



NYU Remains at No. 6 in Annual U.S. News Law School Rankings

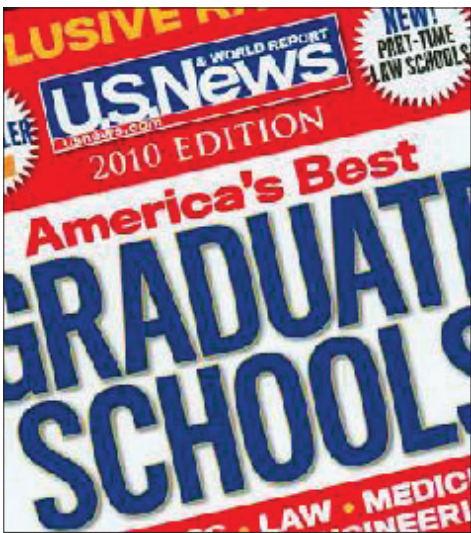
By MICHAEL MIX '11
EDITOR-IN-CHIEF

The day that every law school waits eagerly for finally arrived two weeks ago, as the annual *U.S. News & World Report* law school rankings were released. The 2012 rankings — the year that is included with each set of rankings corresponds to the subsequent calendar year — contain no major changes at the very top, but there some interesting tweaks to last year’s list. Most notably for NYU students, the law school placed at No. 6 for the second year in a row, following Yale, Harvard, Stanford, Columbia and Chicago, in order.

Before last year, where it was leapfrogged by Chicago, the law school had not received a ranking lower than No. 5 since

the 1999 rankings, in which it was No. 6 for the sixth year in a row. NYU was also ranked No. 4 as recently as the 2008 rankings. NYU fell to No. 5 for the 2009 issue, where it stayed for two years before receiving the No. 6 ranking for 2011 and 2012. NYU can take solace, however, in the fact that it also placed No. 1 for international law, No. 1 for tax law, No. 4 for clinical training, No. 6 in the list of law schools ranked by firms and No. 8 for intellectual property law.

The biggest jumps in the top-14 schools were Michigan, which moved up two spots to tie Penn at No. 7, and Berkeley, which fell two spots to No. 9, where it tied with Virginia. Duke, Northwestern and Cornell followed up at the 11, 12 and 13 spots respectively.



NYU ranked behind Columbia and Chicago for the second straight year.

Perhaps the biggest surprise of all occurred at the No. 14 spot. Since 1990, the same 14 schools have made up the elite top-14 group. However,

this year outsider Texas tied traditional top-14 school Georgetown at No. 14, meaning that there are actually 15 schools in the top-14. Other large leaps within the top-50 include Maryland, which improved from No. 48 to No. 42, and U.C. Davis, which moved from No. 28 to No. 23.

The other major change in the rankings this year was the way *U.S. News* calculated its tiers. In the past, only the top-100 schools were actually ranked. After that, the schools were just listed in alphabetical order and dubbed the “third tier.” This year, though, *U.S. News* decided to rank the top 75 percent,

which amounts to 145 schools. All other law schools are now published alphabetically as the “second tier.”

The methodology by which *U.S. News* determines the rankings also contains one alteration. Previously, when calculating employment rate, the publication counted several groups of students as “employed” — those working in a legal or non-legal job, students pursuing additional graduate education and 25 percent of students whose statuses were unknown. Now, those considered “employed” only includes students working in a legal or non-legal job. *U.S. News* also now counts those students not actively seeking employment as part of the denominator of total students in the employment rate calculation.

Dean Revesz Discusses Rankings, the Economy and His Background

By JOSEPH JEROME '11
MANAGING EDITOR

Editor’s Note: Dean Revesz’s town hall took place prior to the publication of U.S. News & World Report’s law school rankings. See the other news article on this page for more details.

“I forget why I did this,” Dean Revesz joked, when asked why he became a law professor at the start of his town hall meeting with students on Tuesday, Mar. 1. “Being an engineer has a different connotation in Latin America as it does here,” he explained, noting lawyers have the biggest influence on public affairs in the United States “for good or bad.” For an hour, the Dean fielded a mix of questions not just about his personal history and role as Dean but also the myriad of issues currently facing the law school.

When asked about the up-

coming release of the new *U.S. News & World Report* rankings, the Dean initially provided no prediction where NYU would land this year. When prodded, he hoped NYU would do better this year, returning to the fifth spot it relinquished to Chicago last year. “Chicago benefitted from the Obama campaign,” he said, suggesting that the rush of publicity surrounding President Obama produced a lot of favorable information about Chicago. He further suggested that the *U.S. News* rankings are captive to an enormous lag in reputational rankings. “What the people [who rank] know is what they perceive the quality of law schools to be when they went,” he said, noting that everyone, himself included, filling out information for *U.S. News* graduated from law school decades ago. He discussed the law school’s positive internal efforts

to evaluate itself, suggesting NYU routinely concluded it possessed top faculty. He believed there was no reason to believe NYU was in any sort of long-term decline vis-a-vis *U.S. News*.

The Dean faced a number of questions about the state of the economy and the law school’s commitment to help graduates. Though hesitant to discuss any concrete changes before they were finalized, he stated that upcoming changes to the Loan Repayment Assistance Program would be designed to address more situations where graduates would find themselves worse off with more income. “We wanted to have something to announce before Admitted Students Days,” he said, insisting that no one would be worse off under the new system. It was suggested LRAP would piggyback on top of the Income Based Repayment program available to borrowers of federal loans.

“No question about it,” Revesz said. “It is a more difficult economy.” The Dean acknowledged that since 2008 he has had the Office of Career Services send him regular reports on the state of graduates, and he believed approximately 90 percent of graduates were still finding employment by graduation. The list of unemployed members of the class of 2010 included on the reports amounted to “like three people,” he said.

While the most the law school

could do to improve employment for the private sector was to “pray for the growth of the economy,” the Dean stressed the effort NYU was making to improve placements within government and in D.C. generally. “It’s an institutional priority,” he said.

The Dean also attempted to shed some light on Wilf Hall, when a student asked why he was not admitted to the building when he sought to speak with one of the centers located there. “There is nothing secret going on there,” he said, explaining the restricted access as cost-issue due to the lack of continuous security.

A request for more flexibility in scheduling exams was dismissed, though the Dean was open to hearing serious student concerns. When asked about the increasing cost and decreasing coverage of student health insurance plans, Revesz said that it was a university-wide plan and the law school could “only advocate for changes.” He suggested creating a student-working group to address particular concerns but stressed



there was “nothing I can personally do.”

Finally, the Dean was asked what the term of his deanship was. After joking that he discussed his designs over the law school with Colonel Gadhafi, he stated that deans serve at the pleasure of the president of NYU. He said that he was normally subject to outside evaluations every five years but had also been pretty thoroughly vetted when NYU was re-certified by the ABA. “This is the president’s process,” he said, noting however that he did not anticipate being dean of NYU forever.



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	The Commentator might be funny. Send us a letter if you think so.	page 5-8

All in All, We’re Just Another Brick in the *New York Times* Paywall

By MICHAEL MIX ’11
EDITOR-IN-CHIEF

The day that us newspaper readers have feared has finally come. In early 2010, *The New York Times* announced that in about a year, it would begin to charge readers for online access to the paper. As someone who has read the online version of the *Times* for free for years, I felt dismayed, but was at ease that the paywall was over a year away, so I could delay the impending decision about whether to pay for it. Out of sight, out of mind. Well, unfortunately, the time has arrived; last week the *Times* released details about the tiered pay system for its website which officially begins today.

Habitual readers need not worry; anyone can read up to 20 articles a month for free, and articles linked from social media sites like Facebook and Twitter do not count toward the 20 article-limit. After 20 articles, readers can subscribe to one of the three plans which cost \$15, \$20 and \$35 per four-week period depending on whether they want additional smartphone or tablet access.

Ever since the announcement, I have debated two main questions with myself (a worthy

adversary). First, is this plan a good idea? Second, should I pay?

As to the first question, the blogosphere seems split as to whether this decision will save journalism, destroy journalism or be abandoned in a year like the defunct TimesSelect program, which lasted from 2005 to 2007 and charged readers for access to opinion columnists and the paper’s archives.

I actually do not think that the paywall is going to have any appreciable positive impact on

the paper, I think that most of them will try to stick under the 20-articles-per-month limit, because you have to be pretty committed to something to pay almost \$200 a year for it.

Basically then, the people who will be most affected by the paywall are young people like myself without high incomes who read the paper daily. Many of us read the *Times* exclusively online and don’t subscribe to the print version of the paper. We also don’t have the disposable income of people 30 years

have to shell out hundreds of dollars a year. But unfortunately for The Grey Lady, it did not have the foresight to charge for content when it first launched its website. Like it or not, there is now a whole generation of people who have become accustomed over many years to getting all their online content for free. It is hard to convince people that they should now pay for it, especially when there are so many other free options.

As for my own decision, I am a bit conflicted, but I will probably bite the bullet and pay, at least at the beginning. On one hand, I do not like to pay for things unless they really are unique and I cannot get them for free somewhere else. A great example of this is ESPN Insider; I don’t mind paying for it because its in-depth sports analysis is pretty unparalleled, and it comes with a free subscription to *ESPN The Magazine*. On the other hand, the *Times* still regularly puts out great features and investigative work, and I love reading Paul Krugman, Gail Collins, David Carr and Richard Sandomir, among others. I could theoretically start reading *The Washington Post* and only read assorted *New York Times* articles linked off Facebook and Twitter, but it just is not the same experience.

The other ironic thing about the paywall is that while I hope that digital advertising improves in general so that the Internet becomes more viable as a business, I fear that the only way the *Times* would eliminate the paywall would be if its online ad revenue decreases. They are not likely going to keep a model if the marginal benefit from the paywall is less than the decrease in ad revenue from fewer people visiting the site.

Ultimately, my hope beyond hope is that at some point, the *Times* comes to its senses, returns to the old model and

online journalism flourishes, allowing many newspapers to thrive on the Internet along with the free online-only sites like *Slate*. I think that as the years go on, and more people who have grown up with the Internet become adults in the target demographic for advertisers, a greater number of people will read newspapers like the *Times* online exclusively, driving up ad revenue.

In my opinion, there are three main advantages of reading the paper online (aside from the cost). First, it is obviously more convenient; one can read it anywhere without having to actually carry the physical newspaper. Second, an online paper can react and respond to news instantly, instead of having to wait until the next day. Third, through links, videos and other multimedia, online articles can convey news in ways that print cannot. In my opinion, this third reason is perhaps the most important going forward. Online newspapers need to seamlessly integrate the quality journalism associated with newspapers with these unique Internet aspects like links and videos. One great recent example of this phenomenon occurred in the *Times* a few weeks ago. The online version of a story about CBS NCAA basketball announcer Gus Johnson included myriad links to blogs devoted to him, videos of Johnson’s greatest calls and the Gus Johnson soundboard. Therefore, instead of just reading about the calls, I could experience them myself. If the *Times* includes more online articles like the Johnson piece, I actually think that a future for online journalism isn’t a total pipe dream.

However, if the paywall stays up, I fear that in the coming years, with new generations of people not brought up on the *Times* because of the paywall, it will spell the end of the greatest newspaper in the country. So here is my plea to the *New York Times* — tear down this wall.

Comment

The Guy Behind
The Guy Behind the Guy

older. Therefore, everyone has to make a decision about whether the marginal benefit of reading the paper is greater than the cost of \$15 every four weeks. I think that many will conclude that the extra \$195 per year isn’t worth the value of reading the paper, especially when there are so many other free online options with quality content, such as *The Huffington Post* for news and opinion, *Slate* for feature stories, *ESPN.com* for sports and many more. And that will be a shame, because the paywall might effectively deter younger readers from reading the *Times* on a daily basis. I therefore worry that over the long-term, fewer young people will be exposed to the *Times*, meaning that the future for the paper, as well as print journalism in general, is pretty bleak.

I understand that one of the biggest counterarguments to my point is that fact that it is unfair to allow online readers to keep reading the paper for free while the *Times* has had to cut jobs and home subscribers still

With Spring Comes a New Mercer Terrace

By JENNIFER RODRIGUEZ ’11
STAFF WRITER

Aren’t we all excited to picnic out on Mercer Terrace come spring? To chat about celebrity gossip in the procrastinatory moments away from the seventh floor study rooms? To outline Trademarks while getting a tan, maybe, but only maybe, in a bikini top and long-awaited denim shorts?

I, for one, am psyched for all of the above. Moreover, I would be sad to miss my terrace altogether if it didn’t open before graduation. So I caught up with Neil and Marty, the project’s ironworker and roofer, respectively, to get the scoop on how construction

is going, and to find out when the glass doors will open once again to our common outdoor lounge.

be put a lot of thought into the new terrace look. The place is going to have an altogether different feel than before. Let’s

Comment

A Thoughtful Girl

And I have NEWS. If it seems like construction has been going on for ages, it’s for good reason. Neil, Marty and their team have been working hard to realize an ambitious plan.

Turns out, the powers that

face it. The old terrace was great. We loved it. But, design-wise, it was mostly functional. We had tables, shrubbery and a view of Mercer’s south wall. The new terrace, however,

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thecommentator

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Spring Break in Japan: Vacationers and Aftermath of a Disaster

By Erica Iverson '11
Staff Writer

Sometime in February, one of my friends noticed an amazing flight deal on Delta's website that would be valid during our Spring Break. Four of us decided to take advantage of the special and began planning what at least I expected to be one of the best breaks of my academic career. The destination: Tokyo. None of us had ever been before and we were looking forward to the exciting challenge of navigating a city that we knew essentially nothing about.

As you can probably guess, our trip was cut short by the disaster that struck Japan just before we landed. I have recounted the story to several people over the past week or so, and I always try to preface it by stressing how lucky we all were. Unlucky, perhaps, that we had made these plans at all, but incredibly fortunate that our flight had not landed two or three hours earlier. Though we'd most certainly be alive, the challenge of navigating a city we knew nothing about in the midst of national heartbreak and several giant aftershocks would have been far more than we had bargained for.

Needless to say, after thirteen hours on the tarmac at New Chitose Airport in Sapporo (home of the beer we all drink when we go sake bombing—yes, we visited the brewery there) and

several more hours sitting on the floor of the airport lobby waiting for the wireless internet to switch on, we were jetlagged and tired but otherwise safe and sound. As news of the quake and its aftermath rolled in, the situation on the ground morphed with each report.

In the early hours of the morning, we befriended a couple of young, solo travelers heading home to Beijing and Tokyo. With few power outlets, no Internet, no televisions, and long lines for international pay phones, communicating with the outside world was difficult, and the five of us could only wait for the announcement detailing when our flight would leave for Tokyo.

The camaraderie in the airport was palpable and any tidbit of information gained by one person would quickly spread to the rest of the stranded travelers. At that point, we knew only that there had been a large earthquake north of Tokyo, few casualties and little to no damage in the capital itself. There was chatter of a tsunami and we began to get word of the nuclear situation around 9 am local time, but everything seemed far-removed from our final destination. Perhaps it was our exhaustion, or simply the lack of information, but our sights

were still set on boarding our flight to Tokyo.

We spent the day in Sapporo after discovering that our plane was not slated to leave until the evening, and opted to forego sleep in order to see a city that we would likely never have the opportunity to see again. Upon our return to the airport, the reality of the devastation became increasingly apparent.

The televisions had been switched on and footage of the earthquake and tsunami was being replayed over and over again on every station. Though it was all in Japanese, the images and the stricken faces of the locals told us everything we needed to know. It seemed too surreal to be true: a 9.0 quake, 30 foot waves, multiple aftershocks registering upwards of 6.0, entire bullet trains missing, hundreds dead, 10,000

estimated missing, explosions at several nuclear reactors, and fears of radiation exposure.

I wanted to help, to do *something*, to not feel like a helpless tourist, but even as I voiced that thought aloud, I knew that there was virtually nothing we could do. We didn't know the language, the geography, or the culture; we didn't even really know what was going on. We couldn't provide any specialized services to victims. Going to Tokyo would mean taking up space that could be used by those evacuating to the south, or taking up food that we would later learn was in short supply. It would also mean continuing to be sightseers, which, while perhaps mildly helpful to the local economy, seemed horribly perverse during such a tragic time. The realization that we were there, so close to the disaster area, and could do nothing but watch it all unfold on Japanese television was quite possibly one of the most sickening feelings I have ever had.

In the end, we booked a flight home from Sapporo and stayed through Monday in a hotel in the city. Though the mood was certainly more somber than it otherwise would have been, we tried to make the best of everything and see what we could

while still remaining cognizant of the situation around us. It was certainly an experience that I will never forget.

The aftermath of this earthquake, the worst in Japan's history, has been heartbreaking. Recent reports from *The New York Times* put the official death toll at just under 10,000 and predict that it is likely to reach at least 20,000, a far cry from the initial reports of a few hundred that we heard on the ground. Hundreds of thousands of people remain in emergency shelters, and still more are fearful of the radiation situation. The world seems to have zeroed in on the nuclear crisis, and many are now questioning the propriety of nuclear energy. While an in-depth argument for why this latest anti-nuclear position seems foolish to me is outside the scope of this article, a plea to readers to continue to help and support the Japanese earthquake/tsunami relief efforts is certainly not.

The University has set up a website where you can donate to any of several organizations committed to providing valuable assistance during this time of need (<http://www.nyu.edu/life/student-life/nyu-service/japan-earthquake-pacific-tsunami.html>). Additional fundraisers and tabling events at the law school are also in the works in the coming weeks. I implore you to take a few moments to reflect on the scope of this tragedy, and to help in any way you can.

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You Had Me At Meat Tornado: Please Watch Parks and Recreation!

BY LEIGHTON DELLINGER '12
STAFF EDITOR

Parks and Recreation is the funniest and most underrated show on television. A mockumentary style show (popularized by *Best in Show* and *The Office*) based on the Parks and Recreation Department in small-town Pawnee, Indiana, the show follows an oddball staff through mostly dysfunctional projects and shenanigans — such as converting a local pit into a park, hosting a harvest festival and staking out a community garden when they discover a small stash of marijuana plants.

Reasonable minds could disagree (ehm, fans of *Modern Family* and *Party Down*) but in my opinion Leslie Knope (Amy Poehler) and the gang at the Pawnee Parks Department just aren't getting the credit they deserve. I will devote my bi-weekly column, and my valuable *Commentator* real estate, to convincing my devoted droves of readers to give *Parks and Rec* (as fans abbreviate it) a chance.

The thing that's loveable about *Parks and Rec* is its kindness. You can make fun of the dorks because everyone is a dork, and then it's just playful and not mean — it's like law school. "It's not one of those comedies where Michael Scott is being an ass and you have to cringe the whole time," said Terra Judge, '12 and *Commentator* Staff Editor, "It's just not like that with *Parks and Rec*."

Except, of course, for Jerry Gergich (Jim O'Heir). Everybody hates Jerry, the overweight government bureaucrat whose only real flaw is being completely boring



in the eyes of his coworkers. The second season dedicated an entire show to Jerry hiding a mishap (falling into a river after dropping a breakfast burrito) and blaming it on hooligans at the park. The office decides for a day to be nice to Jerry. Just one day. He splits his pants, farts and misspeaks in a single presentation. The gang is loveable because they giggle through the episode — they still tease Jerry, but they manage to never take it too far.

And then there's Ron Swanson (Nick Offerman), who plays off Renee Zellweger's famous line from *Jerry Maguire* when ordering lunch: "You had me at meat tornado." The director of the Parks department, and Leslie's boss, Ron is a card-carrying member of the Libertarian Party who relishes reductions in the Parks Department budget. He hired April Ludgate (Audrey Plaza) as his assistant because she refused to answer phone calls or speak politely and

intentionally scheduled him meetings for a day that she thought did not exist. Which, of course, turned out to exist; when Mar. 31 rolled around April and Ron were dismayed to discover that Ron had 93 meetings throughout the day. Always-enthusiastic Knope tried to round up seven more meetings, "just to make it an even one hundred." Hilarity ensued.

Not sold yet? Fine. I have at least 200 more words in this column.

The characters are great, and the show is smart so they're put to good use. When I watch *The Office* I'm overwhelmed. I think it would just be better as a series of digital shorts; Jim teasing Dwight, Andy singing in an inappropriate situation, Michael doing something culturally insensitive.

But with *Parks and Rec*, the loveable, hilarious characters are put in real situations. A flu epidemic wrecks the collective systems of Pawnee — "Stop. Pooping," chides

Rob Lowe (who joined the cast at the end of the second season as workout-aholic Chris Traeger) to himself in the mirror of his hospital room. Leslie Knope accidentally hosts a wedding for two male penguins and becomes the star of Pawnee's LGBT community. When questioned by local conservative, Knope defends the marriage: "I firmly believed it would be cute." And April Ludgate, then the surly intern before she was Ron's assistant, has a unique situation: "This is my boyfriend, Derek. And this is Derek's boyfriend, Ben. Derek is gay, but he's straight for me, but he's gay for Ben, and Ben is really gay for Derek, and I hate Ben." Her boyfriend has a boyfriend. It's not as blatantly modern as *Modern Family*, but it's darn close. And her dead-pan delivery is awesome.

The kicker, my absolute favorite thing about *Parks and Rec*, is that the Parks department has a long-standing rivalry with the library. "Punk-ass book jockeys!" shouts Knope as she tosses over a cart full of books and runs out of the building away from Ron's second wife Tammy (Ron has two ex-wives, both named Tammy) the head librarian. Even anti-establishment Ron hates the library; talking about Tammy (Megan Mullally) he says, "Every time she laughs, an angel dies. Even telemarketers avoid her. Her birth was payback for the sins of man. But you know the worst thing about her? She works for the library."

So on behalf of loveable, hated Jerry and the rest of the gang—take a break from being a punk-ass book jockey and give *Parks and Rec* a shot.



MERCER: Terrace Returns

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aims to take its place among the City's rooftop gardens.

Neil let me in on the little-publicized plan. The iron beams he has erected are not, like the crisis phone by the terrace doors, for safety purposes. They are there to further the Terrace Project's goal of "making the terrace more decorative."

And so the 10-foot steel beams are the foundation of a trellis! The trellis structure will be decorated with large ivory flowers — typical for weddings and special events, per Google.

The men are very excited about this plan.

"I wish I could do that to my yard," Marty said enviously.

Neil concurred. He even confided in a hushed tone, "This one is nicer than the other one [at D'Agostino]." The D'Agostino Terrace has no flowers.

I gather you're excited now. I am too. More than ever. Thank goodness we won't have to wait long for the place to open up. Construction, according to Neil, should be completed "in a week or two."



Joseph Jerome

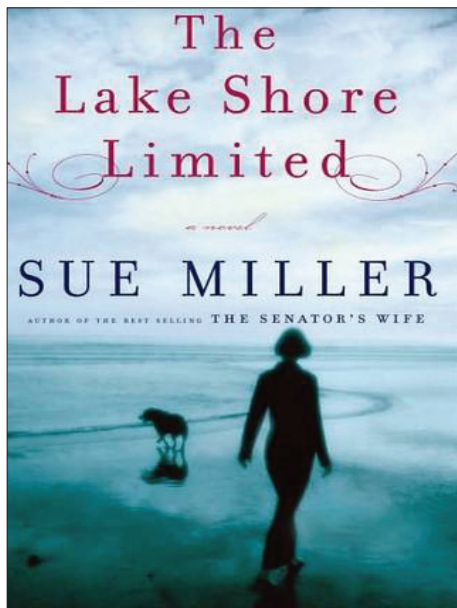
Miller's New Novel Is Without Limits

BY HANNAH BAKER '13
STAFF WRITER

The Lake Shore Limited, a 2010 novel by Sue Miller, is the story of a play of the same name, written by Miller's main character Billy Gertz. Like so many fictional works of literature, *The Lake Shore Limited* (the play) is a thinly veiled memoir and attempt at working out the author's psychological issues. Billy's (short for Wilhelmina) play explores the conflicting emotions she felt when her lover Gus was killed on 9/11.

The best and most intriguing aspect of the novel is the conflicting and fragmentary glimpses that Miller gives us of the play. We first see it in performance, through the eyes of Gus's sister, Leslie, whose summary of the play's events is interspersed with her own reactions and critical comments. The play's emotional ending profoundly affects Leslie, but she also wonders about the plot, evaluates the acting, and is skeptical of unrealistic bits of business, such as one character keeping a fully stocked bar in the library. Miller's use of this lengthy description has its downsides, as

when Leslie's summary of the second act sounds as though it would take about five minutes on stage. It is fascinating reading, however, precisely because Leslie is not particularly biased. She appreciates and tries to understand the play, like any intelligent theater-goer. But her understanding, which



comes partly from her conflicting relationship with Billy, so permeates her description of the play that it is impossible for the reader to get a clear view of it. Later, Miller reveals Billy's experience of writing the play, an actor's experi-

ence of rehearsal and of coming to understand his character, and a competing reaction to the finished product. But because we never see the play itself, we can only judge the accuracy of the character's reactions by comparing them to each other — and this comparison will involve, deciding which characters to trust.

Miller's light touch makes all of this complex meta-interpretation seem perfectly natural. The four viewpoint characters reveal aspects of themselves through their interpretation of the play, but we also come to know them through the details of their lives. Miller is wonderful with details, and I would happily read an entire book by her with nothing but descriptions of people's daily routines. The structure of multiple viewpoints works well, although it would have been interesting to see an outside view of Billy from someone who knows her well.

Like her play, Billy remains a little mysterious, even when Miller writes from her point of view. But the unanswered questions about the characters and about the play kept me thinking about *The Lake Shore Limited* long after the play was over.



the Rotatnemmoc

The Fake Newspaper for the Sixth Best Law School in America.

Volume Full, Number 666

April Fools, 2011



Arch Intel

TOTALLY PLAUSIBLE STORIES HEARD 'ROUND THE SQUARE PARK

Washington Square Park construction ended; park to be totally open to the public for the foreseeable future (or until the end of this article).

Animal control captures cougar in Washington Square Park, but soon released to tape *The Real Housewives of New Jersey*.

Glenn Beck and gold have a falling out; I have one word for you: Plastics.

Law professor hired as an advisor on *Inception 2* after being able to immediately induce a dream state among his students.

Ambulance Chasers LLP offers a summer associate position at local medical school as field research.

Step Up to the Streets 6: Step Up and Walk begins filming in Washington Square Park, starring the eTrade baby and all his friends. Area closed off to accommodate luxury strollers and a giant diaper genie.

Former *Top Chef*-testant Angelo designs new item for Kati Roll on MacDougal Street, thereby winning the bet with Charlie Sheen for whose career could tank the fastest (that's not even a joke. It's just sad).

In an effort to make law school lockers more accessible, NYU has chosen to place them in Cardozo's Law library, which is open 24/7.

NEW BARBRI OFFER GIVES 15 PERCENT DISCOUNT IF BAR COURSE IS PREPAID AT BIRTH.

The next Barry Friedman Forum will cover the overuse of panel discussions in the law school setting.

NYU OCS claims 100 percent post-graduation employment rate; redefines "employment" to mean "no longer our problem."

ARAMARK FOOD SERVICES HAS DECIDED TO USE STAFF IN GOLDING AND WACHTELL LOUNGES MORE EFFICIENTLY BY HAVING THEM DIRECTLY PICKPOCKET STUDENTS.

NYU Law seeks to improve *U.S. News and World Report* ranking by campaigning against Barack Obama, considered by the administration to be the only thing Chicago has going for it.

Honey Ryder revealed to be group of swinging, sexually deviant law professors, which provides an explanation for the often logical, yet grandiose and self-involved prose.

Dean Ricky loses another Wii tennis tournament; parallels to Tiger Woods ensue.

Historian finds that the term *April Fools* was originally coined by the ownership of the New York Mets.

NYU purchases Washington Square Park, decides to close park for another five years to re-center fountain with Sexton penthouse.

Richard Epstein's "Decision" Shocks NYU Community, Takes Talents To South Beach



By DWYANE WADE
SHOOTING GUARD

GREENWICH, Conn. — America's top law schools waited on pins and needles as the day everyone had been waiting for had finally arrived. For the last three years, all of the top-14 schools had been clearing roster space and trying to save money. Georgetown forced four professors into retirement. UPenn raised tuition by \$10,000 per student. Virginia started charging students \$5 to use the water fountain, which wasn't even cold. Boalt made students pay a tax of 50 cents for each word they wrote on each final exam, and \$1 if the exam had a word limit. All this maneuvering was in pursuit of one goal — to snag one or many of the record number of quality impending law professor free agents. But everyone in America knew the real prize, the one that could vault a law school up in the rankings — NYU's very own torts professor Richard Epstein. And no one had anticipated the media event which actually transpired: Epstein announced, in his very own CSPAN special with Jim Gray, that he would be joining fellow free agents Alan Dershowitz and Lawrence Lessig in "taking [his] talents to South Beach" to University of Miami law school.

Speculation about Epstein's destination had flown run rampant in the blogosphere and in student publications such as

The Commentator ever since he recently opted out of his current contract with NYU. Many commentators had predicted that America's favorite libertarian would say at NYU, given the ability to teach in the bright lights of New York City. Others thought he might return to University of Chicago, where he had taught for many years. Some bold prognosticators thought that he might head west for the sunny skies of UCLA.

But it appears that all along, Epstein wanted to team up with these two legal superstars and cruise South Beach together. Even though Miami is not currently a top-14 school, experts are predicting that Miami might even vault up all the way to No. 1 in the upcoming *U.S. News and World Reports* rankings.

Not everybody is happy, though. Many are criticizing Epstein for the way he announced his decision to leave for Miami. Gray, who clearly did not have anything better to do with his time, tried to sustain the suspense by refraining from asking Epstein about his decision for a half an hour. This was a curious strategy given the lack of commercials on CSPAN. First, Gray asked Epstein if he still bit his nails, to which Epstein said that he only did so when he thought about his hero Baron Bramwell and his favorite case *Rylands v. Fletcher*. Gray then asked Epstein to state his theory on why strict liability is better than negligence. After

Epstein gave a rambling, semi-coherent 28-minute answer, Gray finally asked him where he was going to teach next year, and Epstein replied "this fall I'm going to take my talents to South Beach."

The response from the obviously upset NYU community was swift. Trying to reassure his nervous law school, Dean Richard Revesz, possibly under the influence of five Irish car bombs from local watering hole "Off the Wagon," wrote a rambling open letter which was hastily posted to the NYU Law website. The letter was written in wingding font, and certainly did not reflect the quality writing associated with one of the nation's preeminent administrative law scholars. Revesz's letter angrily ripped Epstein for his "cowardly betrayal" and personally guaranteed that NYU Law would hit No. 1 in the *U.S. News* rankings before UMiami did.

Epstein didn't seem to care though. The day after his decision, he appeared with Dershowitz and Lessig at an introductory rally at UMiami's campus. In front of dozens of screaming law students, the new "Big Three" of Miami Law School pranced about and raved about all the *U.S. News* titles they would win. When asked why he ultimately made the decision to move to UMiami, Epstein echoed his inner Pauly D and replied "what you've got to understand is that there are no grenades in Miami!"



This is just one of the many photos at a new exhibit at the Metropolitan Museum of Art entitled "Mercer Basement," which is an expose of the working conditions in, coincidentally, the basement of Mercer.

Infra

SBA now sends out 500 emails per week about Thursday party. page 159

The Commentator to charge \$150 for access to its website. page 730

We promise, promise, promise you that there are no reviews of burger places in this issue. page 982

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Cam Tooton SLAP Eligibility Controversy Rocks Law School

Entire Outcome of SLAP Playoffs in Doubt after Investigation Reveals Recruiting Violations

By JEREMY SCHAAP
ESPN

The Student Lawyer Athletic Program (SLAP) at NYU has long been an outlet for students to get out their law-school related frustrations on the flag football field every Friday. Sometimes, the games got a little chippy, but everybody knew that they needed to stay within the rules. We are talking about future lawyers here, paragons of morality. However, it appears that a boundary has been crossed, as allegations of recruiting violations have been leveled against a SLAP playoff team.

The player in question is Cam Tooton, who is currently a 1L at NYU. However, Tooton is not a normal first year student; in college he was a highly regarded quarterback at the University of Florida, the backup behind Tim Tebow. When Tebow returned to the Gators for his senior year, Tooton decided to transfer to Blinn College in Texas. After a year there, in which Tooton led Blinn to the NJCAA national championship, Tooton transferred again to Auburn University, where he was expected to be the Tigers' starting quarterback. Auburn fans dreamed of Tooton leading the team to a national championship, perhaps even picking up a Heisman trophy along the way. But in a stunning reversal, Tooton decided to eschew football and instead study for the LSAT.

"It was tempting to be the big man on Auburn's campus and possibly one day make the NFL," Tooton told ESPN at the time. "But that was before I became addicted — addicted to logic games! I am just obsessed with them. I want to do these for the rest of my life. That's what they do in law school, right?"

Tooton's logic game practice paid off, as he was accepted to

NYU School of Law. But word of Tooton's football skill quickly got out. According to the SLAP investigation, which was leaked to *The Commentator*, at least five veteran 3L teams illegally recruited Tooton. Tootin's father, Cecil Tooton, called up the captains of almost every 3L team, seeing what he could get in return for his son's commitment. Sack Lunch offered Tooton an immediate executive board position

cash. Who would have thought that cash was so attractive to a top recruit?

It also appears that Tooton never even considered his own Lawyering class. "Cam Tooton has barely been to class all year," said Lee Clemens, Tooton's Lawyering professor. "The only assignments he has completed are ICWs. To be honest, I have never had a student who likes ICWs more than Cam. He completes

penalized by forfeiting two wins from the season.

However, given these imminent penalties, the result of the entire 2010 season might be thrown into flux. Three of the five teams which tried to recruit Tooton made the playoffs, and it's obviously too late to replay the whole tournament, because let's be honest, there is no way that those fields at East River Park are open.

Law professor and former vice dean. Remembering all the other times he solved the rest of the world's problems through his weekly Forums, Friedman scheduled one devoted to the Tooton situation. Friedman went all out for this Forum, sending 30 emails in a 12-hour period (with no capitalization or punctuation whatsoever), and scheduled an all-star panel which included NFL Draft guru Mel Kiper Jr., former USC star Reggie Bush (who is no stranger to recruiting violations), Supreme Court justice Elena Kagan and NYU Law professor Samuel Rascoff. The Forum went swimmingly for a few minutes, but ultimately devolved into two screaming matches; Kagan and Bush quarreled about plain meaning in the law, while Kiper and Rascoff argued about who had the better wardrobe.

Ultimately, the outcome of the SLAP investigation has made almost everyone unhappy. SLAP is embarrassed, the five teams are upset that their recruiting violations have come to light and every other team wants to replay the SLAP playoffs. As for Tooton, our inside sources say that he is working hard on his Lawyering oral argument, and has so far started to outline for only one of his substantive classes. One of his section-mates told *The Commentator* that Tooton is taking the controversy in stride.

"When answering a question in Crim the other day about mens rea, Cam declared in class that he sees himself as "not only a SLAP superstar and a future lawyer, but an entertainer and icon," said Courtney Young '13. "It was quite possibly the best cold call ever."

Also, even though he only has one SLAP football game under his belt, apparently the Buffalo Bills are interested in signing him to a long-term contract.



in Portmanteau, the NYU Law adventure club. The Cupcakes offered Tooton 10,000 free LexisNexis points. The Uno Ballers offered to bluebook all of Tooton's Lawyering assignments, and said they would buy him a free ad in *The Commentator*. The Chargers offered Tooton two extra Fall Ball drink tickets, as well as their undying friendship and devotion. But ultimately, the Bob Loblaw's Law Blogs' offer won the day; the Blogs gave Tooton cold hard

each ICW at least three weeks in advance, never gets one wrong, and sometimes does them more than once, just for fun."

Even though Tooton was recruited so heavily, the SLAP investigation revealed he only played in one game all season. But under SLAP bylaws, even if an illegal recruit plays one minute during the season, that team must be disqualified. In addition, the four other teams that tried to recruit Tooton are supposed to be

In addition, a few of the playoff teams that didn't try to recruit Tooton are up in arms. As one captain explained, Tooton's presence on the Blogs worked as a sort of "Butterfly Effect" on the rest of the playoffs, meaning that Tooton changed the results of the season from what they might have been if he never played. Yeah, it's confusing to us too.

Luckily, out of the chaos stepped Barry Friedman, NYU

Journal Offices Really Screwed: Hippie-Dippie Locals Retake Wilf Hall

By OVERDRESSED ANARCHIST

NYU's expansive development plans received a setback last week when Andrew Berman, executive director of the Greenwich Village Society for Historic Preservation, woke up to find himself the winner of the \$244 million dollar New York Mega Millions jackpot. With his newfound millions, Berman hopes to augment the GVSHP's war chest to combat NYU's expansion in the Village. In 2009, the GVSHP's budget amounted to \$442,918, which was mostly spent on personnel costs. Last week's fortuitous windfall represents a 54,989 percent increase in the GVSHP's budget. His first target stands to affect NYU law students most of all.

"The GVSHP is going to demolish that new administrative building the law school built," Berman said, referring to the new Wilf Hall. "NYU destroyed

the historic walls of the Provincetown Playhouse to build that monstrosity, and now we intend to repay the favor."

While NYU has made no public response, senior administration officials have privately admitted that the GVSHP's plans would force the reallocation of office space for students and faculty alike. Wilf Hall was originally designed to alleviate space limitations the law school, moving a variety of offices once housed in D'Agostino Hall and separately leased buildings away from campus. According to a high-ranking member of the faculty who wished to remain anonymous, the anticipated shortage of space would adversely impact student organizations already consigned to dark corners of the law school.

"We're going to have to move the institutes somewhere and the Admissions Office somewhere," he said. "Really, the

administration's contingency plan is to just take over the journal offices in the basement of D'Ag."

While the Admissions Office actually sees the move as something of a streamlining process since admitted students regularly visit D'Ag, this first move portends an ominous future for the journals currently residing in D'Ag.

"The only logical place to stuff — excuse me, transfer the journals now is the Mercer basement," the official said. The Mercer Residence basement, a dusty hallway of dry-walled offices currently houses several student organizations including the law school's award-winning newspaper. The NYU Law Review hopes to leverage is prestige and long history into securing space in the of the OCS interview suites on the fourth floor of Furman Hall, but the other journals — and the Moot Court

Board — may not be so lucky.

"We always laughed at those two journals sharing cubicles in the center of the journal offices," an anxious staffer on the Journal of International Law and Politics said through the stall in the D'Ag basement bathroom. "But now? I'm going to be Bluebooking next to rats and those degenerates who put out the school paper, *The Commodore* or something. This isn't fair."

After being informed that *The Commentator*'s offices were in the basement of Mercer, Student Affairs had no official comment. However, an insider source admitted confusion as to what *The Commentator* actually was.

"I guess we would just shutter the whole thing," she said, if the GVSHP's plans came to fruition.

When told that *The Commentator* would cease publication if Wilf Hall were

demolished, Andrew Berman expressed regret. "If there's one thing the GVSHP's appreciates, it's history," he said, "and *The Commentator* is an historic publication after all, 44 years old. If it needs a new home, I'm positive a closet in the new-old Provincetown Playhouse could be provided. Or you degenerates could win the lottery!"

Commentator

CROSSWORD

Solution

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New Film Coases Is the Deepest Artistic Work in the History of Mankind

By **AARON BORKIN**
It's COMPLICATED

After the phenomenal success of the Academy Award winning *The Social Network*, the recent film about Facebook and its founder Mark Zuckerberg, the movie studios are all jockeying to try and copy the idea. As a result, there are several upcoming films which revolve around the founding of a website or web entity, including *Amazon* (directed by James Cameron, about humans colonizing other planets just to get their online shopping resources), *eBay* (directed by Rob Reiner, a romantic comedy starring Katherine Heigl as a hopeful romantic who sells all her stuff on eBay to Josh Hartnett, another hopeless romantic; hilarity and love ensues!) and *Craigslist Love* (which I am pretty sure is porn). The first of these films is due to hit theaters in a month, and it actually involves NYU Law. The film is entitled *Coases*, and it deals with the law school's online exchange of goods and services. Because of the NYU connection, *The Commentator* was able to attend an advance screening to review it.

Like *The Social Network*, *Coases* is a mostly fictional account of the origins of the Coases service. Directed by Paul Thomas Anderson, who previously helmed *Boogie Nights*, *Magnolia*, *Punch-Drunk Love* and *There Will Be Blood*, *Coases* tells the story of Mario Zetterberg (played by James Franco), a socially reclusive NYU Law 1L who dreams of one day being romantically involved with Emma Davies (Natalie Portman), the most popular girl in his section. After completely screwing up a cold call on the *Erie* doctrine, he drinks himself into a drunken stupor, wondering how he can

win Emma over even though he sounds so dumb in class. He is even more miserable to find out that Emma is dating one of

of JLSA. Both twins are played by NBA superstar LeBron James in a delightful and potentially Oscar-worthy performance.

because the courts at Coles are always full with sniveling undergrads, Zetterberg instead takes the money and writes the initial program for Coases, a way to connect the law school together by providing a forum for buying and selling books, products, tickets, ideas and other services. Zetterberg believes that if he can combine enough witticisms with enough random acronyms (like WTS and OBO), Emma will realize what a great guy he is and will be with him forever. Zetterberg ropes his best friend Eddie Sampson (Jessie Eisenberg, in a confusing role) into joining the operation, and Coases begins to take off.

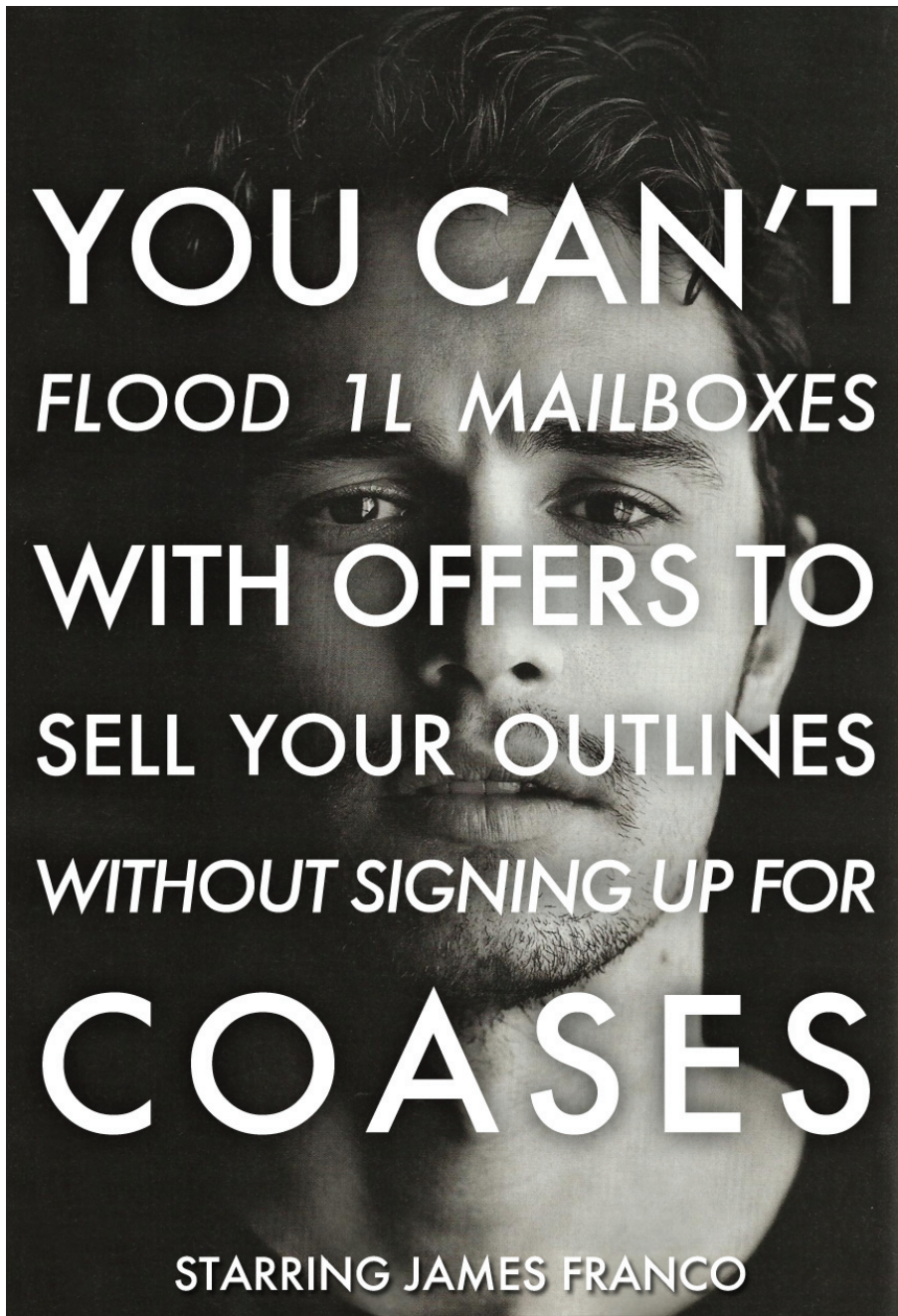
After its initial success, Zetterberg is plagued by hubris, and soon turns his back on his friend Eddie, instead falling under the boy-band spell of 3L Seth Patrick (Joey Fatone), who tries to convince Zetterberg to get rid of Eddie and to take Coases to other top-14 law schools. The film climaxes at the beginning of Zetterberg's 2L year, where the tremendous volume of Coases posts — buying and selling books, trading lockers, asking for class advice — causes the system to shut down on itself, mirroring

Zetterberg's own personal downfall. Trust me, it's deep.

Aside from following in the footsteps of *The Sorcerer's Apprentice* and filming at the law school, the film also includes characterizations of many famous NYU Law names. Anderson hired an all star cast, including Art Garfunkel as Dean Richard Revesz, Harold Ramis as Barry Friedman, Bob Balaban as Bert Neuborne, William Hurt as Ronald Dworkin, Sam Elliott as Anthony Amsterdam, Bill Cosby as Derrick Bell, Annette Bening as Deb Ellis and Justin Bieber as Arthur Miller.

Even though I might be biased because of the NYU connection, I think that *Coases* is a sure-fire Oscar contender for next year. The writing, acting and directing is impeccable, but what really stands out is the soundtrack. Anderson eschewed a traditional orchestral score, instead choosing to only use songs previously recorded by late 1990s and early 2000s band Sugar Ray. That music augments some of the most profound moments in the film, like when "Every Morning" plays over Seth's introduction or the powerful introductory credit sequence synced with the classic "Fly" (as the credits roll, we see Zetterberg for the first time as the lyric "everywhere I go, statues crumble for me" plays — now that's what I call delicious irony).

As *Coases* slowly expands its reach over all of law school society — as evidenced by the constant stream of graduation ticket requests — the film clearly is a perfect representation of the times we live in. In 100 years, when film historians argue over what movie best defines the genre of factual films about online law school barter systems, they will undoubtedly think of *Coases*.



the Winklestein twins, who were former basketball players at Harvard, and are now the co-chairs

After the Winklesteins give him money to build a basketball court in the Vanderbilt courtyard

The Best, Worst and Most Mediocre Films of the Upcoming Summer

By **OLD HOSS RADBOURN**
PROVIDENCE GRAYS

Summer is fast approaching, which means that it's time for *The Commentator's* first annual summer movie preview. We're here to give you the word on some of the most anticipated films of the year, along with a few that no one in their right mind would want to see. And so, without further ado ...

Paul's Graft

The Plot: A tale of greed and corruption set in 1920s New York. Paul Raspallo (Leonardo DiCaprio) stars as a Long Island Railroad conductor who believes that his boss, Chief Engineer Jerry O'Donahue (Robert Duvall), is lining his pockets with company funds. The action kicks into high gear when Raspallo discovers that O'Donahue is connected with the mob, and that his dealings might reach all the way up to Albany.

The Buzz: Martin Scorsese's last take on Old New York was a mixed bag, but with DiCaprio, Duvall and Matt Damon

(as gangster Timmy "Platform Bomber" Timmons) on screen, we're thinking this film will be more *Goodfellas* than *Gangs of New York*. Scorsese reportedly signed on to direct after being assured that he wouldn't have to write any cell phones into the script. Sure to be the proximate cause of your summer fun.

Half Baked

The Plot: Billy Brennan (Eugene Levy) and Thurgood "Good Times" Marshall (Danny Glover) want nothing more than to spend their golden years working at Brooklyn food co-op under a constant haze of marijuana smoke. Their retirement bliss is threatened, however, when Governor Hank Harrison (Christopher McDonald) introduces a draconian anti-drug bill. When Billy and Thurgood discover that, as a result of a byzantine districting system, hard-line activists have disproportionate voting power, they pack their Volkswagens and take on the system.

The Buzz: This "Mr. Cheech Goes to Albany" comedy is the

proverbial bong water of the stoner buddy genre. The plot has so many twists, turns, dead ends and contradictions that we assume the script writers were just making it up as they went along. One man's one vote: skip it, no matter how high you might be.

Ballistic: Gibbons v. Ogden

The Plot: With the help of a legal monopoly and some illegal Thompson submachine guns, Edward Gibbons (Javier Bardem, for reasons we still don't comprehend) has dominated the Hudson River ferry business for a generation. But can he defeat Amy Ogden (Grace Park) and her upstart interstate cross-river passenger service?

The Buzz: This is what happens when you let Brett Ratner and Executive Producer Michael Bay work on the same movie. We'll admit, the final ferry boat shootout scene has its moments (and we can't believe we're saying that), but was it necessary? New Line has already pushed this movie back from Memorial Day to mid-August, which leads

us to believe that they expect this one to sink like a stone. Then again, people paid to see *X-Men: The Last Stand*, so what do we know?

The Flood Gates

The Plot: Sydney Wyman (Jack Black) is the best pitcher in baseball. He's also a knuckleballer, which means that he can pitch every day with no rest. When the best team in the league, the New York Bombers, starts to run away with the title, the other teams agree to repeatedly trade Wyman so that he can make every start against the dominant squad. Bombers left fielder/clubhouse lawyer Abe Martin (Seth Rogen) takes on this collusion head on, by challenging baseball's antitrust exemption in federal court.

The Buzz: If anyone can combine the best parts of Major League and A Few Good Men, it's the writing/directing team of Charlie Kaufman and Spike Jonze. The role of the zany knuckleballer is the one that Black was born to play, assuming for the moment that he was

born to act. We hear that the real drama, though, is the dramatic courtroom battle between Rogan and Christoph Waltz, who plays a delightfully evil Bowie Kuhn. You can't dissent from the facts — *The Flood Gates* is an All-Star picture.

Battle: Skokie

The Plot: As a full-scale Nazi invasion threatens the Earth, in Skokie, a veteran Marine staff sergeant (Aaron Eckhart) leads his new platoon into battle with an uncommon enemy.

The Buzz: Warner Bros. is so amped by Jonathan Liebesman's handling of this movie (for Columbia Pictures) that the studio has handed him the reins for *Wrath of the Titans* (which was sounding promising until recently, when it was announced that the sequel will be converted into 3D like the first movie). Meanwhile, it's been such a sluggish year at the box office, perhaps people have been saving their money for this visual effects heavy bonanza that looks and feels like a first-person shooter.