an offer keeps me from believing that this was the source of my ejection). More to the point, it seems as if the remaining dating pool did not get the memo of nonjudgment; one walk of shame around a career fair will make *that* reality perfectly clear, as recruiters who for years pursued your favor instead shake their heads sadly, whispering to each other about transgressions both real and imagined.

But yet we cope. The no-offered 3Ls are humbled, but are not

out of the game yet. We charge forward, alternating between the grim and the hopeful, sending out résumé after résumé with our summer fling listed, patiently explaining in each interview—this time with the government, that time with a boutique patent firm—that, hey, sometimes things just don’t work out. After all: somewhere out there is Mr. Right Place of Employment, and one of these days we’re bound to meet, embark on a torrid romance, and pay off some student loans together. So check back in a year’s time (a span presented by experts as required to get over a failed professional relationship) and see how we are. Who knows; we might have employment, *with benefits!*

There’s Plenty to Change About the Law School Job Search After EIW

By ERIKA ANDERSON '11
STAFF WRITER

At the end of 1L year, we’re told about Early Interview Week — about the fact that such and such number of students each year get their jobs through interviews at EIW, about who will be coming and how to interview, even minutiae about the firms’ hiring practices with respect to applicant GPA. What they don’t tell you is that if you don’t get a job through EIW, your ability to get a job through other means is going to be seriously limited.

My personal experience at EIW was, I think, not atypical. Without going into embarrassing detail about my grades, I am a middle-of-the-pack student with reasonable social skills and what I have been told is an impressive resume. I went into EIW with a full schedule of 17 interviews. I did my research — I looked up my firms and my interviewers and developed things to say and

questions to ask. I got two call back interviews, but no offers.

I have been told over and over again that the market is terrible, that this is the worst time to be looking for a job, that in any other year I would’ve gotten a firm job easily. This may all be true or it may not. It’s beside the point regardless.

My point is simply that in October, after I had finally gotten my last rejection letter from EIW and from my last callback interview, I had no idea what to do. EIW may be a great system for what it does, and for those who got jobs out of it, but should you not be able to find a job through that route, there is no system in place, no real guidance on how to look elsewhere.

I didn’t go into EIW expecting to not get a job, and perhaps this was stupid and short-sighted of me, but I had no plan B. I had no idea what to do. Unfortunately, OCS seems to be caught just as flat-footed as I am. I do not mean to slight career services. It is perhaps not always easy to get an appointment, but they are busy

people and I am far from the only person without a job. They have been admirably patient with me, helping me edit and improve my resume and my cover letter template, practice my interview skills etc. But they certainly did not expect so many people to come out of EIW without jobs any more than I personally expected it to happen to me. They suggested that I keep on top of the job-listings on OCS, that I try to get in touch with alumni at places I might like to work, and that I apply widely and not rule anything out.

Since EIW I have tried to follow this advice. I will not say that I have followed it to a tee, because one must make allowances for taking breaks from the job hunt to study and attempt to improve one’s class standing, but I have sincerely tried. I have haunted the job listings on OCS almost daily. I have sent out some 30 applications — to law firms, to corporations, to government agencies (state, city and federal) and to judges. Though I find them excruciating I have made an effort to attend

networking events. I am so type-A as to keep a spreadsheet listing the dates of applications, and after each one I diligently send follow-up emails or make follow-up calls on almost every one. In fact, there are some firms and some opportunities that have come up on OCS more than once, and I have applied to these opportunities each time they come up, each time updating my (by now thoroughly depressing) spreadsheet. I have managed to snag only a handful of interviews this way, and no offers. In fact, it is difficult to even snag *responses*, positive or negative. Mostly, I am simply ignored.

The problem, in my view is that for those of us interested in private practice, there is no way to HAVE a plan B. There is the PILC Fair of course, and I do not at all intend to minimize its importance, but if you’re interested in private practice, the opportunities there are of limited and secondary interest. For what it’s worth, I was neither so stupid nor so short-sighted (this time) as to ignore its utility. I applied to three places,

and again did not receive an offer from either. Other than this, there is nothing but waiting for someone to post a listing, and sending out blanket cold applications.

The market *is* terrible, this much is true. Whether or not this is actually the reason I have not found a job, I can’t be sure. But I do know that our collective experience with the market this year should teach us that there must be a better way. There should be a plan B. It is (reasonably) easy to get access to lists of big firms, government agencies and PILC jobs that have hired NYU students in the past, and to find out what their hiring practices are and how they prefer for you to apply — who to contact, what to say, etc. But these are not the only opportunities out there, and waiting for the “other” category job postings to show up on OCS can’t be the most efficient way to get access to them. It simply can’t.

Lawyering Should Stress Learning!

TO THE EDITOR:

I am writing in response to Josh Levy’s Feb. 17 letter to the editor. I agree with Mr. Levy that the current state of the Lawyering program is broken, and that NYU has a responsibility to its students to stress legal writing skills as strongly as our peer institutions. However, I disagree with Mr. Levy’s assessment about how the program needs to change.

Let me quickly say that my Lawyering professor was an excellent teacher who became an important mentor and friend during my 1L year. I am a better writer and student because of her.

My greatest complaint about the Lawyering Program’s “practical” experiences is that there is no opportunity for students to learn from their mistakes. The chief tenet of the Lawyering philosophy is that students learn through doing, but this is a theory that the program never fully commits to. Each student tries each activity once. So if I ace my mediation’s opening statement and completely botch my negotiation, I learn that I’m good at memorization and bad on my feet. I learn this through the self reflection, professor evaluation and peer discussion that

follows my performance. Perhaps at worst I even internalize this assessment, since there is no experience number two where I can improve my skills. What students take away from these experiences is not “learning through doing,” but analysis and advice that they won’t have a chance to apply until much later in their careers. How is that helpful?

To learn through doing one must have the opportunity to act, again and again. Not just once.

My second complaint centers on the lack of preparation students have going into these exercises. I disagree with Mr. Levy that “psychology and dynamics of group interaction” should not be integral parts of a legal education. But we need more than a slide show, some inaccurate Hollywood movie clips and a wimpy group discussion. If we are going to negotiate, why not read *Getting to Yes*, or any of the other excellent literature on the topic from the Harvard Negotiation Project? The Program seems afraid to tell us how to think, for fear that we won’t develop our own style through their “hands on” experience. Sending under-prepared students into a one-shot experience, however, is not going to facilitate the development of

an authentic negotiation style, for instance. What it does is sends the signal to the students that the Program isn’t really taking the concept of learning to negotiate seriously, and neither should they.

That the whole thing is ungraded really adds insult to the experience. Given that currently you only have once chance to get something right that you possibly have no former experience doing, it makes sense. But if the Program is really going to teach us “Lawyering skills” — and allow us time to hone them — it should reward us for our effort. It should give us some motivation to really nail the concept. It should give us a real reason to believe that Lawyering is as important as everything else we’re doing.

The administration’s response to the questionable value of the Lawyering Program should not be to cut the non-traditional elements. It should be to beef them up. Let us negotiate more than once (perhaps on smaller deals). Let us mediate more than once. Let us argue more than one appellate brief. Let us be informed by the top thinkers on these activities in depth. And for goodness sake let us be graded.

EMILY RYAN ASCOLESE '11

Leave Thursday Alone!

TO THE EDITOR:

I am writing in regard to an article in the March 3 issue, where Joseph Jerome expressed his displeasure with our SBA’s weekly Thursday night parties. He “refuses to believe encouraging Thursday night drinking is the only way to encourage a social life at the university,” and makes his case for replacing some of our bar nights with ice cream and coffee nights instead.

Let us set aside the fact that Thursday night parties are actually NOT the only thing the SBA spends our budget on — off the top of my head they pay for our free breakfasts during finals, which I’m sure is no small expenditure. Jerome isn’t making a totally unfair point. Booze certainly isn’t the only way to have fun.

I wonder, though, how much thought he put into his proposal. Exactly what ice cream shop does he know about that I don’t that has enough space for all comers? What coffee shop? I don’t know about you all, but I spend more than enough time in these hallowed halls, and I have no desire to relax here on Thursday nights. But other than here in one of our student lounges, I’m not aware of any space such a party could be held without also

having to pay money to rent the space itself.

Thursday night parties aren’t held at bars only because we’re all a bunch of drunks. They’re held there because a bar is a convenient venue ready-made to handle a large group of people without having to pay for the space itself. Plus, in my view, the idea is to encourage people to leave the law school and take the night off — not to go down the hall for half an hour before heading back to the library. The idea is not just to socialize with each other, although obviously that is encouraged, but to go out to places where there are people who are *not in law school at all*. To try to socialize with people whose lives are not wrapped up in this rat race and gain a bit of perspective. An ice cream party in Golding doesn’t have those benefits.

Finally, I fail to see the difference between “funneling” business into Village bars and “funneling” it into local ice cream and coffee shops. Not everyone drinks alcohol, but neither does everyone drink coffee in the evening or eat dairy (for instance, I do neither). Either way the money is being spent and some people will want to take advantage and others won’t.

ERIKA ANDERSON '11

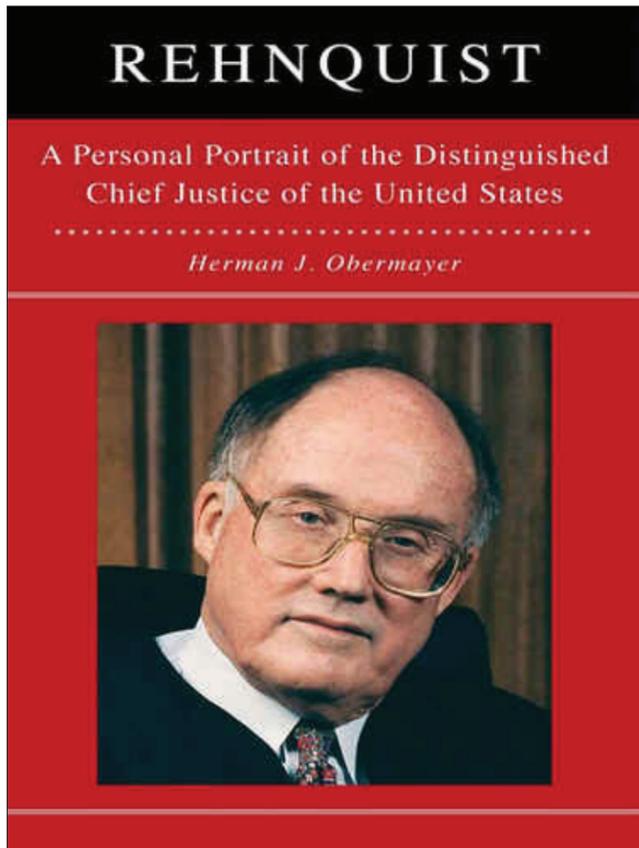
New Rehnquist Biography Looks at the Man, Not Just the Policy

FARRELL BRODY '12
STAFF WRITER

If the best measure of a person is the quality of their friendships, then we can conclude with certainty that, irrespective of all his other famed accomplishments, Chief Justice William Rehnquist was a person of the highest caliber based on at least one friend's admiration and loyalty. *Rehnquist: A Personal Portrait of the Distinguished Chief Justice of the United States* is a book that exudes respect and fierce fidelity, written by a close friend in order to share the details and shared experiences of their friendship. Herman J. Obermayer writes the concise memoir with an eye toward allowing future generations a glimpse behind the robes and into the personality of a public figure well known for his central role in history, but little known outside his official capacity.

Readers seeking scholarly examination of the former Chief Justice's ideology or thought process would be better served in seeking out the myriad of other sources which cover Justice Rehnquist's tenure on the Supreme Court in much greater depth. *Rehnquist: A Personal Portrait* is exactly what its title suggests and what its author intends to provide. It is written by a journalist confidant, Herman J. Obermayer, whom became very close to Chief Justice Rehnquist over the course of the last 20 years of Rehnquist's life. The book is constructed in a non-linear fashion, featuring disparate anecdotes describing the Chief Justice through his friend's eyes

and their shared activities. The writing is not artful, exhibiting little flourish, but it is easily read and often offers surprisingly intimate insights.



The book is rife with rich details of the personal quirks and traits of Justice Rehnquist that might not be available otherwise. In the trivial vein, it describes his surprising affinity for attending ribald movie comedies in his later years, rather than cinematic fare more typical for his age and position. From his well publicized appreciation for *Old School* to *Dodgeball* and *Star Trek & Hutch*, Justice Rehnquist seems to be expressed a streak of populism in his cinematic tastes perhaps not evident in his Supreme Court decisions. In a more serious fashion, the memoir explores Justice Rehnquist's legendary frugality. According to the book, Justice Rehnquist always ordered domestic beer to avoid premium markups on imported beers, chose to dine in Arlington, Virginia for its lower restaurant tax, and ad-

monished Obermayer, for using new tennis balls unnecessarily. Most strikingly, Obermayer explains that Rehnquist allowed a vestigial Jewish-exclusionary clause to be left in the deed of his long-time Vermont vacation home rather than, in Rehnquist's opinion, waste money on having a lawyer rewrite and file a new deed. The author, Obermayer, himself Jewish, devotes certain effort in the book to debunk all accusations of Rehnquist's anti-Semitism.

In a different vein, the book dedicates countless pages to discussing Justice Rehnquist's great love of putting his money on the line in wagers. According to the book, the Chief Justice fashioned himself a bettor, not a gambler. The sums in hand appear to always have been single dollar amounts and often pertained to betting on well-publicized political races. However, there appears to have been a myriad of bets he pursued on a regular basis and fastidiously tracked. One of those was a complex bet on the disputed 2000 presidential election in Florida, which would later be decided by the Supreme Court. This bet was later canceled as it became apparent that the Supreme Court would be involved in the final decision.

Justice Rehnquist is perhaps most well known for this decisive role in the 2000 election, as well as his role in the impeachment of President Bill Clinton. The book considers and explores these historical decisions

from a unique but superficial perspective. The central role of the Chief Justice in *Bush v. Gore* is discussed, as well as the Mr. Obermayer's highly sought after invitation to witness the proceedings in person. However, there is little to be gleaned about the Justice's thought process or personal opinions on the issues decided or the election itself.

The discussion of Justice Rehnquist's role as the Presiding Officer in the Senate during President Bill Clinton's impeachment proceedings is explored in a more profound matter. Most interesting is the background information concerning Justice Rehnquist's role as a lead prosecutor in a 1964 impeachment proceeding in the Arizona Senate, as well as the research he prepared for a book

background that well prepared him for his principal role in the impeachment of President Clinton and led to his generally well-regarded performance in that role.

Sprinkled throughout the book are further personal insights into the career and intellectual development of Chief Justice Rehnquist. The effect of the Justice's homogenous upbringing and military service on his ideological development assists in explaining his conservative ideological views. The matter in which the Chief Justice reached his lofty perch is explained with clarity. Also well discussed is the Chief Justice's appreciation of history and his second career as an active author of compelling history books. At times uneven and even self-ab-



sorbed, Obermayer's breezy memoir still offers a unique enough perspective on the inner life of the long-serving Chief Justice Rehnquist that it certainly merits the attention of scholars and students who seek a more

complete picture of Justice Rehnquist's out-of-court life.

Rehnquist: A Personal Portrait of The Distinguished Chief Justice Of the United States
Herman J. Obermayer
Threshold Editions 2009
304 pages

NYU Journal of Legislation and Public Policy
A SYMPOSIUM

Helping America Vote: The Past, Present, and Future of Election Administration

Thursday, April 1, 2010
Greenberg Lounge, Vanderbilt Hall
40 Washington Square South
9:00 AM – 5:15 PM

* **Panel topics include:** legislative reforms to improve the current system of elections, voting technology, and reform of the election administration system
* **Panelists include:** Samuel Issacharoff (NYU), Christopher Elmendorf (UC Davis), Charles Stewart (MIT), Lawrence Norden (Brennan Center), Trevor Potter (former Chairman of FEC), Kristin Clarke (NAACP Legal Defense Fund), and Marc Elias (lead counsel for Al Franken)
* **6.5 CLE Credits are available for full-day attendance**
* **Symposium is open to the public**

SYMPOSIUM: Academics Debate Policy, Innovation, Class Actions in Antitrust Law

Continued from Page 1

Walter J. Derenberg Professor of Trade Regulation at NYU, moderated the second panel on antitrust and innovation. She was joined by four panelists who discussed the way antitrust law should consider and encourage innovation. Herb Hovenkamp (University of Iowa College of Law) discussed his paper on the competitive harms that can arise out of post-sale restraints on patented or copyrighted goods. Marius Schwartz (Georgetown University) discussed

competitive issues related to licensing. Janusz Ordover (NYU) discussed the competitive implications of free and open source material that is adopted and used by firms in competitive markets. Finally, Dale Collins (Shearman & Sterling) filled in for Bob Pitofsky (Arnold and Porter) to discuss the impact innovation should have during the merger review process.

Ilene Knable Gots, an antitrust partner at Wachtell Lipton Rosen & Katz, and the current Chair of the ABA Antitrust Section, moderated the third and final panel on private enforcement. This panel primarily focused on the class action law-

suits, including a heated debate between Jonathan Jacobson (Wilson Sonsini Goodrich & Rosati), who defends against many class actions, and J. Douglas Richards (Cohen Milstein Sellers & Toll), who focuses more on plaintiff work. Daniel Rubinfeld (Berkeley), who visits NYU Law each fall, contributed his thoughts on the economics behind class and subclass certification. Stacey Anne Mahoney finished the day by discussing class actions that follow a finding of criminal antitrust liability.



the RotatnemmoC

This is not the real issue. Please don't sue us.

Volume 3.14, Number 4 8 15 16 23 42

April Fools, 2010

NYU Cancels 3L Year, Keeps Tuition Money; Dean Blames Economy

By STOBAMA '11

The academic and legal community was astounded this week when NYU Law formally announced that they would be cancelling the current 3L year. Reactions to the controversial move have been mixed. Some hail the decision as a progressive leap forward in legal education by eliminating a boring and utterly useless year of law school. Criticism, however, has been rampant. Some say that this break for legal tradition will only lead to disaster. "There's absolutely no precedent for this!" exclaimed a furious Justice Scalia. Others have called this move a clever means of detracting attention from the contentious Health Care Debate. Glenn Beck, with his insightful and astute commentary, simply remarked, "buy more gold."

According to Super-Chef Emeril Lagasse,™ the controversy was "taken up a notch™" when NYU announced that it planned on keeping all the tuition. "BAM!™, didn't see that one coming did you?" The administration reasoned that all the current 3Ls (now deemed Quasi-in-rem-JDs), planned on paying the tuition money anyway. "After an already abrupt change, it would be

unfair to our students to alter their expectations any further," said an anonymous administration official (cough::Barry Friedman::cough::). Rumors had been circulating that, because these now Quasi-JDs could potentially get jobs earlier than previously expected, that they may in fact owe NYU additional compensation. However, such a course was abandoned after it was discovered that such a move would be extensively covered in all CLS promotional materials.

We tried to get a comment from newly no-longer-visiting, but staying-and-visiting-other-schools Professor Richard Epstein, but due to his intensely fast-paced speech and 12 different topic changes, the only intelligible quote we were able to obtain was "and that's why the Court got it wrong."

We were, however, able to catch Dean Revesz in between hair-salon appointments and he shed some light on the new "strategy," which he strongly supports. It appears the main motivation for eliminating the 3L year was the weak economy and jobs market. Law schools are judged largely by 3L employment, especially a school like NYU.

"It has been very hard for many

3Ls to find jobs, but after this, NYU Law can proudly exclaim that "There is no 3L attending our institution who does not have a job." Sensing that the administration's reasoning was somewhat unsatisfying, Dean Revesz went further to try and comfort his former students. "NYU Law has always prided itself on keeping up with its peer schools. Yale, Harvard, and Stanford have already gone to a limited grading system, but they still have Pass/Fail. Now, NYU will leap to the front of the pack. We really won't have any grades." However, unofficially, there is growing talk that Dean Revesz's championing of this cause is in fact

a personal and vengeful response to the events that transpired on Feb. 18, 2010. On that fateful day, Dean Revesz was utterly annihilated by a ri-

val 3L in a very public, very humiliating, match of Wii Tennis. It has been rumored that the Dean hasn't been able to put this behind him, and that his marriage to long-time Wii tennis fanatic Prof. Vicki Been has suffered

as a consequence. A Quasi-JD, who shed some light on this story, wishes to remain anonymous, fearful of the Dean's ex-special forces, now mercenaries for hire body guards that were most visible on the night of the Wii Tennis upset, now being labeled the "West Fourth Street (Boston) Wii Party." This former student confirms the above, having overheard a conversation between Dean Revesz and Professor Arthur Miller, who's fearsome and cold nature can be seen first hand



in the book 1L. Apparently Revesz took the song, "What Would Arthur Miller Do?" to heart, as Professor Miller has been linked both to this

story and to the new paintjob.

The final conclusion of this story will unfold in the coming weeks. While some look to the ABA for help, meetings between Dean Revesz, the ABA president, Rupert Murdoch and Steve Jobs at remote locations throughout the city indicate some sort of arrangement has already been made. There have also been talks of protests and rioting. Dean Revesz has acted swiftly, however, banning all Quasi-JDs from NYU Property, which basically precludes them from setting foot on the southern half of Manhattan. Furthermore, in exchange for an endorsement of the struggling, upstart, Bloomberg Law Research Service, the Mayor has agreed to place police all around the Greenwich Village area, restricting resident's and student's freedom of movement, reminiscent of the day President Barack Obama decided to have lunch at Baluchi's on Third St. In fact, I've been warned that security personnel are currently in the Mercer lobby, trying to gain access to The Commentator office and prevent this story from being published. Luckily, they aren't residents and aren't on the list, and so the lobby personnel are refusing to let them in without an escort.

"The Situation" to Teach at NYU Law; Causes ABScademic Freedom Controversy

By JACQUES STRAP

Ever since the controversy surrounding the appointment of Dr. Li-Ann Thio this past summer, NYU Law has been one professor short of its optimal number this year. After not picking anyone to replace Thio during the fall semester, the law school has now hired a replacement professor, who is causing some controversy of his own. The new professor is Michael "The Situation" Sorrentino, who gained fame on MTV's *Jersey Shore* as a sausage-cooking, tanning-salon frequenting idiot who was known for his legendary six-pack abs. Now it seems that The Situation has found a new calling as a law professor specializing in the burgeoning field of Boardwalk Law.

So far, Professor The Situation has published numerous articles in many respected law journals. For example, he recently published an article in the *Harvard Law Review* entitled "The Robbery: Implied Contracts and the Parole Evidence Rule as Applied to Stealing your Girl in Club Karma." His recent Yale Law Journal article is called "Is 'Snookie' Intellectual Property?: Trademark Law and Awesome Self-Imposed Nicknames." He also is working on a book entitled *GTL: Strict Liability for Ineffective Tanning Salons* which is to be published sometime next year by Cambridge University Press.

"Clearly Professor The Situation is at the top of his field and we welcome him to the NYU Law community with open arms," said

Dean Richard Revesz in a press release. "His Boardwalk Law scholarship is top-notch in the field, and I am even thinking of making it a required first-year course. Screw Civil Procedure."



However, Professor The Situation's time at NYU has also caused enormous controversy because of the other situation - his abs. During his 110-person class on Introduction to Boardwalk Law, he frequently showed up to class shirtless. On those rare occasions where he did don a shirt, he frequently pulled it up to his chest so that no one would forget how ripped his abs are. During one memorable class, Guest Lecturer DJ Pauly D was manning the ones and twos, but

uncoordinated NYU Law students couldn't fist pump properly, causing myriad injuries.

"You can hate on me all you want, but what can you say to someone who looks like Rambo,

The Situation's display and quickly formed their own support group, ABSalsa.

"I go to law school and study for at least six hours a day," complained Joe No-Pack '10, the President of the group. "How am I supposed to look as good as Professor The Situation? I can only go to the gym for an hour a day tops, but he goes for an hour and a half! What am I supposed to do? Plus he looks so fresh, and I don't even have time to shower, let alone go to the Laundromat every day!"

Enough students complained, and Dean Revesz was forced to call an emergency town-hall meeting in which he was peppered with questions from students with merely four-pack abs, or even worse, two packs.

"We still do not have a 'Google policy' in place for potential professorial hires," Revesz said at the meeting. "How was I supposed to know about his ripped abs? Instead

I was focused on his excellent scholarship."

After this town-hall meeting proved unsatisfactory for many students and a petition started circulating calling for The Situation's head (or abs), Vice Dean Barry Friedman proposed holding a Forum on the issue, with a robust debate entitled "Stomach Equality or ABScademic Freedom?" To promote the event, the Vice Dean sent approximately 47 emails over a two-day period, many of them omitting all forms of punctuation, including spaces between words.

During the debate, Assistant Dean PILC Vangelis argued for Stomach Equality, saying that NYU School of Law should not hire professors who "have abs that would be completely impossible for members of our community to obtain." On the other side, Professor The Situation, argued vociferously for ABScademic freedom, saying that it is a better world where six-packs and beer guts alike can learn together, instead of having both sides wear shirts.

Ultimately, the debate proved to be a draw, and there was no resolution. As of now, Professor The Situation still roams the halls of Vanderbilt, mostly shirtless.

Uncovered

- Budgetary Cutbacks Force Name Change to Bronzeling
- EIW Renamed ERW: Early Rejection Week
- Scalia Uses Dictionary to look up "Blowhard;" Sees Picture of Himself
- NYU Bans Gchat, Number of CLS Transfer Applications Skyrocket
- Temperature Drops to 45 Degrees, NYU Declares Snow Day
- SBA and Commentator Compromise: Thursdays at Basking Robbins, Flasks Optional!

Supreme Court Cites Law Revue; Review Fumes

By **THE QUESTION?**

The journal basement was all a dither last week as news circulated that the Supreme Court would be handing down an opinion containing a citation of an article published in none other than NYU's very own *Law Review*. Over-worked 2Ls and 3Ls finally put down their red pens and picked up their drinks for an impromptu all-night celebration and countdown in the depths of D'Agostino Hall.

"This is definitely big news," gushed the Editor-in-Chief of the 2009-2010 book, just hours before the much anticipated opinion's release. "Rumor has it that it's going to be one of the recent Articles, which is even more exciting for the current staff," she said as she took a shot of "Journal Juice" and returned to the triumphant *Law Review* office.

Other journals' members were less enthusiastic, but still supportive. "Uh, yeah. That's great, I guess," said BJ Arr, a *Journal of Law and Business* member attracted by the shouts and smell of booze. "I mean, I don't really know much about this 'editing' stuff, but if I did I bet I'd think it was pretty cool," he added, furtively filling a solo cup with alcohol.

Even the administration was excited, with Dean Revesz proudly declaring his support. "I plan to go down and celebrate with the hard-working, deserving members of the *New York University Law Review* as soon as Vicki brings over

the Wii. ... That's what she said!" he cackled.

Alas, the party disintegrated in the early hours of the morning, when the opinion was leaked to LexLaw, a burgeoning website billing itself as the "Kryptonite of Lexis and WestLaw." *Law Review* members and various groupies stared at the PDF in horror after failing to detect a single citation to their beloved journal. Suddenly, a cry of anguish rang out as the Senior Articles Editor spotted the mystery cite. "There." She raised a shaky index finger, head shaking. "It... it can't be!"

Sure enough, she had found the long awaited passage in the text of a rare Scalia decision supporting gay rights. The opinion, which had somehow flown below the radar of every activist in the world, had this to say about the controversial "Don't Ask, Don't Tell" policy: "In the words of the *New York University Law Review*, I'm starting with the military recruiter/I'm asking him to change his ways/I know he's looking for a real straight shooter/ But if you want a better JAG to try your case, take a look at your ranks and hire some—gays."

In what is perhaps the longest Supreme Court pop culture reference of all time, the opinion went on to explain the quote and its origin for approximately 30 pages, detailing the life and death of Michael Jackson, citing to numerous MJ parody songs, and of course describing the entire plot of the 2009 *Law Revue* in order to pro-

vide context for the song. While certainly impressive, the opinion still pales in comparison to one by 9th Circuit Judge Alex Kozinksi, which chronicled in excruciating detail the metamorphosis and meaning of the SNL digital short "Dick in a Box."

When asked whether his views on participation in extra-curricular activities had changed in light of the *Law Revue/iew* situation, soon-to-be-former Vice Dean Barry Friedman had only this to say: "No; luck happens, even to the worst of us. Now stop writing this article and go to the library."

The *Law Revue* producers, writers, cast, and crew, on the other hand, were delighted. "As we made quite clear in our show last year, Barry can suck it," said one member. "This just goes to show that spending a ridiculous amount of time rehearsing and performing for a drunk and vomiting audience totally pays off. Maybe if *Law Review* made hilarious videos, Scalia would quote them too."

Does this mean that the *Law Revue* will take on a more serious note in anticipation of future citations? "Hell no," scoffed one producer. "Clearly the Justices respect us for what we do, and we're going to keep on doing it. It's not like we spent all of our hard earned money from ticket sales and advertisements to bribe them to quote us."

In other news, an insider reports that *Law Revue* ticket prices this year will skyrocket to a whopping \$65/person and there will not be props, sets or costumes due to a mysterious bookkeeping "error" that has left the show penniless.

Exams Fashionably Late

By **BUCK NAKED**

It isn't very often that law professors advocate postponing the final exam period. That Samuel Rascoff has made such a proposal is, therefore, notable in and of itself. However, what makes the suggestion truly remarkable is Professor Rascoff's motive—he wants to push spring finals back so that students at the law school can enjoy New York City's Fashion Week, which is currently scheduled for the first week in May. This is the sort of conceit, many say, that is facially plausible and yet utterly ridiculous.

Prof. Rascoff, himself a rather dapper fellow, came up with the idea when he noticed how fashion-conscious the student body has become. "I don't think it's unreasonable to say that many female students are fans of the industry," he noted. "That's as true in 2010 as it was in 1988, 1964 or even 1988." The men, however, might not have been as receptive in years past. "The fashion gene skipped a generation. There's a sense that this return to style, or to a consciousness of how you look, is an attempt by young men to recover a set of values that were at one point very much present in American society and then lost," he said.

The learned Professor is clearly excited about some of the new trends that will be on display. "I'm a huge fan of these new knit, square-bottom ties that a few of the designers are putting out there," he said. "I don't know how they get them so soft and colorful and truncated, though

one suspects it's orange juice laced with acid." Prof. Rascoff is also looking forward to some of the new eyewear that will be on display. "Gone are the days when all you needed to look cool was a blazer, a T-shirt, and green sneakers," he chortled. These days, you really need some sweet rims. "Take these," he said, handing me the pair off his face. "A bit dated, nothing like what you'll see in May, but pretty cool nonetheless. I don't even need them, my vision is pretty effing amazing, but they add that necessary element. I doubt they'd even let me off the L in Williamsburg without them."

The reaction from the students has been mixed, although the majority seems to be in favor of having the extra time to study. Stavan Desai '11 probably put this sentiment best. "I'm in favor of having the extra time to study," he told me.

Since studying seems to be the cool thing to do, I stopped by the library. "Where can I find the Nancy Drew books?" I asked the man at the counter. "Are you serious? This is a law library," he said. I guess he doesn't know that Nancy is a detective. Also, no one else there wanted to talk to me or to each other.

At least one person I spoke to had somehow missed this entire development. "What the hell is fashion week?" he asked. "I only own four shirts, so this garbage isn't really my cup of meat." After a few minutes, though, he warmed to the idea. "I guess the week off will allow me to indulge my rampant alcoholism," he concluded.

It took me a long time to build up the nerve to interview any women, but boy am I glad I did. The responses were overwhelmingly positive. "I just want to give this idea a great big hug," said Chef JD '11. "This will be a great way to learn about the legal side of the fashion business," said some other girl who probably had no idea what she was talking about.

I thought that more students would be upset that pushing finals back a week would interfere with the start dates for their summer jobs. To my surprise, most students did not share that concern, but they were upset when I brought the subject up. The administration, however, does seem to be opposed. Dean Revesz was outright hostile to the proposal. "I have three things to say to you," he glowered. "One, this idea is ridiculous. This is a law school. The students are not here to take a week off to watch a fashion show. In fact, they really should have no free time to do anything at all. Two, fashion week starts on Sept. 10. Three, you should wear pants when you interview people."

There will be a student referendum on the proposal on April 5. Attendance is mandatory; any student who fails to cast a ballot will be shot on sight. Following the procedures developed for votes on classroom laptop policies, the administration will not take this vote into account when it does whatever it wants. Professor Rascoff has pledged to give every 20th voter a free bowtie.

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The April Fools Issue of the New York University School of Law

Green Ranger
Mixmaster '11

Red Ranger
Dough Namath '11

Black Rangers
Stobama '007
Chef Jd '11
AIG Exec '12

Blue Rangers

Sawyer '10
CLS Reject '11
X,Y, Zed LL.M. '10
Matlock '12
Lt. Daniel Kaffee '11

Eddie Van Halen '10
Yale Transfer '12
Atticus Finch '10
Failed I-Banker '11
Snooki '10

Rochelle, Rochelle '10

Lord Zed
Buck Naked '11

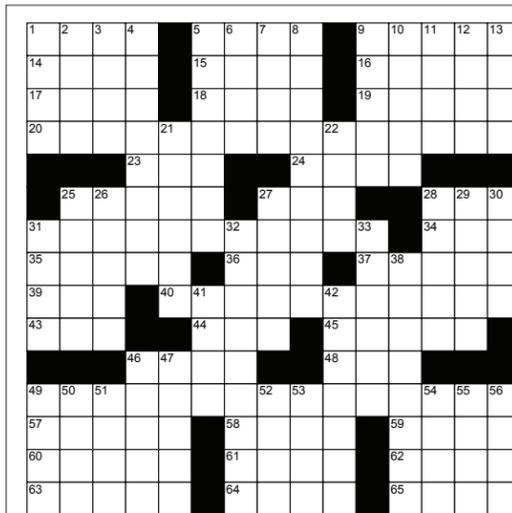
Zordon
McLovin '11

The Rotatnemmoc serves as a forum for April Fools Joke articles by members of the Law School community. The Editorial Board consists of overworked and underpaid law students. Only editorials and policies developed by the Editorial Board reflect the opinion of the Editorial Board (duh). All other opinions expressed are dumb and we hate them. *The Rotatnemmoc* is issued once a year, and thrice on Sundays. Advertising rates are available if you want your business to tank. Subscriptions are also available at a rate of \$15 per year, but seriously, if you want a subscription, we are not delivering it to your house. Letters to the Editor should be sent to the following address, preferably by carrier pidgeon. All submissions become property of *The Rotatnemmoc* and we will use them for our deviant purposes. Also, this is a joke issue so please don't sue us.

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Commentator CROSSWORD

Solution Unsolvable



ACROSS

- 1 1987 AL MVP George
- 5 Model Kate
- 9 Watermelon
- 14 Foot fungus, e.g.
- 15 Like Contracts or Torts
- 16 Popular Apple?
- 17 Win, Lose, or _____
- 18 Hero of Atlas Shrugged
- 19 Like a new T.V.
- 20 This little piggy went to market?
- 23 Told a lie
- 24 Bandages
- 25 Aplomb
- 27 Like Lat. or Est., once
- 28 See 35-Across
- 31 This little piggy stayed home?
- 34 Potent potable
- 35 General who succeeded Westmoreland in Vietnam
- 36 "America's Number 1

DOWN

- 2 Goddess of the hunt
- 3 Deface
- 4 Like certain Johnsons
- 5 Adequate
- 6 Tar and feather, e.g., var.
- 7 It's not a planet
- 8 See 33-Down
- 9 With 32-Down, a common source of fresh water
- 10 Hallmark specialty
- 11 With gusto
- 12 Deer-like animal native to Tanzania
- 13 Laundry
- 14 Take notice of
- 15 Certain glassware, abbrev.
- 16 Tact
- 17 Gloves and mittens, e.g.
- 18 Big-game hunter Ferguson
- 19 Like a semi-ripe melon
- 20 Band of Brothers, e.g.
- 21 Sport popular in S. Amer.
- 22 Creed

DOWN

- 1 The second-hardest naturally-occurring substance
- 2 Beanpot
- 3 The company you keep?
- 4 Dodger ace Don
- 5 Killer whales?
- 6 Hairstyle popular in the 1630s
- 7 Windowledge
- 8 This little piggy went wee wee wee?, or, a hint to this puzzle's theme
- 9 Testified
- 10 Most common name in Supreme Court history
- 11 "Gobble gobble," abbrev.
- 12 Capital of Yemen
- 13 Threatening
- 14 More depressing
- 22 Internet meme, for one
- 25 Jackie Kennedy's second cousin Sal

Genuine, Bona Fide, Electrified, Six-Car Monorail Comes to NYU School of Law

By LYLE LANLEY

Ever get frustrated when you are on the fourth floor of Vanderbilt, sitting in office hours, and you need to quickly get to the fourth floor of Furman really quickly? Previously, you would have to take the snail-paced route of going down the stairs or the elevator and either walking outside to Furman or going through the library, which would cause you to go down an extra flight. Oh the humanity! It might take you a grand total of FIVE minutes to get to Furman. That is time that you could have spent outlining, C&Sing or drinking. Luckily, that problem is over. After a shockingly quick construction period, NYU Law has built a monorail that connects the fourth floor of both buildings. The monorail will begin service on April 15.

The impetus for the monorail came a few months ago, after the law school decided how much to raise tuition payments for next year. In what is apparently an annual tradition, the faculty met to discuss what to do with the extra money, while eating caviar on gold plates, using \$100 bills for napkins and listening to a private concert from Elton John. According to the confidential minutes of the meeting, obtained by an undercover investigation, a number of proposals were discussed for the money. One professor, apparently after watching *Blank Check* too many times on cable, suggested putting a roller coaster and waterslide in his office. Another professor advocated replacing the water fountains on the third and fourth floor of Vanderbilt with Dom Perignon fountains. A third professor suggested buying

the No. 3 ranking in the *U.S. News and World Report* law school rankings. Yet another professor said that the school should refund the money to the students, but that professor was lustily booed and forced to only use \$20 bills as napkins for the rest of the night. After interminable debate, one unnamed faculty member got up and gave a heart-wrenching speech about



how he once had to schlep to a meeting on the fourth floor of Furman, all the while wasting valuable time that he could have used writing law review articles and polishing his C.V. Outraged, the professors knew that there must be a fix for this plague.

Luckily, at the same time the professors were arguing, a huckster raised his hand in the back of the room. After drawing them in by claiming that a monorail was only a "Columbia thing," he outlined his plan to connect NYU Law's two buildings with the same monorail system that had put Brockway Law, Ogdenville Law and North Haver-

brook Law on the map. He then broke out into a monorail song, leading the faculty down the Vanderbilt steps and out into the courtyard, as students looked on, mortified.

After construction began, NYU began a long, drawn-out process to determine which professor would be the monorail conductor, an extremely important job. Using funds obtained from the students that will appear as an "administrative fee" on next semester's bursar bill, the process to find a conductor included cage matches, an academic decathlon, a game of Knock-Out and a *Bachelor*-esque reality TV competition.

Ultimately little-known Professor Homer of Duff Law was awarded the prestigious position as monorail conductor. *The Commentator* sat down with Professor Homer to talk about his new job, but we ended up just drinking beer, so unfortunately, we have no quotes to offer.

When the monorail opens, professors will have the right to kick students out of a car if they want to be alone with their deep thoughts about canons of statutory interpretation. In addition, professors will be able to ride the monorail for free, and students with an NYU ID can use it for \$20 a ride, unless they use it more than five times a month, in which case it will bump up to \$30 a ride. This fee will be used to fund the new Professors-only cotton candy machine and Moon Bounce to be installed on the third floor of Vanderbilt.

Administration Caught Eating Paint Chips, NYU Law Falls in U.S. News Rankings

Rank	Law School	U.S. News Ranking	U.S. News Score	U.S. News Percentile	U.S. News Median	U.S. News Range
1	Yale University	100	4.9	100	3.74-5.06	157-163
2	Harvard University	99	4.8	100	3.74-5.06	157-163
3	Columbia University	98	4.7	100	3.74-5.06	157-163
4	University of Chicago	97	4.6	100	3.74-5.06	157-163
5	University of Pennsylvania	96	4.5	100	3.74-5.06	157-163
6	University of Michigan	95	4.4	100	3.74-5.06	157-163
7	Stanford University	94	4.3	100	3.74-5.06	157-163
8	Northwestern University	93	4.2	100	3.74-5.06	157-163
9	Duke University	92	4.1	100	3.74-5.06	157-163
10	Georgetown University	91	4.0	100	3.74-5.06	157-163
11	University of Virginia	90	3.9	100	3.74-5.06	157-163
12	Cornell University	89	3.8	100	3.74-5.06	157-163
13	Georgetown University	88	3.7	100	3.74-5.06	157-163
14	University of California, Los Angeles	87	3.6	100	3.74-5.06	157-163
15	University of Texas at Austin	86	3.5	100	3.74-5.06	157-163
16	University of California, San Diego	85	3.4	100	3.74-5.06	157-163
17	University of Wisconsin-Madison	84	3.3	100	3.74-5.06	157-163
18	University of Michigan	83	3.2	100	3.74-5.06	157-163
19	University of Wisconsin-Madison	82	3.1	100	3.74-5.06	157-163
20	University of Wisconsin-Madison	81	3.0	100	3.74-5.06	157-163
21	University of Wisconsin-Madison	80	2.9	100	3.74-5.06	157-163
22	University of Wisconsin-Madison	79	2.8	100	3.74-5.06	157-163
23	University of Wisconsin-Madison	78	2.7	100	3.74-5.06	157-163
24	University of Wisconsin-Madison	77	2.6	100	3.74-5.06	157-163
25	University of Wisconsin-Madison	76	2.5	100	3.74-5.06	157-163
26	University of Wisconsin-Madison	75	2.4	100	3.74-5.06	157-163
27	University of Wisconsin-Madison	74	2.3	100	3.74-5.06	157-163
28	University of Wisconsin-Madison	73	2.2	100	3.74-5.06	157-163
29	University of Wisconsin-Madison	72	2.1	100	3.74-5.06	157-163
30	University of Wisconsin-Madison	71	2.0	100	3.74-5.06	157-163
31	University of Wisconsin-Madison	70	1.9	100	3.74-5.06	157-163
32	University of Wisconsin-Madison	69	1.8	100	3.74-5.06	157-163
33	University of Wisconsin-Madison	68	1.7	100	3.74-5.06	157-163
34	University of Wisconsin-Madison	67	1.6	100	3.74-5.06	157-163
35	University of Wisconsin-Madison	66	1.5	100	3.74-5.06	157-163
36	University of Wisconsin-Madison	65	1.4	100	3.74-5.06	157-163
37	University of Wisconsin-Madison	64	1.3	100	3.74-5.06	157-163
38	University of Wisconsin-Madison	63	1.2	100	3.74-5.06	157-163
39	University of Wisconsin-Madison	62	1.1	100	3.74-5.06	157-163
40	University of Wisconsin-Madison	61	1.0	100	3.74-5.06	157-163
41	University of Wisconsin-Madison	60	0.9	100	3.74-5.06	157-163
42	University of Wisconsin-Madison	59	0.8	100	3.74-5.06	157-163
43	University of Wisconsin-Madison	58	0.7	100	3.74-5.06	157-163
44	University of Wisconsin-Madison	57	0.6	100	3.74-5.06	157-163
45	University of Wisconsin-Madison	56	0.5	100	3.74-5.06	157-163
46	University of Wisconsin-Madison	55	0.4	100	3.74-5.06	157-163
47	University of Wisconsin-Madison	54	0.3	100	3.74-5.06	157-163
48	University of Wisconsin-Madison	53	0.2	100	3.74-5.06	157-163
49	University of Wisconsin-Madison	52	0.1	100	3.74-5.06	157-163
50	University of Wisconsin-Madison	51	0.0	100	3.74-5.06	157-163

By STOBAMA

The NYU Law community was dealt a crushing blow today, as next year's US NEWS law school rankings were leaked, and NYU plummeted to a pathetic No. 39 (no offense former No. 39 UC-Hastings). Such a one-year drop has never been seen before, and is being met with outrage by NYU.

The USNEWS methodology has been under fire for some time. Professor Brian Leiter of the University of Chicago Law School has dubbed the US News rankings "confusing," "highly manipulable," and "meaningless." As a substitute, Professor Leiter has since offered his own rankings, which instead of being confusing, highly manipulable, and meaningless, are instead based on whatever he feels like. US NEWS has responded to such criticism by attacking Prof. Leiter's integrity, claiming that his animosity to their profound, specimen of perfection is unfounded, and instead based on University of Chicago Law's cemented place in the bottom half of the Top 10.

Chicago's poor performance in the rankings aside (ranked No. 7 in 2008... just awful really), Leiter may have a point. In 2003, the rankings comprised 12 different factors in 5 different categories, all with different weights. In analyzing why NYU would fall so far, so fast, a recently added 13th category was discovered... "Lobby Paint Jobs." It appears that US NEWS has given very strong weight to the new category, considering it a very stable indicator of student happiness and ability to learn effectively and efficiently.

The student response to the new paint job has been largely negative, and the new wall displays meant to advertise events have instead been used to advertise protests.

In seeking comment from the NYU administration, they officially stand behind their decision to repaint the lobby area. After a little bit of prodding, one administration official admits that while the lobby needed to be repainted, perhaps their choice of color combination could have been better. Currently, the paint color consists of 70 percent Eye-Gouging Grey and 30 percent Bile Green. Perhaps a 60/40 ratio would have been better, remarked the official.

But for the NYU Law community, there is a little bit of light at the end of the tunnel. US NEWS has also reported that next year, they will be taking into account library smell. This, of course, will immediately sink Columbia's rank to (if past history is any indicator) 38,39, or 40. This represents a huge change in the top-10 law school rankings. This year, UC-San Fernando Valley Law School moved up to take NYU's spot. Next year, people are speculating that perhaps Princeton Law School will move into Columbia's spot. However, one thing is for sure. If based on nothing more than Brian Leiter's comments alone, Chicago Law School will satisfyingly remain in the bottom half of the top-10.

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'Tubthumping' at Fall Ball'10

By BOFF WHALLEY

Fall Ball is going to have a little different form of entertainment this coming year. Yesterday, NYU Law put out a press release that Chumbawamba, the band that put out such 1990s megahits as "Amnesia," "Drip, Drip, Drip," and "The Good Ship Lifestyle," has been booked to play at the October law school event. The band is touring in support of their Feb. 2010 album "ABCDEFGH," their 15th studio release (amazingly this is 100 percent accurate, they have actually put out 15 albums!), and it thought that playing for a bunch of drunk law students celebrating Halloween debauchery would be a great way to launch the tour. For the law school, it was a way to get people more excited about the annual fall event, as well as provide some positive press in music community, which has been ever elusive for the law school.

"I play 'Tubthumping' by Chumbawamba in my office every morning as I get ready for the day," said Dean Richard Revesz. "It just fires me up unlike any other album from 1997."

The announcement was met by near-universal approval by the student body, who were excited to see the legendary Chumbawamba perform their biggest hits on the big stage of Greenburg.

"Man, 'Tubthumping' is my favorite song of all time!" said I.P. Frehly '12. "Those lyrics just speak to me. In my opinion, the lyric 'pissing the night away' is the greatest line in all of rock music history. It just really speaks to a

lost generation who end up spending all night in the bathroom because we had too much to drink."

"Chumbawamba is our Bob Dylan, our Bruce Springsteen," said Jack Jackson '11. "The band includes a bunch of lyrical wordsmiths that really speak to our generation. I can't count all the nights that I have spent alone and depressed, but when I hear those 'Tubthumping' lyrics, it just brings me to a better place in life, when musical titans like Chumbawamba, Smashmouth, and Sugar Ray ruled the radio airwaves. The music that those kids listen to today just pales in comparison. It isn't the same"

The concert hype has already hit the rock blogosphere with a fury previously reserved for whenever members of the band Animal Collective went to the bathroom. Pitchfork Media, which has long been one of Chumbawamba's biggest supporters on the web, called the Fall Ball concert the most anticipated concert event of 2010, and is dispatching 17 reporters to cover it. However, since they are not NYU students, they will need to find 17 law students willing to go with them as guests.

In any event, the concert should be a rocking good time, and we'll be singing when we're winning. As the Wamba says, just remember to drink a whiskey, drink, a vodka, drink, a lager drink and a cider drink. But obviously don't do all of those at Fall Ball, because you only get two drink tickets.

