

**UCLA**  
**The Docket**

**Title**

The Docket Vol. 52 No. 4

**Permalink**

<https://escholarship.org/uc/item/85q0q75z>

**Journal**

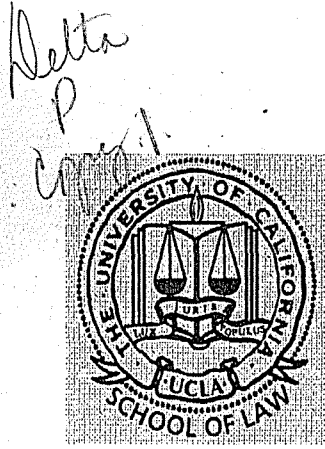
The Docket, 52(4)

**Author**

UCLA Law School

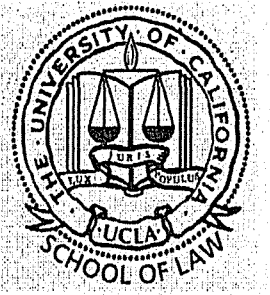
**Publication Date**

2004-02-01



# The Docket

## UCLA SCHOOL OF LAW



VOLUME 52, NUMBER 4

405 HILGARD AVENUE, LOS ANGELES, CA 90095

FEBRUARY 2004

## Fee Increase: Three Constructive Ways UCLAW Can Spend Our Money

Andrew Sperry  
1L

What's that, Mr. Universe? A large fee hike is coming our way? Some sick part of me is wishing that I could brush off this imminent catastrophe as simply a minor setback to the number of Zagat restaurants I'll be visiting next year. Yet the reality is that the Government will have to pony up and let me "borrow" some more money.

Where will my new tuition money go?

No part of me wants to write about where the exorbitant amount of Clevelands will go (1 Cleveland = 10 Benjamins). All of me wants to write about how this money should be spent (according to my world - which is, honestly, all I can think about these days).

First, I'd like to double the janitors' (and janitresses') salaries in the futile hopes that this new pay increase will double their efforts to keep the bathrooms spotless. What is my fixation on bathrooms? I guess it's just a fixation on the wet paper towels errantly thrown on the floor, urine stains where they shouldn't be, and black-colored sinks. However, at UCLAW, all bathrooms are not created equal, for some (third floor to be exact) are pristine.

Would it be too much if we greatly increase their pay, to have one of these now-wealthy janitors attend each bathroom as a personal bathroom assistant (in the '04s, we no longer use the term "servant"), handing us our paper towels (or better yet, slightly heated white terry-cloth towels), maybe a couple spritzes of scented mist, and giving us restaurant

recommendations for our upcoming hot date? Tipping would be optional. In addition to this personal service, the bathrooms (mainly the two busy ones - outside the records office, and the first floor of the library) would be shiny, clean, spotless, and carrying a light scent of spring. I think that would be money well spent.

Second, I'd like to pay the law firms to come to the Spring OCIP. Well, maybe not pay the actual firm (that would probably require around a 78% fee increase - maybe next next year, Army); but we could pay the recruiter. Yeah. We would pay him or her to come to campus and conduct interviews regardless if the firm had openings or not. At least that way, 1Ls like myself could maintain a little hope in securing a job for the summer. Sure the interview didn't work out (not knowing that there never needed to be an interview thanks to the zero openings in the firm), but at least we tried and at least we got some experience interviewing with a big-shot firm recruiter. Would that make people happy? (In a depraved, desperate sense of the meaning.)

That's a lot better than anxiously signing on to the e-Attorney website and realizing that only about six employers are coming to the Spring OCIP. I felt like I just opened up a carton of extra-large eggs and realized that not only did I get the medium size, but half of them were cracked. Not a good feeling. Should I have expected it, considering I was warned that "almost

nobody gets a job through Spring OCIP." Who told me that? Did I dream that?

Third (and lastly - although I could go on forever, trust me), I'd use whatever money we had left over to give as bonuses to the professors who scored the highest in the teaching evaluations. Sure, that might be a little unfair - perhaps some of the professors would [gasp!] bribe us with little treats. Perhaps the professors who knew they had no chance in hell would give up early in the semester and transform into the devil, Kingsfield-style. I guess my pile of quarters and dimes would then come in handy, since my cell phone doesn't get reception in class.

But maybe it could work. What if the professors realized that their usual

methods of teaching and structuring the course just didn't fly in the '04s based on the evaluations? Would they take the time to improve? Would they really inquire as to what was working and what wasn't? As law professors, would it be physically possible for them to self-reflect? Finally, would filling out the evaluations after the final be going to far?

There it is. While Mr. Arnold is signing some great document that drastically alters our scholarly lives, we should take some time to reflect on what really matters: how this money can, and should, benefit us - immediately. Me? I'll be taking notes on Gordon Gecko's words in Wall Street, hoping to scrape up a few more pennies to purchase the 2005 Zagat.

## Food & Necessities Drive Supports Grocery Store Workers



Amy Loeliger  
3L

In a collective effort to support grocery store workers in their struggle for affordable health care, the UCLAW community contributed over fifty bags of canned goods and necessities during the recent food drive. The drive was sponsored by the National Lawyers Guild, the Workers Justice Project, the Lesbian, Bisexual, Gay, & Transgender Alliance, the Public Interest Law Fund, and La Raza and benefited members of the United Food and Commercial Workers International Union, Local 1442.

Students were inspired to host the food and necessities drive at a picket line demonstration held at a local Von's during the first week of classes. At the demonstration, union leaders noted that most members were experiencing severe financial problems and struggling to provide their families with the basic necessities. They expressed an especially strong need for canned food items as well as diapers, cereal, baby food, and powdered milk. "These seemed like things students could easily contribute," noted second year student Silas Shawver, one of the organizers of the drive.

Between January 21 and January 26, students, faculty, and staff contributed several hundred canned food items as well as several garbage bags worth of diapers

and cereal to the drive. "We were really impressed with the response," noted Danielle Lucido, one of the organizers of the drive. Katy Lowman, a UFCW member who came to the law school on Thursday, January 30 to pick up the items was equally appreciative: "I wish I had a camera to take a picture of this."

Southern California UFCW members have been on strike since October 11 in an effort to preserve affordable health care benefits. Although the strike initially targeted Safeway owned Von's, Ralph's and Albertson's have locked out their union member employees since the strike's inception. The three chains have refused to negotiate with the Union since December and no negotiations are currently scheduled. Although a national campaign in support of the UFCW was launched over the weekend, many workers continue to suffer severe financial hardship as a result of the strike. Students wishing to support UFCW members should continue to boycott Von's, Albertson's, Pavillions's and Ralph's (even though the picket has been lifted, Ralph's continues to lock-out its union member employees). Additionally, students should contact Robert Myers at [rmmymers@ix.netcom.com](mailto:rmmymers@ix.netcom.com) for information on the National Lawyers Guild's actions in support of the union.

### WHAT'S INSIDE

War in Iraq: Retrospectively (Pro and Con) ....	2
BLOG: New News Consumption.....	3
Dean Search .....	3
Jolt 5th Annual Career Forum .....	3
JILFA Symposium .....	4
An Honorable Profession .....	4
Introducing: The Real Lawyer .....	4
Barrister's Ball: They don't call it prom for nothing .....	5
The Young & the Restless .....	5
A Test to Fugire Out Your Type.....	6
Top Men Turn Offs .....	6
You Aren't That Pathetic III .....	6
German Cannibalism .....	7
The Love Charm.....	7
Comics .....	3,5,7,15
10 Body Language Tips to Help You Score ..	13
Website Surfing Late in the Evening .....	13



EDITORIAL

## Not So Down With Love

Did you see the Ewan and Renee movie, *Down With Love*? She pretends to be anti-love in order to seduce and trap him into loving her. She succeeds, but then doesn't want him, only to end up with him in the end. If I ruined it for you, I'm so sorry. Watch it for her really snazzy 50's threads and embrace the pink.

Anyway, I may appear to be all "Down with love" because I am a sarcastic and moody woman who hides my soft side by falling back on my aggressive and pithy wit, particularly in writing (but not forgetting in conversation).

You might further be disillusioned by the fact that two years ago my husband was in Vegas with a friend and I was out with a group of girls hitting the bars and the champagne. Or you might think me cold and unfeeling based on the fact that my husband is in Vegas with a friend again and I leave Friday for a week in Georgia with friends and family.

You, however, would be sorely mistaken.

My husband and I regularly disgust people around us because we're so grossly affectionate and madly in love, even after 10 years. Furthermore, when I call him stinky and tell him I don't have any idea why I have remained with him, it's my way of telling him I love him and he makes me happy each and every day.

In addition, for your information, and because I did really say it and it is Valentine's Day, and we are disgustingly in love, I told my husband that I would miss him on Valentine's Day, but that in reality he is so good and wonderful to me that each day is like Valentine's Day with him. Sappy, yes, but sometimes sacrifice is necessary.

Also, in case you haven't noticed, we have a bun in the oven and are so excited and giddy with anticipation that we have video of the ultrasounds that we force people to watch, are planning to compile a special CD of songs to give out with cigars when baby is born, and regularly talk to one another in a high voice, pretending we're the baby, having entire conversations.

All of this love should be making you queasy by now, but there is more. Take a look at what is behind curtain number 3:

The real reason that I am all about the love this year is that a good friend of mine who vowed to never get married and had finally gotten her partner of 8 years to the point of not even considering trying to ask ever again, took him out early in the morning last week for a sunrise walk in the hills and proposed.

Now, she doesn't get up in the morning to walk in the hills for just anyone.

I about fainted from the shock when, with cigar in one hand and a beer in the other, he shared the news. I still cannot actually believe it.

Now, I don't want you thinking that I am all a twitter over this because they are getting married and I am this "right" wing traditionalist who thinks Bush has the right idea to try to offer incentives for marriage because that isn't it, I'm not, and I don't. It's all about what she told me about WHY she decided to propose. In a nutshell: She just realized that between her opposition to marriage and her love for him, in the end, there just was no contest.

That's a beautiful thing.

Happy Valentine's Day!

## Iraq War: Retrospectively

The Docket will reprint the original articles immediately following for your convenience.

### PRO

Yuval Rogson  
Columnist

*"The risk that the leaders [of Iraq] will use nuclear, chemical, or biological weapons against us or our allies is the greatest risk we face." -- Secretary of State Madeline Albright, 1998*

Langley . . . we have a problem. It seems that Saddam was too incompetent to actually develop weapons of mass destruction and he was taken for a fool by his scientists. Therefore, there are no apparent weapons of mass destruction in Iraq. Nevertheless, my position is completely unchanged and if you've actually read my previous article you should understand why. Even though Saddam did not have the weapons of mass destruction, he still decided to bluff the U.N. and defy the United States. It's undoubtedly a good lesson for tyrants and terrorist supporters to learn that there actually are consequences for defying the United States.

Let's take a quick look at Bush's choices a year ago based on a decade of faulty intelligence information: (a) let the status quo continue; or (b) take action to finish off Saddam. If Bush chose (a), he would be making that choice believing that Saddam had stockpiles of WMDs. Moreover, if Bush chose (a), he would have chosen to continue the sham of U.N. inspections even though Saddam refused to cooperate with the weapons inspectors. Why would Saddam refuse to cooperate when he didn't have any weapons left? Hmm maybe because thought he could get away with bluffing the U.S. I mean he did it for thirteen years didn't he? Continuing with the status quo would have been particularly harmful in this era of terrorism because it pretends like effective action is being taken. This makes the west look stupid and weak to the people that really matter right now (i.e., not the Europeans but the terrorists!). If the terrorists don't respect us, or if they don't believe we have the fortitude to call people to account, they will kill more of the people we love.

This might be an opportune moment to confront the people I like to label the "hysterical liberals." They are the ones so convinced that Bush "lied" to the American people and pursued the war "purely for oil" that they jump on this intelligence failure as proof positive that the evil Texan misled the American people and should be tried and hung for treason. Well . . . let's look at the evidence. The president that these hysterical liberals love (i.e. Bill Clinton) also believed that Saddam had WMDs. He was just content to do nothing about it. In a related matter, I traveled to New York this past winter break and went to Ground Zero to pay my respects. It was quite ironic to learn that the memorial to the first bombing of the World Trade Center was destroyed in the second bombing. Perhaps doing nothing about actual or perceived threats is not a good idea. Moreover, the international community, even the Democrats here, all believed that Saddam had WMDs. Consequently, any claim that Bush "lied" is being made by somebody who cannot offer a winning strategic alternative to Bush's foreign policy. It turns out that getting more hugs from the French and Germans really doesn't impress that many

### CON

JD Henderson  
3L

1. Threat to the United States from Iraqi WMDs

Last year I argued that Saddam's WMD programs were not a viable threat to the United States, and that our President was exaggerating the threat from Iraq. Last year's State of the Union was all about Iraq's frightening weapons and how we must act or be destroyed. This year a single reference to "weapons of mass destruction-related program activities." But that isn't the point. Even if Iraq had WMDs, it did not have the *capability* and *intention* of attacking the United States or assisting others in doing so. There was never any credible evidence of that because it simply didn't exist, then or now, and if we find WMDs tomorrow, we were still never threatened by them. The fact that we can't even find any just shows how empty the Iraqi threat really was.

As for the actual presence or absence of chemical weapons, it is important to note what has been lost in the term "weapon of mass destruction" – that chemical weapons are an obsolete WWI technology that have proven to be very impotent weapons, even in the hands of terrorists. "Nerve agent" is a terrifying concept. "Raid" is a bug killer – and a nerve agent. Chlorine cleans pools – and is a chemical weapon. Get the point? WMD's aren't the issue, the issue is whether Iraq was a threat that justified invasion. No capability or intention of attacking us = low threat. Thus to justify the invasion Iraqi capabilities and intentions were distorted, along with the bogeyman of WMDs.

Nuclear weapons are an entirely different matter, of course – they are truly terrifying, and justly so. We now know that our President used information based on forged documents to invent a fake Iraqi nuclear threat. More interesting is that since the invasion North Korea has admitted – no, *bragged* – that it possesses nuclear weapons. The President's response? "Different threats require different strategies." Hmmm – no Iraqi nuclear weapons, next-to-useless chemical ones (or none at all) = invasion to save us from the imminent threat of mass destruction. North Korean nuclear weapons = negotiation and diplomacy. Confused yet? Here is the answer: Bush lied.

2. Other reasons to invade

Now that the entire world knows the WMD threat was false the President argues that it wasn't really the reason in the first place. So let's review the other reasons:

3. 9/11

I argued last year that 9/11 was unrelated to Iraq and could provide no justification for an invasion. The administration now claims foreign terrorists are behind the current daily attacks on US forces (although the US Army has openly disagreed with this evaluation). The relevant question, of course, is what terrorist involvement did Iraq have *before* the invasion? None. And no evidence has been produced to show any. The administration has since admitted that there are no links between Al Qaeda and Saddam. Yet Vice-President Cheney still says there are, and the President has yet to make a single statement about the invasion without

SEE PRO, PAGE 9

SEE CON, PAGE 9

## THE DOCKET

UCLA SCHOOL OF LAW

M. CATHERINE OLIVER SMITH  
Editor-in-Chief

OPEN POSITION  
Managing Editor

OPEN POSITION  
Production Manager

OPEN POSITION  
Editor

SHANA ELSON  
Entertainment Reviewer

KATE BUSHMAN  
Columnist

PHIL LERCH  
Columnist

STU REES  
Cartoonist

JUSTIN RADELL  
Columnist

YUVAL ROGSON  
COLUMNIST

SHANNON McMASTERS  
Columnist

### Contributors

JOHN ALDEN, JONATHAN DELSHAD, JD HENDERSON, AMY LOELIGER,  
WILLOW MC JILTON, GEOFFREY MURRY, EUGENE VOLOKH

The Docket is published six times a year by the students of the UCLA School of Law. Copyright 2004. All rights reserved. Points of view expressed in *The Docket* do not necessarily reflect the opinions of the editorial board. All submissions are subject to an unrestricted right to revise. *The Docket* is not responsible for unsolicited materials.



## BLOG: New News Consumption

Geoffrey Murry

2L

<http://houseofthefuture.typepad.com>

There are areas of our lives into which the internet has yet to reach. I still have to scramble my own eggs in the morning, and the internet does not stop my neighbor from doing his little junior Bob Dylan imitations at three in the morning. The internet does not tie my sneakers and does not spend twenty minutes on the elliptical trainer three times a week for me.

However the internet has changed the way in which much of the United States and the world consumes news and information. Time was, back in 1999 or 2000, when this change manifested itself almost exclusively through major news organizations – AP, Reuters, the New York Times, the Wall Street Journal – providing

content via the world wide web. However these media giants no longer hold the monopoly they once enjoyed as self-publication on the web is no longer the sole province of nimble-fingered coders and those who can afford to pay them. Little Martin Luthers are sprouting left, right, and center, and media consumers now have a plethora of news gathering and reporting outfits at their disposal.

Most notable among these budding Citizens Kane are the phenomena known as web logs, blogs for short. Blogs allow budding journalists and pop-cultural junkies electronic soapboxes from which they can address a world wide audience. They run the gamut from “Dear Diary” musings on life and love to serious

SEE BLOG, PAGE 10

## Dean Search: UCLAW Students Represented

UCLAW students gained a big victory in getting our voice heard in the currently ongoing dean search process. A coalition of student organizations including BLSA, APILSA, La Raza, NALSA, SBA, LGBTA, and others joined forces to express our desire to have a student on the dean search committee, which was appointed by the Chancellor of UCLA, Andrew Carnesale. Although the committee initially did not include a student, the student coalition persuaded the members to allow a student to participate in the search process.

After a vote by the student body, Chris Punongbayan, a third year student with a strong background in student activism, was elected as our student representative. “This is a great opportunity for us to have a say in who will be the dean, and what kind of law school we are going to have”, said Chris, “I’m honored

to represent the students, and excited to be a strong voice on the committee.” Meetings of the committee will be ongoing until April at which point they will narrow the candidate pool to just a handful of candidates for submission to the Chancellor who will make the final decision. The finalists in the process will be revealed at some point toward the end of the process, but until that time the candidates’ names will be held strictly confidential.

This is a critical time for us to let Chris and other search committee members know about our concerns and priorities for a dean. Although Chris will have limited ability to report back to the student body during the proceedings of this confidential process, he will be voicing our concerns and making sure that student views and interests are given priority in the selection process. Chris can be reached at [UCLAWdeansearch@hotmail.com](mailto:UCLAWdeansearch@hotmail.com)

*We look forward to seeing you!*

UCLA School of Law


**Barrister's Ball**

**2004**

Ritz-Carlton  
Pasadena

Friday February 27th, 2004

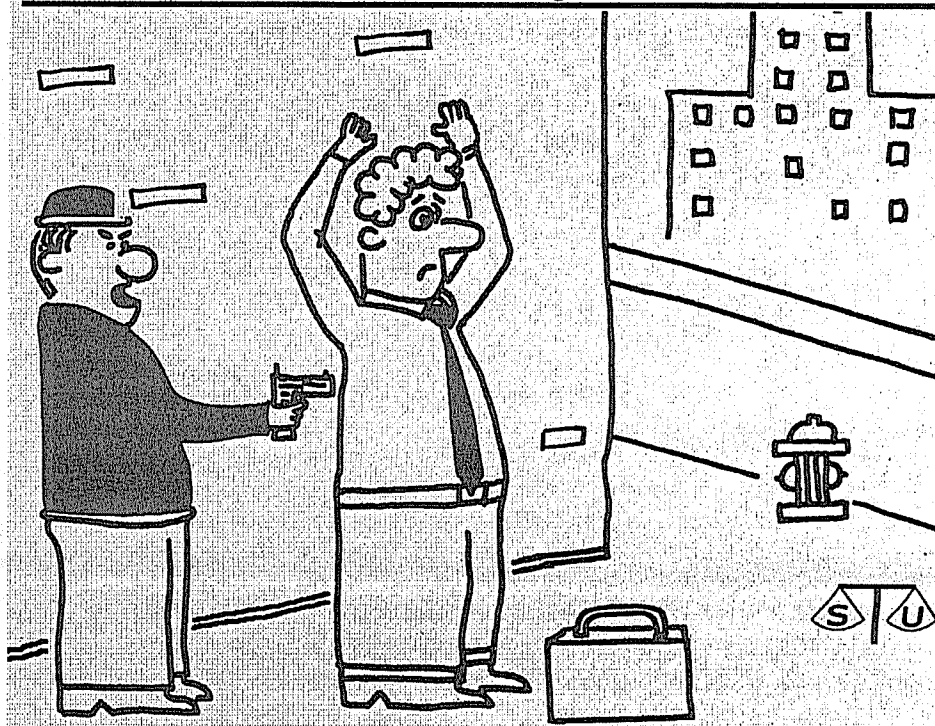
Cocktails at Seven Dinner at Eight Dancing until One



1401 S. Oak Knoll,  
Pasadena, CA 91106  
Tel: (626)-568-3900

### Stu's Views

© 2003 Stu All Rights Reserved [www.STUS.com](http://www.STUS.com)



“They say computer crime is the wave of the future. But to me, you just can't beat one-on-one human contact.”

## “Success”: Word of the Day at JOLT 5<sup>th</sup> Annual Career Forum

John Alden

2L

JOLT retained its title of “Best Food by a Law Journal” for the 5<sup>th</sup> year in a row on January 22<sup>nd</sup> at their annual intellectual property career forum. However, the open bar tab, a Journal rarity and a yearly favorite at the event, was just a shadow of the formidable figure put up by last year's attendees. Many attributed this to a more “high-strung” and less cool IL class. Others didn't disagree. The big surprise, however, was a first for the Career Forum. A keynote address by Judge James Rogan, who delighted the crowd with a mini-biography of his journey from a flailing UCLAW student concentrating his efforts in various L.A. bars and gentleman's clubs, to the head of the United States intellectual property industry.

Oh yeah, and a few students may have even gotten jobs!

The Intellectual Property Career Forum has long been a smorgous-borg of various goals and intentions. Some come to network for the fall and hone their schmoozing skills. Some come to learn more about Intellectual Property. Some just come for the free food and wine. Still others come to, yes, get a job.

Getting a job, getting a job, getting a job. For some, it took a few cocktails to drum

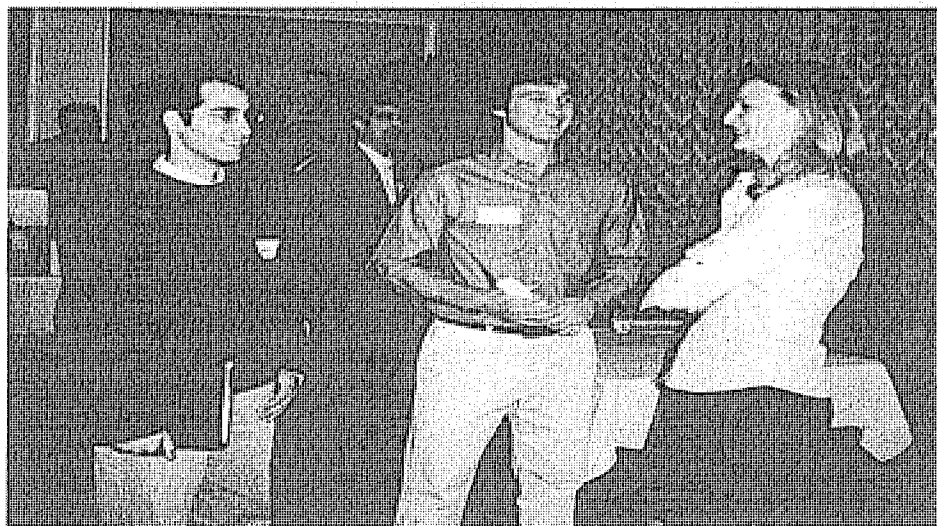
up the courage for the fly-by resume drop. While others daftly moved from table to table saying well rehearsed lines like, “I've been dreaming of working for Cooley since I was eight!” “There's only one firm for me, and that firm is... I'm sorry, what firm is this?”

In fact, there were signs of an economic

turnaround at this year's forum as not one, not two, but several people received call-back interviews. This was especially surprising, as this year's turn out appeared to be a bit smaller the last. One candidate (who

asked that he remain nameless) attributed his minor success to a moderate amount of research about the firms he was interested in and a moderate amount of comfort with approaching the would-be employers.

Indeed, in a post-forum survey, many firms, who were looking at hiring for this



summer, wished more students had looked them up on the web-site to find out what they did and where they did it. Firms also stressed that it is essential to be friendly and up front, not shy.

However, like many students, other firms liked the informal, networking, atmosphere of the event, looking instead, with an eye towards next fall. And while they may not know it, students did indeed get valuable knowledge and contacts, which may come in very handy at OCIP. “Who? What? I was supposed to write those names down?” Don't worry; JOLT is there for you. JOLT has decided to post the attendees from each firm on its web page ([lawtechjournal.com](http://lawtechjournal.com)), just incase you forgot who you were talking to. Nothing impresses an employer at OCIP quite like, well, being impressed with them. And dropping a few names like the Great Gatsby never hurt either. “Oh yes, I was very impressed with what your colleague, Mr. Gatsby, had to say at the ridiculously incredible JOLT IP Career Forum last January. Hah ha hah ha hah.”

And while some things can certainly be improved for next year's event, everyone was in agreement that JOLT's inaugural keynote address was a keeper. It served as an informative and relaxing intermission to the high-calorie mingling before and after.

Judge Rogan was introduced by Professor Anderson, his torts professor when

SEE SUCCESS, PAGE 10



## JILFA Symposium

It's hard enough trying to understand our own legal system, but just imagine building one from scratch. On Friday, March 5, the Journal of International Law and Foreign Affairs, with support from the Pacific Basin Law Journal, will host a symposium exploring the instigators and intricacies of this topic. "Lost in Translation? Developing the Rule of Law in a Changing World" will examine (1) the connection between economic development and the rule of law; (2) the relationship between the establishment of rule of law and the promotion of human rights; and (3) the role of the United States in promoting or constructing rule of law abroad.

Experts in the rule of law will gather from all over the country. Edgardo Buscaglia, Director of the International Law and Economic Development Program at University of Virginia Law School, and Bryant Garth, Director of the American Bar Foundation, will speak to the first topic. UCLA's own

Randall Peerenboom, along with Ruti Teitel, of New York School of Law, will tackle the human rights question. Discussing the topical question of US involvement are: James Dobbins, Director of the International Security and Defense Policy Center at the RAND Institute; Laurel Miller, Officer with the Rule of Law Program at the US Institute of Peace; and Henry Perritt, Jr., of Chicago-Kent College of Law.

We can't guarantee that you will learn anything in your classes, but we know that you will learn something at the symposium. By the way, the symposium will be accessible to those unfamiliar with the topic areas covered, so you do not need any special background to appreciate it.

Save the date and make every effort to attend the JILFA symposium on Friday, March 5, beginning at 9:30 am in Room 1357. For more information, or to register, please contact JILFA@lawnet.ucla.edu.

## An Honorable Profession

Jonathan Delshad  
3L

The last time I had an epiphany at the movies it was 1995 and Kevin Costner proved it possible to filter your own urine to produce drinkable water. A few weeks ago while watching *The Last Samurai* I appreciated a concept never explicitly taught in law school but essential to our profession. Honor.

It's a word tossed around like a cherry tomato in salad, poorly defined yet it carries great weight. Dictionary.com defines it as "A code of integrity, dignity, and pride, chiefly among men, that was maintained in some societies." Of all professions in our society, only a judge is given the title "Honorable" or addressed as "Your Honor." A cynic would say a lawyer only shows this respect for his personal gains. A simple man may believe that we honor a judge for the knowledge he imparts and the impartiality and virtue

we expect of him.

Honor does not reward sycophants. Neither does honor imply virtues such as knowledge. Honor comes from defending values without leaving them. The earliest code of laws contained the warning, "Justice, Justice shall you pursue." When you pursue justice do it in a just way, this is honor.

I'll explain without ruining the movie. Trying to modernize the Japanese army and unify Japan, the Emperor decides to dispose of the Samurais. The Emperor wins the war against the Samurais and gets a unified Japan. However, in accomplishing his goals the Emperor discards traditional Japanese values embodied in the Samurai. Juxtaposed to the Emperor is Tom Cruise's character who learns an outmoded style of warfare but keeps his western values. The Emperor's goals, however noble, were sullied by his dishonorable means. The Samurai took his life with his honor; the Emperor lived dishonorably.

More important than the outcome of any lawsuit is the way in which it is fought. Lawyers as advocates are often tempted to check their honor at the door and fight for what is right using any means

SEE HONOR, PAGE 11

### Introducing: The Real Lawyer

*The following is provided anonymously by a practicing attorney who has worked on both coasts. This column has appeared in a variety of law school newspapers.*

#### Dear Real Lawyer:

I read about cool legal jobs, like representing athletes or playwrights or working as general counsel of a winery. How do people get these jobs?

#### From the Real Lawyer:

2 ways, in order of likelihood: persistence and luck.

A good academic record and some related work experience can be very helpful also. But I know someone who just got a job as in-house counsel for a liquor importer with the job of acquiring a winery. He didn't have good grades or particularly relevant experience. He did, however, have an extremely low golf handicap, which was (no kidding), an advertised prerequisite for the job.

Part of the interview process was a round of golf with the company owner. Shake your head if you want, but there is a lesson here. Namely, networking always, always, always pays. It is not a coincidence that the applicant in question is personable and a good conversationalist. He was offered the job the same day as the golf game.

Another friend of mine was a huge sports fan and, while still in law school, got to know the kicker on the University football team. My friend negotiated the kicker's first NFL contract and then all of the later ones (the kicker switched teams a few times). The good news is that people like to work with their friends and you have (probably) had friends all your life. So if you think you know an industry that you would like to work with, make a plan to get to know people in that industry. You may not get the ideal job immediately, but if you keep building your network and your experience, better opportunities will

SEE REAL, PAGE 11

## DON'T MISS THE 11<sup>TH</sup> ANNUAL PILF AUCTION!!!

Come watch Professor Zasloff, Professor Holmquist and Professor Bergman get a little crazy while they auction off tickets to your favorite sporting events, home cooked meals from esteemed professors, restaurant certificates, Southwest Airline tickets, a week at a Colorado condo, a tour of the Playboy Mansion and more.

Mark your calendars for the most anticipated event of the year. The Public Interest Law Foundation's Auction, "Bid for a Better World" will take place on Friday, March 5th, 2004 at 6:00 p.m. on campus. Tickets are \$10 for students on sale in the student lounge. Tickets include food and an open bar.

PILF is a student run organization that provides grants to students who pursue otherwise unpaid summer employment in the public interest field. If you would like to make a donation, or know anyone who would make a contribution please send an email to [pilf@lawnet.ucla.edu](mailto:pilf@lawnet.ucla.edu).

All donations are tax-deductible and one hundred percent of Auction proceeds go to grant recipients and, therefore, to the communities they serve.

*Disclaimer: Beware, sometimes your fellow professors will do anything to help raise money to provide students with summer public interest fellowships...stripping has been known to occur.*



## Barrister's Ball:

### They don't call it prom for nothing

John Alden  
2L

Let's face it; the library just isn't the place to hook up these days (except for the 24-hour reading room. The reading room is a great place to hook up these days. Mmmmm, leather.) And don't kid yourself; your communications degree isn't impressing anyone ("He's right, I learned *nothing!*").

But don't worry, this 12 step program will get you back on the love wagon in no time, because just like High School Prom and College Prom and Pre School Prom, Law School Prom most definitely *IS* the place to hook up.

Step 1: Get your tickets to the gun show before it's too late. (Ed. Note: *It is too late: Prom Sold Out!*) Yeah it costs 45 bucks, but hey, your meal's worth 55, the scenery's worth 9 dollars, and the memories are priceless because you'll be so wasted.

Case in point: I have this great picture of me staring at my food for like a half hour. It looked like we had just broken up or something. It was so funny! Oh my god. I was like, "I don't even know you any more Food!" and my food was like, "that's just the alcohol talking baby, you'll wake up in the morning and be like, 'Chicken, I love you, you know that right? You know I didn't mean any of that last night right?' And I'll be like, I know John, I forgive you."

Step 2. Don't take drugs.

Step 3. Get a date or go stag. Either way you'll be going home with someone else if you play your cards right. You could go as a big group of friends. But I recommend drawing names out of a hat. Or, my personal favorite, just start asking people to the prom for your friends. "Hey Katie, do you have a date to the prom? No? Cool, you should totally go with Mike! Oh you *do* have a date? Oh my bad, I thought you said you didn't. No that's cool. Hey Laura, ya' know Mike?..." Ah, just like old times.

Step 4. Pick up your threads. Ladies, I watched the red-carpet thingy on E! (apparently when you write "E" the channel, you have to use an exclamation mark, like "E!"). Anyway, right between the E! True Hollywood story on Kermit the Frog and the new "Girls Gone Wild in Salt Lake with Snoop Dogg" video, someone said, "Cleavage is in." Don't shoot the messenger.

Step 5: Fellas, bust out a real tux, or hit the Good Will. You have your whole life ahead of you to wear a monkey suit, but how often can you go to the Ritz dressed in ice cream cartons? Not often. Barely ever in fact. Sometimes, when they... never mind. If all else fails, copy your friends. Pick up something really nice, or really cheap and don't worry if the previous owner tended to gnaw on his right arm. If you can't get the really sharp look, go for the "just waiting to be slapped" look or the "think this might rip when I bend over" look. Either way, it'll be great. However, please guys, no powder blues or Don Johnson's. It's been done.

Step 6: Splurge on some fine jewelry. I recommend 50 cent chains at Walgreens. Bling bling. If you can get the matching mini-football pendant, quadruple bling. And last but not least, dust off that slightly fermented cool-water cologne. That stuff is awesome!

Intermission: Why the hell am I writing this you ask? That's a good question. People write for *The Docket* when they think they're the shit, or when

they have too much time on their hands. And why are you reading *The Docket*? Because either you have way too much time on your hands, or you feel like looking at some... Speaking of *The Docket*, if this issue comes out after the Barrister's ball, which is likely... That would be really dumb. Okay, back to getting some action. (Ed. Note: *You might write for The Docket because you are witty and creative and you might read it because you recognize the extraordinary talent of those people around you other than this author.*)

Step 7: Take one of those party busses to the hotel, and don't forget your Will Smith CD and some juice b/c that no-label alcohol is not yummy.

Did you know bus drivers get a DUI if over .04 percent? That's because even a blood alcohol content under .08 can effect your typing ability. So why even try? Imagine your three prom dates waiting at the Ritz, all alone, with everyone staring at them and the announcer comes on the intercom, "Lane number 3, lane number 3, where's your fourth swimmer for the relay?" And then the narrator from all the High Life commercials says, "Just tell your prom date you missed the Ball because you were getting stoned. They'll understand." Tobacco is Wacko for Teens!

Step 8. If you are going to drink, though I certainly don't think it's a good idea, I recommend smuggling as much alcohol in as possible. I don't know how the bar's going to be at the Ritz, but it's always cheaper to bring your own. Get creative. For you gents, the flask is obviously the most important part of your outfit. Plus, you can have some serious fun trying to convince the waiter that your vodka/gin/rum/water is really just a Diet Dr. Pepper. Ahhh, the taste of originality. For the ladies, I feel your pain. There aren't a lot of flattering locales to stick a flask, especially with this year's fashion of a lot of cleavage. But that's why you are really going to thank me for this next idea. I call it the PradaBak. That's right, take the bladder of a CamelBak and throw it into your favorite \$1,000 hand bag. Viola! Instant alcohol. You don't even need to stop talking. For real, it totally works! I saw Paris doing this at Burning Man. "What's that tube coming out of your purse Paris?" "That's my Camel Purse John, want a pull?" "Sure, thanks. Hey, just FYI, I don't care what everyone else says, if I was on the apprentice I would let you be the leader every episode."

Step 9. You should have four mottos at Prom: (1) Have fun. (2) You only live life once. (3) What happens at prom stays at prom. (4) And never, I repeat NEVER, play Spin the Bottle at a family reunion.

Let's start w/ have fun: What's fun at prom besides taking pictures of inebriated classmates making out with chairs you ask? Well, first-of all, there's nothing wrong with flirting with every single person at the dance. Girl or guy, flirting is fun for all involved. "What's that Professor Plum? You like the way my ass looks in these tight pants? You're so sweet!"

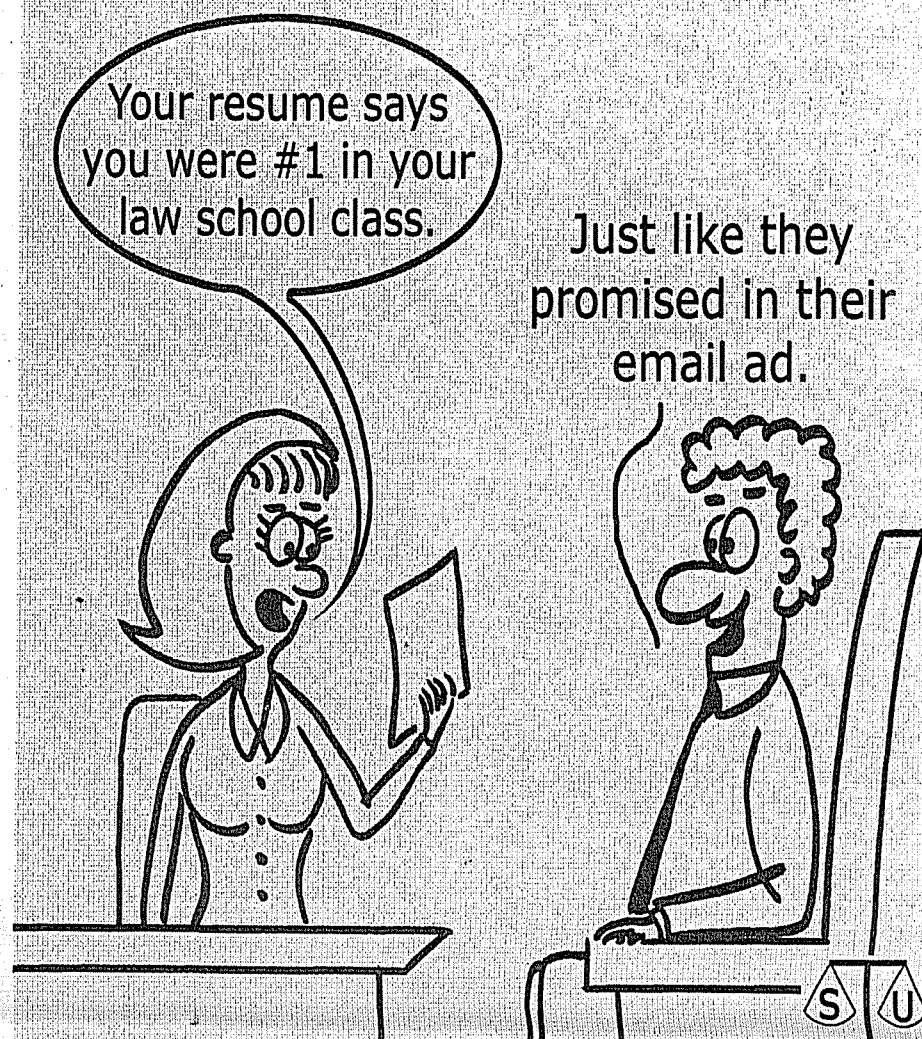
Second, bring your bathing suit. I don't know why, but you should never go to a hotel without a bathing suit and swim goggles.

Third, and most important, make like Footloose and dance like it's been forbidden by God! Line dancing, table dancing, if anyone can teach me the

Stu's Views

© 2004 Stu All Rights Reserved www.STUS.com

## Personnel Office



## The Young and the Restless

Shannon McMasters  
Columnist

The greatest thing about being a 2L has to be the three-day weekends. Thursday nights have taken on a whole new meaning. It really doesn't matter how wasted you get, because you still have three days to recuperate. Now, you have more time to worry about the homework you aren't going to do until Sunday night anyway.

After Bar Review at Brennan's, I definitely needed that extra day. We arrived at 11:45 to a sea of drunken faces. Or was that just my own blurred vision? I admit, I took a couple of shots prior to leaving my house, as is protocol. Either way, we got there just in time for the next round of turtle races. But screw the turtle racing, I only had two hours to establish a target and make a move.

First things first, I had to dutifully say hello and briefly converse with my friends before I could make my way around the bar to find "the one." Don't get me wrong, I love my friends. But a girl's gotta do what a girl's gotta do. Ya heard? So my wingman, Vara, and I take flight to accomplish the evening's objective.

That's when we ran into Robert. Robert is a newly discovered gem for me. I met him at a keg in the courtyard a while back, but have only recently gotten to know him. He is one funny guy. It's not just the content of his jokes, but it's his delivery that makes him so funny. Thus, Robert was a necessary detour.

He bought us jaeger shots, and we all sprinted to the dance floor for "Livin' on a Prayer." But somehow the 10 x 6 ft. dance floor turned into a mosh pit when they started playing "Smells Like Teen Spirit." Where did these people think they were?

Ozz Fest? Work with me people, it's Brennan's.

Thanks to all of these lunatic moshers, I got a nasty split toenail. It is par for the course that I sustain injuries whenever I am out drinking. I think gangrene has set in. But without the interruption, I may have forgotten what I was there to do.

That's when I suddenly remembered that I was supposed to look for a Fun-time Friend before the night ended. So I left the dance floor and started back outside to mingle like I was single. Time was a tickin'.

Right when I thought it was mission impossible, I met a hottie with a body. As he is talking, I don't hear a word he is saying. Listen, kid, I have an idea: let's stop chitchatting about nothing and just to get to the point. Your place or mine?

I innocently go to his place to hang out with all of his friends for an after party. My new friend, we'll call him Ashton, emptied his pockets before going to the bathroom. So I picked up Ashton's ID for a quick gander. I would not consider this an invasion of privacy for a couple of reasons. First, he openly placed his ID on the table. It was as if he wanted me to look at it. Second, it is not like it's a diary. Everyone looks at each other's ID.

Obviously, I would not be concerned about invading someone's privacy if I did not discover something previously unknown. Ashton's ID said his name was Victor. So I look at the other kid, whose name is Victor, and ask why Ashton had his ID. More importantly, Victor, how old is Ashton? Victor gets a sly smile and tells me I'll have to ask him myself. Great. Just great.

## A Test to Figure Out Your Type

Justin Radell  
Columnist

Have you ever wondered about your type? I have always had a hard time putting my finger on what I find attractive right when I see someone. I find a lot of different types of women attractive. Recently, a friend forwarded me an email containing a link to a physical attraction test. This wasn't one of those forwards that spoofed the subject line of the email by having unattractive pictures of people. There was no photo spread of thirty people with various incarnations of the mullet hairstyle or one showcasing people who were clearly proud to be missing their teeth. Rather, the link took me to a legitimate page sponsored by Match.com.

Normally, I would just forward the link on to you, the loyal reader, but I can't do that through this article (damn the low-tech Docket!). So, I am going to tell you how to reach it without the link. Bear with me for the rest of this paragraph or skip ahead if you don't actually want to find it. The way that you check it out is to find <http://www.match.com>, press the green "search" button and then click on "physical attraction test" under "2-Way Matching" in the bottom right corner of the text. It will then display a page with the link to the physical attraction test.

The description of the test states: "Whether you know it or not, you have predetermined physical tastes that will ignite that first spark. Discover who not only turns you on, but who is equally

attracted to you." They sold me on it in 31 words. I was totally intrigued. I had seen an episode of *20-20* a few years back that had a segment on what makes a person attractive to some and not to others. I remember very little from that segment except something about how people tend to aggregate faces that they see over their lifetime and often find attractive those people who happen to have features that resemble a composite or average of all those faces. Don't quote me on that, but that is what I remember. Regardless, I think physical attraction is a fascinating subject because people differ to a great degree on the issue. So, with that in mind, I took the test.

The actual test is really interesting. It includes a number of photo arrays and all you have to do is click on the photos of the people that you find attractive. The test displays them kind of quickly on the screen and you are advised to go with your gut instinct by making decisions quickly. It then presents you with two pictures side-by-side and asks you to pick who you think is more attractive. Then, you have a photo array where you are supposed to click on the photos that you do not find attractive. With this information in hand, you are then asked to select the photos of the women who you think would be most attracted to you. They say to use your past experience as a guide, but this has to be the least trustworthy aspect

SEE MATCH, PAGE 11

## Top Male Turn Offs

Kate Bushman<sup>1</sup>  
Columnist

In preparation for this Valentine's Day edition of *The Docket*, I undertook serious investigation of the all-important question of what makes men tick. After the five minutes I spent figuring out that it was in fact beer and pizza, I decided to tackle the more important issue of what turns men off. Career women don't have time to divine these things in addition to all of their much more important tasks, so I have shouldered the burden<sup>2</sup> for all working females. The results of this turn-off research and my recommendations follow.

**1) Ambition.** Think being accomplished and having lofty goals will attract a mate? It turns out your resume capital is in fact inversely proportional to your attractive factor. Ambition to a male is using a towel to dry off after showering as opposed to using the dirty boxers or socks on the bathroom floor. If a man gets up to change the channel, he wants to celebrate this achievement, not pale in comparison to his partner who has taken on villains greater than the remote-hiding couch-cushions.

**2) Wit and Humor.** It is true: joking or making lively conversation will get you nowhere fast. However, it's not bullshit when a guy says he wants a girl with a sense of humor. The problem is that the guy actually means he wants a girl who is smart enough to understand (and laugh at) his jokes and also to laugh it off when he screws up. That and he wants enormous breasts to hold his attention in the unlikely event she actually speaks.

**3) Honesty.** At law school we do a lot of debating about the truth, but yet again our experience here deviates from reality. Evidently males do not give two shits about the fuzzy line separating truth from fiction. Men care much more about the quantitative aspect of getting to know a woman. For example, how many drinks do they have to buy you before they can take you home? How much does your boyfriend bench and where is he now? And, how long until your unattractive friend gets lost? Focus on these important issues, and the rest of the qualitative questions can be dealt with by a coy chuckle (see #2 above).

**4) Social Conscience.** Really, this one is probably the most obvious: if you are out saving the world, that's less time that you have to pay attention to a man's needs (see above mentioned beer and pizza).

**5) Being a Lawyer (or a Future Lawyer).** Who knew that our chosen profession would make us so undesirable? Doubt it all you like, but why do you think Ally McBeal had such crazy men issues? All the gorgeous female DAs on Law & Order never dated either. After verifying this suspicion, a male attorney friend suggested that a female attorney should say they work in a law office because it both suggests that 1) I have my own source of income and 2) I am non-threatening in the career department. He also gleefully noted that besides these two benefits, it isn't a *complete* lie. For those of you who don't want to maintain any semblance of your former self, as noted by turn-off #3, completely lying about your career works as well.

Perhaps some of you reading this may worry that these findings are one-sided. I caution you, I do not stand behind these as ever-constant deterrents of male attention. I discussed my findings with a male classmate while preparing to write this piece. He defended his gender, saying that he didn't necessarily agree that these turn offs would matter "as long as she and I were clicking." I agree wholeheartedly: if she had enormous breasts, for instance, I am sure most men could overlook the normally glaring flaws of intelligence or a sense of humor.

However, as all of us good law students know, we cannot fashion the rule from the exception. Despite the fact that men could deviate from this pattern in certain exceptional cases, the male gender has spoken and we must heed the call. Avoid the above-mentioned hot subjects, lie your ass off, and cast aside the books for the boob job. I lovingly entitle this plan: "Less Impress, More Undress."

Of course, one could instead become incensed by these results and set about to change these arguably less enlightened ways. Kudos to the women who choose

SEE MEN, PAGE 10

## You Aren't That Pathetic III

Willow Mc Jilton  
Class of 2003

Every year on Valentine's Day I look at my self and wonder why I am either (a) alone once again or (b) with someone who is about as romantic as a decaying corpse. I look around at all the cute couples, fighting the urge to gag, wondering, "am I really that pathetic that I can't get a good valentine?" I only have to pick up the latest edition of the LA Weekly to know that no, in comparison to my fellow LA inhabitants, I am not that pathetic. Thus, every year, I take it upon myself to remind all of you lonely hearts out there that no, you aren't that pathetic either. So, if you are like me and enjoy pointing the finger at other people who are truly pathetic in order to boost your own self-esteem, then here are REAL singles ads.\*

**Got Milk?** Don't use a breast pump! Affectionate, hungry man, craves to be fed by a single lactating/pregnant female. I'm a long haired, clean shaven, musician poet, 41, very clean, caring, very oral, 5'10", 170, age/race/weight unimportant.

**Happy Healr.** attractive SJM could use a bright lady companion. I'm communicative.

**Bud Brownies Time.** Seeking nice lady into herb gardening, reading, writing, movies, other good stuff. I have a lot to share. Let's get together to chat and indulgence. The highlands await.

**Attractive Attorney.** Dazzling conversationalist. Arts. Very sophisticated, sweet, solid values. Pretty, nice figure, very sexy. 5'4", 113. Seeking pleasant, romantic SWPM, integrity, n/s, 43+.

**Hot Hispanic Bottom** seeks TS or passable TV for intimate fun, maybe more. I'm clean, d/d free, HIV-, in great shape, energetic. Well endowed a+ but not necessary, just desire to experience hot physical intimacy.

**Hungry Lady Sought** by easy-going, well-endowed, mixed race male. Extremely laid back. Please be orally gifted.

**Psalms 112 Man.** 40, 6'2", 205, attractive, athletic, anointed minister, bold, blunt, no kids, enjoys weightlifting, good conversation, seeking Proverbs 31 woman, attractive, athletic, no kids for fellowship, dating, working out. Let's worship God together.

**Wealthy Slave.** Wealthy, generous,

SEE PATHETIC, PAGE 10

## Attention

1ls and 2ls

*The Docket*

is looking for creative, brilliant people interested in committing a small amount of time in exchange for boundless prestige and immeasurable power.

No financial commitment.

Lose weight without diet, exercise, or pills.\*

Looking for a future editor-in-chief, managing editor, business manager, production manager, writers, etc.

Contact: [docket@lawnet.ucla.edu](mailto:docket@lawnet.ucla.edu)

\*No guarantees on the weight loss or the prestige and power.



# All I Really Needed to Know About Being a Lawyer, I Learned from a German Cannibal

Phil Lerch  
Columnist

Seeing as how this is the Valentine's Day issue of *The Docket*, I thought it would be especially poignant to write about a couple who managed to find true happiness with one another, against great odds. Of course, I am talking about the First Couple of the contemporary German criminal justice system, the recently incarcerated killer/cannibal Armin Mewes and the recently ingested computer programmer Bernd Brandes.

In case you were doing something else while this case was in the quasi-headlines, I'll give you a quick recap: this one creepy German guy named Mewes met another creepy German guy named Brandes on the internet, and then Mewes convinced Brandes to let Mewes kill and eventually eat him. (While I haven't bothered to check my facts, I'm pretty sure the judge decided the killing was consensual based on a video-tape Mewes made of the whole killing process. That distinction was somehow important under German law. Also, cannibalism is legal in Germany.) Some time afterwards, Mewes got caught. He was recently sentenced to a very reasonable 7 years in prison for

manslaughter.

Now, if you're like me, you look day and night for advice on how to be a better lawyer. And, luckily for us, the saga of Armin Mewes reads like a how-to primer on professional development. Because I care about you, and by extension about your career, I've summarized a few of the more important lessons below.

1. Knowing how to negotiate makes a big difference.

Whether it's for litigators who need to settle lawsuits or for transactional lawyers who need to close deals, being able to strike bargains that are favorable to their clients is an absolutely crucial skill for attorneys to develop. Moreover, regardless of what you think about the morality of the Mewes-Brandes agreement, you have to be impressed by Armin Mewes' bargaining skills: deals don't get much more one-sided than "we agree that I will kill and then eat you." So how can you put Armin Mewes' system to work for you? First, it's crucial to use your opening offer to control the frame of reference for the transaction. What does that mean? It's simple. Armin Mewes' opening offer probably wasn't "we agree that I will kill and then eat you." Instead, I'd imagine

Mewes' opening offer was something like "we agree that I will kill and then eat everyone in your neighborhood, including you." That way, even after substantial concessions by Mewes in the haggling process, Brandes would be left with the impression that he (Brandes) was the big winner. Mewes, in the meantime, still ended up getting everything he wanted out of the bargain. Second, it's equally important to be able to offer something that your adversary will want to acquire. For Bernd Brandes, it was as simple as finally being offered the opportunity to be delicious. In case your adversary is not seriously mentally and emotionally disturbed, you may have to put up a little more than that. But not *much* more, at least not at first; remember, you want to include as little as possible at first, so it's easy to sweeten the deal after you start negotiating.

2. Persistence pays off.

One time, I used some search engines and auction sites to look for a Gary Coleman poster. After spending a while trying different word combinations on Google and ebay, I completely gave up and didn't really think of it again until just now. So someone who is fairly computer-

literate (me) totally struck out in an attempt to find a mass-produced product featuring one of our nation's most beloved film and television stars via the world wide web. That little anecdote is important for two reasons. First, it is absolutely shameful that in this day and age it's so hard to find a Gary Coleman poster. Second, if you will assume (as I do) that it probably takes significantly longer to locate someone who is willing to be killed and eaten than it takes to locate a picture of a celebrity, then the magnitude of Armin Mewes' accomplishment becomes apparent. Seeing a challenge like that all the way through displays the kind of dogged tenacity that clients dream about. Trust me: if you can look your clients in the eyes and honestly tell them, "I am willing to do the lawyer-equivalent of finding someone who is willing to let you kill and then eat them," you've just secured yourself a repeat customer.

3. Get a large freezer

This final tip may be more important for the long-term storage of frozen human remains than it is for being a good lawyer. That being said, it couldn't possibly be a bad idea to have a large freezer.

## The Love Charm

Eugene Volokh  
Professor of Law

*originally published in a slightly different form in Legal Affairs, Sept./Oct. 2003*

In all of Los Angeles, there are only three reliable love charms. This is far too few for a city that needs many more. One was bought 20 years ago by a real estate developer, who is reputed to be deliriously happy. The less said about the second, the better. The third is the subject of this story.

Ellen Silber was a young associate in a downtown law firm. She had done well at Harvard, landed a prestigious clerkship with a federal appellate judge, and started practicing at age 25, making \$165,000 a year.

The hours were long, but Ellen liked the work and felt confident in her talents. Nor did she feel that the job compromised her morally: She went into law partly because she liked the idea of organizing life around a set of rules, and she was happy to be an honest cog in the legal machine. At 30, she was a few years from being considered for partner; but when she told her friends that she wasn't sure about her prospects, it was mostly a show of humility coupled with a slightly superstitious nature. Deep down she knew she would succeed, as she had at nearly everything else.

Ellen, however, was not successful at love. She was not unsuccessful at it: She had had lovers, and still remembered some of them fondly. Her heartbreaks were few, and faded fast. She was ambivalent about marriage and children, so the possibility of never finding Mr. Right led to mild concern rather than terror. She had a modest but adequate number of good friends, modest but adequate occasional flings, and a more than modest house in the Hollywood Hills.

But over the years, Ellen realized she found it hard to get really excited about a lover. She met many smart, successful men, but with each she felt something was missing—they looked good on paper, but she just didn't feel enough of a spark. She

had considered that she might be too picky, but considering this didn't make the pickiness go away: The few times she talked herself into liking someone proved disastrous.

Then, two weeks after her 30th birthday, her best friend Michael died. Michael had been fighting cancer on and off since childhood. Ellen became close with him when they were classmates in ninth grade and he was very sick. Befriending him seemed like the right thing to do, though they had little in common; but after he got well, she found that his kindness and cheerfulness made him a perfect confidante, and over the years they stayed close. One reason she returned to Los Angeles after law school was that Michael lived in L.A., with his wife Janet.

Ellen was very serious about being loyal to her friends, but she was a woman of few illusions, and she knew that Michael had been no great catch. His illness, which seemed likely to recur, would itself have given some prospective wives pause; but beyond that, he wasn't especially attractive, ambitious, funny, or even intelligent. He had a high school education and worked as a night manager at a Denny's.

Janet, on the other hand, was beautiful and brilliant—when Michael died, she had just gotten her biochemistry Ph.D. One need not be a cynic to realize that such marriages are rare, even when the man is as sweet as Michael. Nonetheless, though Janet was far less kind and forgiving than Michael, both seemed crazy about each other. Janet's love for Michael was a pleasant mystery to Ellen, a little romantic miracle; contemplating it warmed her heart.

Shortly after the funeral, their mutual friend Bob gave Ellen a package that Michael had entrusted into Bob's care. Ellen was surprised that the package contained, of all things, a small salt-and-pepper-shaker set. Each shaker was a gavel, with the holes of one arranged in a

letter "S" and the holes of the other in a "P." This is a present to give a lawyer for a housewarming, not something a dying man gives his closest friend as a keepsake. "Do not use until you get further instructions," the attached note enigmatically ordered.

Then, a few weeks later, she got an e-mail through one of those Internet services that lets you send reminders to yourself or to friends on a particular future day. The e-mail read:

*Dear Ellen:*

*Sorry for this message from beyond the grave; even death is more complex in the Cyberspace Age. By now we will have said our goodbyes, so I'll get to the point. I've had more happiness*

*in seven years with Janet than most men have in their whole lives, and I owe it all to a love charm I bought from a gypsy woman (how cliché) who owns an antique shop: the salt and pepper shakers that Bob should have given you.*

*I was insane about Janet at the time—remember my crying into the soup about her at Empress Pavilion—and would have done anything to get her; and, sure enough, as soon as I smuggled some salt and pepper from the shakers onto her plate (I won't tell you the lengths to*

SEE CHARM, PAGE 12

Stu's Views

© 2003 Stu All Rights Reserved www.STUS.com





# Music Review - What's Your Genre

## Radio Renaissance

103.1 has changed from the make-you-want-to-puke dance station to Indie 103 – alternative rock. For those too young for Morning Becomes Eclectic's mellowness, too old for KXLU's college noise, and with an attention span too long for K-ROQ, the new Indie's playlist is like manna from heaven for rock fans. They've been heard playing everything from The Pixies, Iggy Pop to less-than-mainstream newcomers like The Faint and Black Rebel Motorcycle Club. So, what freewheeling young entrepreneur had the balls to compete in the volatile sink or swim world of corporate radio? None other than Clear Channel. Clear Channel? The corporate behemoth that has become so large that the federal government has to pretend to be launching antitrust investigations? That can't be. They say "your independent radio station" between almost every song. The kicker is that Clear Channel doesn't actually OWN the station. That would be a violation of federal rules on how many stations one company can own in one city. Instead Clear Channel merely sell the ads. Merely sell the ads!? Doesn't that mean they are profiting? Doesn't that mean they could easily bankrupt the station? Yes, but as long as they do not have influence over the playlist, they've beaten the rules.

Do they have influence over the playlist? Certainly not on paper but circumstantial evidence indicates yes. I hope the regulators don't start sniffing around so long as they still play lesser-known Clash songs. The programming director was brought in from another Clear Channel station likely with marching orders to steal K-ROQ listeners. Executives at K-ROQ (which is owned by a much smaller radio conglomerate) have got to be in disbelief at having their listeners poached by Clear Channel posing as an

independent. In truth, the most Indie 103.1 will ever do is poach a few listeners. People like me are just barely beginning to constitute a demographic. Meanwhile K-ROQ is a powerhouse that has a profound influence on rock station playlists all over the country. The real goal of Clear Channel is likely to take enough listeners away from K-ROQ so that Clear Channel's TOP 40 station KIIS has a better shot at being #1 overall in Los Angeles. One LA Weekly reporter likened it to a Ralph Nader effect. How apropos given the nature of the poached listeners. Before, KIIS Top 40 listeners were being poached by the make-you-want-to-puke dance station mentioned above. The good thing about this particular set of radio politics is that Indie 103 is not about profits. As long as listeners are not listening to K-ROQ and wouldn't have been listening to KIIS, Clear Channel is happy. So far, they've kept the commercials to a minimum and instituted commercial-free Mondays. K-ROQ has reacted to the sudden threat by playing lots of Pearl Jam. Indie 103 is doing the same thing. When in doubt, everyone play Pearl Jam. That's okay. I play Pearl Jam during uncertain times too.

More Good Radio News

I recently became a Sirius Satellite Radio subscriber. With this came the discovery that my life had been completely empty before. Now I have 106 channels of commercial-free radio. I have a menu that allows me to scroll the through what's playing on all the stations by artist or song title. Rock stations, dance stations, news, sports, jazz, hip hop, latin, more rock, classic rock, deeper classic rock, and even deeper classic rock. The choices are endless. Yes, I sound like a commercial but no, I'm not getting paid and I don't have any money invested in the company.

Did I mention NO commercials? After purchasing the unit, the home kit, and the car kit, I pay only \$13 a month. That's two drinks in a bar. XM, the competitor satellite radio service, is only \$10 a month but with the commercials. Friends tell me that there aren't many commercials on XM but I don't like that they reserve the right to put in more. Radio is so relaxing without commercials on many levels. I e-mailed a programming suggestion. Within 24 hours I received a non-form response. They thanked me for suggesting what I suggested (rephrased and not cut and pasted). They went on to let me know that they rely on people like me the listener to tell them what they should play because they have no advertisers. They're listening to ME, the listener. I think I actually believe them.

The other day I found myself driving an extra 2 miles to avoid a tunnel so Otis Redding wouldn't cut out. The technology survives under highway overpasses but sadly cuts out in tunnels and garages. I apologize to anyone I've inconvenienced by stopping at the entrance to Lot 3. You have to understand, it was the Yardbirds. I promise I'll wait elsewhere from now on. It works perfectly in my apartment complex. I can also access it via the web but there is as of yet no portability.

Disco, clean comedy, uncensored comedy, Court TV, hard rock, planet dance, NPR, the 50s, the 60s, the 70s, the 80s, bluegrass, street beat, classic radio shows, love songs aka the sex channel, hair nation, blues, classic jazz, swing, Mexicana, the wisdom channel, the wisdom channel? Left wing talk, right wing talk, reggae, folk, jam bands, BBC, sports action, alt nation, world music, chill sounds. I'm never leaving my apartment again!

## Album Reviews

### Pearl Jam

#### Lost Dogs: Rarities & B-Sides

This two-disc collection contains previously unreleased tracks that either didn't make the final cut for their respective albums, were only available to the fan club, or were recorded for charity compilations. The liner notes reveal the album era during which each song was recorded along with some commentary. Included are radio hits "Yellow Leadbetter", "Leavin' Here", and "Last Kiss". If you think "Last Kiss" is out of place in the PJ catalog, wait until you here the surf guitars riffs on "Gremmie Out of Control". Some of the lost dogs are real gems. Others reveal why they didn't make the final cut for their albums. Non PJ aficionados could probably skip this compilation. But, if you are like me and you ask "what would Eddie Vedder do?" when confronted with an ethical dilemma, then you won't be disappointed.

### The Shins

#### Chutes Too Narrow

Beautifully intelligent pop moments permeate this album. These four guys wrote songs of such musical and lyrical depth that I pictured them in a rainy town in the Pacific Northwest. It turns out they are from Albuquerque. Maybe that explains why the music evokes less depression and apathy and more of a calm

sadness with the state of the modern world and love. But it's still pop with a brilliant melodic sensibility. Added to that are meaningful lyrics like "when our kite lines first crossed we tied them into knots and to finally fly apart we had to cut them off" on "Pink Bullets". Also, "our lust for life had gone away with the rent we hated and because it made no money nobody saved no one's life" on "So Says I". This is the type of album that lives with you for a month. You don't leave home without it and you immediately return it to the CD player when you get back. Those are hard to come by.

### DFA

#### Compilation #1

Indie rock fans who like disaffected vocals, sonic guitars, and weird computer noises now have something they can exercise to. This compilation from the Brooklyn production team that brought us the Rapture's "House of Jealous Lovers" provides needed dance tracks for those who cannot stomach Kylie Minogue while trying to keep the heart rate up. While not every track keeps the beat, it's much easier than making your own compilation out the few fast songs Elvis Costello left us. Let's hope titling this album #1 means #2 is forthcoming.

### Sun Kil Moon

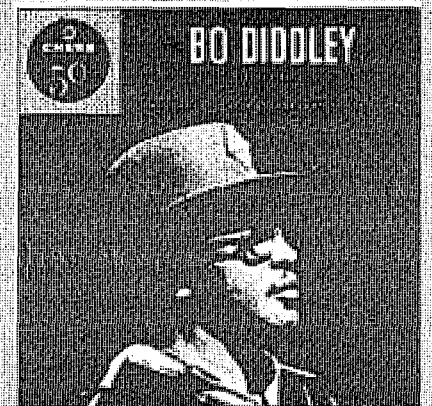
#### Ghosts of the Great Highway



This folk rock album starts slow, stays slow, gets slower, rocks once, and then goes back to slow. Mark Kozelek, formerly of the Red House Painters, has a soothing voice. But that voice can feel drony at times over the acoustic guitars. "Lily and Parrots" breaks the monotony with an electronic guitar and a faster beat. Sadly, it's the only memorable song on the album. Kozelek is telling stories but my attention span is too short to follow. I already spend too much of my day struggling to pay attention. This album is recommended for anyone trying to fall asleep.

### Ten Benson

## Bo Diddley Plays House of Blues



Who invented Rock n Roll? Let Chuck Berry, Little Richard, and Chubby Checker duke it out in a room in Memphis with their walkers and canes. Bo Diddley, the real originator, won't be there. He can't afford the flight. Never having received the appropriate recognition and having been ripped off countless times by the record industry, this living legend needs to work for his money. He lives modestly in Florida, unappreciated for the enormity of his musical contributions. I, however, give him proper credit in my head. I know he started it all by playing his guitar as if it were a drum.

Diddley layered rhythms, mixing Afro-Cuban stomps and Mississippi delta blues to "voila" create rock and roll. His signature "Bo Diddley Beat" became a foundational pattern for decades of music to come. It's basically a chunk ka-chunk, chunk pattern audible in his classic "Before You Accuse Me" later made popular by Eric Clapton.

When I heard he was coming to the House of Blues, I bought tickets immediately to guarantee my entry. Sadly, the room was only 2/3 full. Those there fully appreciated what was before us. Sitting down on stage, a pinched nerve in his leg, bandages on his arm from a fire, the 75-year old rhythm genius delivered the goods. He kept it slower than I prefer but came through with classics like "I'm a Man, spelled M-A-N", "You can't Judge a Book by It's Cover", and "Who Do You Love" covered by the Doors. He energetically strummed his guitar for a man his age, suffering his ailments. He was just as excited to be there as the audience was. I'm sorry to say that if you weren't there, you may have just missed this live show for good. If you are curious, I highly recommend the compilation, *His Beat: The Chess 50th Anniversary Collection*.

### Benson Burner

If you wish you knew of more bands that sound like AC/DC (even though AC/DC still puts out albums with their same sound) then Ten Benson is for you. Heavy riffs and transparent teenage boy lyrics permeate this tribute to white trash living. Musically it's good fun classic heavy rock. Somewhere ZZ Top is proud to have influenced this. But lyrically the songs don't go deeper than "Teenage Tits". At least that one makes more sense than "I am the Robot Tourist". At least they didn't try to unironically revive hair metal like fellow Brits The Darkness. This album is a guilty pleasure.

## PRO

## FROM PAGE 2

people.

There is no question that there was a massive intelligence failure spanning more than a decade. This failure is not specific only to Iraq. It turns out that both Libya and Iran had nuclear weapons programs that were more advanced than the CIA recognized. That concerns me far more than anything else. In this era of terrorism, intelligence is our greatest ally. It is also our weakest link. Unfortunately, the CIA is not an organization that can be fixed with money alone. It is going to take years to get it back on track. Some dumb politician (it might have been Ford or Carter—I'm really not sure) decided that the CIA should not associate with questionable characters when spying. That was completely irresponsible and now the CIA relies mostly on technological spying, which is inept against terrorists.

The war in Iraq has already reaped some collateral dividends. Libya is indicating that it would like to rejoin the civilized world. Suddenly, a dictator that defied the international community for decades makes a deal with the U.S. that allows inspectors to find and destroy his WMDs. Notice that neither the French nor the Germans were involved in that deal. Similarly, Iran is also showing concern about US intervention and making an effort to allow oversight of their nuclear activities.

The war in Iraq has reminded the world that there can be accountability mechanisms that go beyond the stern finger wagging reprimands of our previous administrations. It has also revealed to us how poor our intelligence services are. If Bush had chosen to remain with the status quo, I have no doubt we would still be discussing the U.N. inspectors and we would still be under the belief that Saddam had WMDs. This war has allowed us to regain some of the credibility we lost by playing the inspections game with the likes of Saddam and the turn and run game in Somalia and Lebanon. Consequently, I believe that we made the correct choices. Instead of getting excited in a Jacuzzi thinking about the next young girl he could rape, Saddam will spend his remaining days as a symbol of how quickly one can fall from power when they refuse to comply with the demands of the United States of America.

## REPRINT October 2002

When discussing whether to go to war with Iraq I think it is important to consider the current threats to the U.S. and the changing nature of our enemies. The current threat to our Nation primarily comes from the ranks of Militant Islam, whose subscribers have a hatred for the U.S. which has the force of religious conviction. This hatred manifested itself in the terrible events of 9/11, which I believe stands as a prime example of the potential devastating consequences of waiting to be hit before deciding to go to war.

The nature of this unique threat changes the rules of when and when not to go to war. Because Militant Islamists are not rational and therefore do not respond to the deterrents that worked in the past, a new strategy is necessary to combat them. In response to 9/11, the President announced a new policy that has become known as the "Bush Doctrine." It states that, as a categorical rule, those who participate in terrorism or shield terrorists will be treated the same, meaning both will be destroyed. The doctrine was not qualified by the political niceties of the

State Department. As a result, it provides the moral clarity necessary to wage a successful war against such a determined foe.

You might ask: what does all this have to do with a war against Iraq? Well, in my humble opinion, everything. Iraq is a terrorist state hell-bent on acquiring weapons of mass destruction (WMD) and conquering the world. Saddam Hussein has a dangerous and disturbing history. He is determined to arm himself to the teeth. In 1981, he was building a nuclear reactor, the production of which was artificially cut short by the U.N. condemned Israeli pre-emptive strike. If not for that act of foresight, the U.S. and the world would have had to face a nuclear armed Saddam. He has stockpiles of chemical and biological weapons including nerve gas and smallpox. He is instinctively aggressive waging wars of conquest in Iran and Kuwait while ruling his country with an iron fist—killing his own family members if they dare to cross him. He has used poison gas on his own people and his army committed heinous atrocities in Iran and Kuwait. In addition, to keep some influence in the terrorist world, he pays money to the families of homicide bombers creating a perverse incentive to murder civilians.

All of which leads me to believe that Saddam cannot be allowed to have nuclear weapons or any other weapons of mass destruction. The only real opposition to this notion is that deterrence can work and therefore containment is possible even with a nuclear armed Saddam Hussein. The majority of Americans are simply not willing to take that risk. Imagine living in a world where an evil tyrant like Saddam has devastating weapon like nuclear bombs and strategic biological weapons. With these weapons he would threaten the entire free world. Beyond being likely to use these weapons himself, he may share them with the Islamic terrorists who are his natural allies against the American "devil." I have no doubt that they will use them. Consequently, his ability to develop nuclear weapons must be "pre-empted" and his current stockpiles must be destroyed.

So what is pre-emption? I would define it as attacking and disabling or destroying a known enemy before he gains the capacity to do terrible harm to you. We have all painfully learned the consequences of inaction or half-assed action. The bombing on 9/11 was not Al-Qaeda's first bombing or even first bombing attempt at the World Trade Center. Still, we were complacent. We fired a few missiles at empty tents and a pharmaceutical factory. All to no avail. We, as a nation, literally woke up to the terrorist threat we now face. As a result, we will not wait for the danger to manifest itself into action before we react because that smoking gun could be the destruction of New York City or Los Angeles. The potential damage is so devastating that it demands pre-emptive action in order to avert it.

As I have mentioned before, there are really only two choices here: prevent Saddam from developing more weapons of mass destruction or live in a world where he has such weapons. Even France believes that pre-emptive action must be taken. It is the parameters of such action where all but the eternally delusional Liberal or Academic (sometimes I confuse the two) finds disagreement. To my liberal

SEE PRO, PAGE 14

## CON

## FROM PAGE 2

mentioning 9/11. He continues to refer to the invasion of Iraq as part of his amorphous "war on terror." It is anything but. Iraq under Saddam was a secular state opposed to Islamic fundamentalism and an enemy of Al Qaeda. Iraq was our enemy, to be sure, but was not a terrorist state. Calling the invasion the "war on terror" is an ongoing lie.

Critics warned that the war would draw military, financial and political resources away from the real war on terrorism and would super-charge recruiting for terrorist organizations. Now the support we enjoyed world-wide after 9/11 is gone, Osama is still free, the Taliban are re-emerging in Afghanistan, and our soldiers are dying on a daily basis in Iraq. The President did not mention Osama's name at all in his State of the Union. Strange given the emphasis on the "war on terror" not to mention that particular name. Remember him, that other bearded guy that actually attacked us on 9/11? Apparently the President does not.

The total cost of the war could top \$100 billion—none of it spent fighting terrorism. This invasion has made us less safe due to the over-extension of our military, political, and financial resources—not exactly a lesson we should have drawn from being attacked on 9/11. Feel safer yet?

## 4. UN Resolutions

The President claimed that not invading was "weakening the United Nations and encouraging defiance by dictators around the world." So we did this to strengthen the UN system? States are required under the UN charter to refrain from the use of force in the absence of either an armed attack or prior authorization from the Security Council. The Security Council refused to authorize the invasion. The President recognized this in his State of the Union address when he stated that "America will never seek a permission slip to defend the security of our people." That "permission slip" was definitely not given—the invasion was a breach of the UN charter. Some might argue "so what?" Well, last year I mentioned 3 retired four-star generals who warned "attacking Iraq without a United Nations resolution supporting military action could limit aid from allies, energize recruiting for Al Qaeda and undermine America's long-term diplomatic and economic interests." Rather than strengthen the UN the President has

weakened the entire international system and made the US a pariah nation, enraging not just the Islamic world, but many of our oldest and most dependable allies. It has undermined our long-term diplomatic interests. We didn't need a permission slip—we needed to *not invade*. That we did in the face of worldwide disapproval threatens the security of our people. Feel safer yet?

## 5. Easy, quick, and decisive

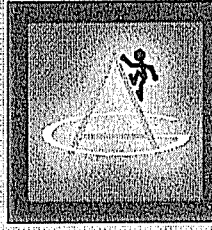
Last year I wrote that "Success against the Iraqi military is a certainty.... We need to be certain, however, that such a change would result in a safer world. That is the test for success, not removing Saddam.... If war with Iraq is worth U.S. blood and treasure, it is worth establishing and articulating a desired political end, and a plan for the political consolidation of our military success. We must not take the first step until we have thought our strategy through to the last step.... this has not been done."

There was a window of opportunity immediately after the fall of Saddam where we could and should have consolidated our position and built support among the Iraqis. It is now clear that the administration failed to plan for post-war Iraq, making mistakes such as disbanding the Iraqi army with no thought as to the consequences (guess who many of the current attackers are?), or failing to restore law and order in the first few weeks after the invasion. We needed more troops to successfully occupy Iraq and begin reconstruction, just as the military experts warned. The President ignored his professional military advisors and now we are engaged in a protracted guerrilla war. The President alone is responsible for this failure and should be held accountable. As I write this six soldiers died yesterday in Iraq, 7 today in Afghanistan. Do you feel safer yet?

## 6. Saddam is a bad guy

Now the strongest argument—that we invaded because Saddam was an "evil-doer." Does it make our nation safer to invade every nation that doesn't have leadership that is to our liking, absent a viable and imminent threat to us? And it still confuses me that if the reason we really invaded was to remove a bad guy, we continue to support bastions of freedom and democracy such as Saudi Arabia, Turkmenistan, Tajikistan, and on

SEE CON, PAGE 15



**Alan Goodwin, J.D., Ph.D.**  
**Psychotherapy & Executive Coach**  
 Bd. of Psych # PSY19421 CA Bar # 156717

**Short-Term Targeted Solution-Focused**

Socratic Classroom Anxiety	Self-Doubt
Class Preparation Difficulties	Depressive Symptoms
Relationship Challenges	Irritability
Career Uncertainty	Generalized/Other Anxiety

---

**310-927-6966**  
 Century City adjacent location  
[www.DrAlanGoodwin.com](http://www.DrAlanGoodwin.com)



## BALL

FROM PAGE 5

Lumbada I would be forever indebted, salsa, rumba, waltz, head bob it doesn't matter, just dance. That said: I wouldn't go on the dance floor. That's just weird and lame. No matter how drunk you are, that's just not cool.

Take it from me. I was grooving to Brickhouse on the dance floor last year and it felt like a bad wedding. In fact, I danced to that same song with my aunt at my cousin's wedding. That's just weird. But even at prom it's a good idea to try stuff that just might not pan out, cause every once in a while, good things happen to bad people. For example, as I am wondering how I would make my escape back to the bar, I spotted this hot chick across the room. She must have been some 3 feet away but I could tell she was digging me. She was giving me that look. You know the one. The, "Hey you, yah you, I know you're a stud. You may be too pussy to call your 4<sup>th</sup> grade crush on the phone to ask her if she "wants to 'Go' but I'm not, so come over here and throw down" look. But I was in a bind. My dance-partner (everyone has to have a "dance-partner," you'll see) who we'll call, hot chick in black, was right between me and the hot chick in red. So when hot chick in black wasn't looking, I gave hot chick in red the old winky wink with both eyes at once like you can't actually wink, but you totally can. She melted like chocolate ice cream. Works every time.

Step 10. Dinner is dangerous. It may take only a few drinks to get a buzz, but to keep a buzz you gotta work harder than Anna Nicole Smith on . . . crack? I don't know. So it's back to the bar (i.e. my flask of nail polish remover – UH that's smooth, Woooh!).

Step 11. So where was I. I can't remember what happened next. I was walking my date down to her car and then I went back up, then down, no up. Then everyone started jaywalking. Craziness. It was like Armageddon. Law student's everywhere. Black, White, Indian, Jamaican. Actually, no. I'm pretty sure they were all white. And we all headed over to this Mexican bar. And I don't mean like resort town-Mexican, I mean real Mexican-Mexican. There must have been 500 people packed in that place and I don't even think anyone noticed us. You know, no one realizes how similar Salsa and the Roger Rabbit are until you try doing the Roger Rabbit with a big ass salsa dancer. Left, right, ball and chain, Left, right, ball and chain. See Step 12 for the point.

Step 12. Let me digress real quick. You know how everyone cries about law school being like High School? "Oh my god! Boo hoo! Oh my god! Law school is just like High School!"

Well, it's redemption time. Law school is to High School as law school prom is to freaking high school prom man! Dude! Now is when being like high school is sweet! PROM!!!! Woooooooh!!! The point is (see) I don't care if you go to the Prom or stay home and watch reruns of the Left Wing playing Hearts on Bravo, but if you want to participate in a rowdy good time or learn how to spell, go to the prom!

Finally, I'd like to point out that steroids in baseball are bad.

Thus, in short, *The Docket* will print anything. (Ed. Note: Well there is this whole freedom of the press etc. thing we like to support. It's some sort of law thingy, but we're not particularly up on it.)

## MEN

FROM PAGE 6

to meet this challenge, as well as all the other demanding policy questions in the world today. Personally, I just don't have it in me and, after all the time I spent researching this article, I really don't see it being productive. Perhaps I have just moved past the stage of "Anger" into the next step of "Acceptance." Unfortunately, I think I am on the 12-step program to spinsterhood.

As I'm too apathetic to choose the "Less Impress" plan and my current personality functions as an oral contraceptive, I'm just going to embrace the single life I have ahead of me. I'm buying a Chihuahua and naming him "Manny." He'll be quiet, dumb, cute as hell, sleep at the foot of my bed, shit outside the house, and fit in my purse. After the findings of this article, this seems the only plac

<sup>1</sup> *With the Valentine's Day edition of the Docket, it seems my fellow law students expected some sort of Valentine rant, tearing apart everything relating to love, from those annoying little conversational hearts to all the fat engagement rings descending upon the law school like locusts. I'm sorry to disappoint, but obviously I decided to dedicate myself to a much more serious journalistic piece.*

<sup>2</sup> *This was, in fact, a burdensome endeavor. Many drinks and many frank conversations lead to the writing of this article so that other women could be spared the agony of talking to men about their feelings about women for extended periods of time. Contrary to popular belief, 1) there is a limit to the amount of times you can discuss the importance of breast size in one conversation, and 2) the phrase "don't get me wrong" does not in fact make what you say following it right. Although the research was painful at times for the author, no animals or men were harmed in the writing of this article.*

## BLOG

FROM PAGE 3

political, philosophical, and, yes, legal debate.

In fact law related blogs have a disproportionate representation in the 'blogosphere'. Glenn Reynolds, a law professor at the University of Tennessee, maintains probably the most popular and influential blog, Instapundit (<http://www.instapundit.com>), where he writes on topics ranging from the war in Iraq to the election, from metrosexuality to rock and roll.

Closer to home and rivaling Instapundit in popularity and influence is Professor Eugene Volokh's blog, The Volokh Conspiracy (<http://volokh.com>). Professor Volokh is joined by a band of co-conspirators, including his brother, posting daily on an equally impressive range of subjects. Volokh is also fond of posing brainteasers to his audience, often relating to geography and language trivia. Professor Stephen Bainbridge (<http://www.professorbainbridge.com>) has become a recognized contributor to the blogosphere. His content is skewed mainly toward politics, corporate law, and other legal disciplines, but Bainbridge also devotes space to discussion of religion and wine reviews and suggestions. Both Professors Lawrence Lessig of Stanford and Lawrence Solum of San Diego University are having their say on the web (<http://www.lessig.org/blog/> and [Y&R](http://</a></p>
</div>
<div data-bbox=)

FROM PAGE 5

Ashton comes out of the bathroom and I hand him the ID. So, Ashton, how old are you? He laughs and says he's 20. Pretty funny, Ashton.

Whatever, let's be honest. I was just glad he wasn't 17. I've never been one to discriminate. As I see it, age ain't nothin' but a number. As long as we keep within the confines of the law, it's on like Donkey Kong.

However, just because I may not care about how old he is, it doesn't mean his age does not provide a source of endless jokes. When I tell my friends about my new, younger playmate, they all want to make fun. This is because they are clearly just jealous.

Actually, we've discussed age limits before, both younger and older. My cut-off is obviously 18 years old. Most of my girlfriends wouldn't date a guy who was more than 2 years younger. But the difference is, I am not trying to date this kid. We are just going to discover the universe together.

I've noticed that younger guys tend to get easily confused. Ashton has confused lust with love. He "feel(s) something when we're together." He wants my friends to all go out with his friends. He calls me on Sunday afternoons to hang out at the Santa Monica pier. Ashton, Ashton, Ashton. Aren't you cute. You think I want to be your girlfriend.

Ashton: What you "feel" is the excitement in your pants; There's no way I'd bring you around my friends, no matter how hot you are; And the only time of the week we can hang out is late-night weekends. Take up my treasured Sundays? Please.

So why do I carry on with a 20 year old I wouldn't date? It's simple, really. Ashton's like the Energizer bunny. So when you are ready to make fun of a girl willing to hang out with or even date a younger guy, remember that she has the last laugh.

[solum.blogspot.com/](http://solum.blogspot.com/) respectively), and an attorney in Philadelphia named Howard Bashman provides copious notes on legal news at the appellate level through How Appealing (<http://appellateblog.blogspot.com/>).

Students, not to be outdone by their professors, are well represented in the blogosphere. Phil Carter, a 3L here at UCLAW, casts a formidable shadow in the form of his Intel Dump (<http://philcarter.blogspot.com/>), where he provides both the inside scoop as a former army officer and the cred of an actual journalism background. Rory Miller spares no one his wrath in his guise as the Angry Clam ([http://angryclam.blogspot.com](http://angryclam.blogspot.com/)). Liberals and those opposed to sharp speech beware; Rory pulls no punches.

This roll call represents only the tip of the iceberg. For every conceivable human undertaking, there will almost certainly be a blog maintained by an enthusiast. For every demographic, for every interest group, for every fetish, you too can be regularly updated on the goings-on as well as connected to a network of like-minded individuals. The key to all of this, of course, lies in finding these bloggers and their homes on the web. As the influence of blogs grows, and as the mainstream media come to recognize the advantages in the format – and co-opt it for their own use, blogger profiles will

## PATHETIC

FROM PAGE 6

reliable professional male seeks to serve very attractive lady or couple. Gourmet cooking, shopping, entertaining, house-cleaning, etc. Extremely submissive, eager to please and serve.

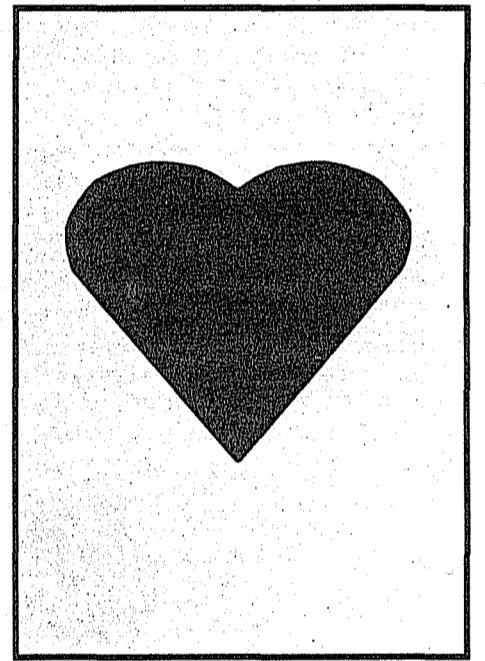
**Worship Male Feet.** Looking for guys to surrender their feet to me to smell, lick, suck, massage, worship. Latin guys a+.

**Swedish Blonde, Ex-Stunt Woman.** 40s, worked many film in Europe. Lost leg in motorcycle crash. Wants happy athletic wild man. Will stump you silly. (Author's note: She's been looking for at least a year!)

**Massage My Bi-Wife.** Couples and single guys welcome for a free full-body massage. The more hands, the better. Call for more details. (Author's note: this ad has been in the LA Weekly for years. Will somebody please just make the sacrifice and get a damn massage already.)

Happy Valentine's Day!

\*Editor's Note: If you recognize your own ad in the above, please do not be offended. There is something to be said for making the top 11 most pathetic personal ads in the LA Weekly. You should be proud.



rise, and these tiny media barons may become household names.

The blog is not without its critics. The absence of any kind of editorial filter is one of the most common faults. And at times the blogosphere comes to resemble a kind of echo-chamber within which the tiny tapping of keys can sound like cannon fire. Howard Dean has been chastened for listening and responding too much to the noise from his own blog readership, by its nature a self-selecting group not representative of the nation as a whole. Analysts have posited this sampling error as one cause of Dean's relatively poor performance in the Iowa caucus and New Hampshire primary.

The medium is still in its infancy. Time will bring sophistication to the format. The well-produced blogs will gain notoriety and set a standard for others to follow. The insular nature of the blogosphere will open up with increased awareness and acceptance. In the meantime, anyone with a credit card, internet access and something to say can set up a home on the web. The distributed involvement of blogging gives people access to voices otherwise absent in the mainstream news media. A diversity of viewpoints has been a feature of the American experience since the birth of the nation. Blogs bring this feature into the 21<sup>st</sup> century.

## HONOR

### FROM PAGE 4

necessary. A judge is honorable because even though an incorrect outcome may be at stake, the judge is in the unenviable position of favoring form over substance. Playing by the rules is paramount.

Honor requires playing by the rules even when it would result in a loss. If a despicable criminal walks because of inadmissible evidence, the judge retains his honor. When faced with failing or cheating in law school, which do you choose knowing that you can't get caught? This is the honor code. A boxer who throws low blows or bites ears while the referee is not watching is a dishonorable fighter. When a vow has been made to follow the rules, flaunting the rules to win will only result in a dishonorable victory.

In our society, too much emphasis is placed on subjective definitions of justice while objective honor, pursuing justice in a just way, is forgotten.

Many have been the Supreme Court cases I read that are filled with politics, bending concepts in unimaginable ways to fabricate favorable outcomes. The honorable thing to do is to apply the law using a set rule of construction and leave the unfavorable outcomes for politicians to fix. Application of law should not be

about policy and politics. Justice may or may not be served depending on personal political views, but honor can be preserved.

George Washington foretells the importance of honor and forebodes the lack of it in his farewell speech, "If in the opinion of the people the distribution or modification of the constitutional powers be in any particular wrong, let it be corrected by an amendment in the way which the Constitution designates. But let there be no change by usurpation; for though this in one instance may be the instrument of good, it is the customary weapon by which free governments are destroyed." The last "it" is not "usurpation," "it" is "change by usurpation" as opposed to change by the way which the rules designate. "It" refers to dishonor. The lack of honor may be an instrument of good, but it is the weapon by which free governments are destroyed, cautions Washington.

As lawyers we strive to defend truth, justice, and freedom. But we must have caution not to fall prey to subtle, seductive lapses of honor along the way. Learn from the Japanese Emperor's mistake, stand up for your cause without compromising honor.

## MATCH

### FROM PAGE 6

of the test. I found it really hard to pinpoint which picture of a girl would find me attractive. I don't even know exactly what I find attractive and now they want me to get in the mind of a girl in a picture. I did not get it. Hopefully that aspect does not weigh heavily in the outcomes.

After you take the test in its entirety, your results are processed and you are supplied with a sheet that details what types of women you would like (or men as the case may be). The results packet goes through your likes and dislikes generally and then focuses on age, ethnicity, face and chin shape, eyes and glasses, noses, lips and smiles, hair and body types.

The results were the most powerful. I know it is tough to believe, but according to the physical attraction test, I like "very beautiful women." Stop the presses! I want to buy stock in the company that developed this study. Without question, the test was nearing the predictive power of a Magic 8-Ball. With these results, I felt

certain that the test had some substance and continued to view my profile.

In the section describing "My Type," I was informed that I like curly hair, straight hair, long hair and medium hair. It is good to know that I have a discriminating eye. I also found out that I like "thick lips." So ladies, if you have not recently found a friend in Collagen this might be a good time to get started. The test also informed me that I am not really attracted to women over 40. This is a huge relief because I am sure that dating a woman over 40 would really ruin the song "Mrs. Robinson" forever. Since I like that song, and *The Graduate* for that matter, I think I will follow the sage advice of Match.com and steer clear of women over 40.

The interesting stuff that is harder for me to evaluate are the results that I like "sharp, narrow chins" and "either diamond or heart shaped" faces. I am still unclear on the angular chin thing or the different shapes of faces. They showed some

## REAL

### FROM PAGE 4

come your way.

Also, don't hesitate to diversify while you are working. Say you are hired by an insurance defense law firm but you want to be a music lawyer. Ask your firm if you can commit a set number of hours per year to pro bono work for new bands. If you promise that this will not reduce your availability to do billable work for your firm, the firm will be more likely to agree.

#### Dear Real Lawyer:

I have a bunch of relatives who are always asking me for legal advice. I'm a second year and I'm really busy. If I responded to all of their requests, I wouldn't be able to do everything I need to do for myself. What should I do?

#### From the Real Lawyer:

I've had similar experiences with my own family. The thing to recognize is that you cannot legally practice law until you are admitted to the bar. Sounds like a hyper-technical weasel-out, I know. But by giving legal advice to family members, both of you are at risk. The family member is at risk because, though your legal knowledge has grown substantially since before law school, there is a huge amount that you do not know.

For example, when you are asked to

review a contract, the real issue is almost never "was there consideration?" or "how does the mailbox rule apply?" It is more likely to be "who should indemnify who and for how much?" or "would you normally expect a wire transfer as opposed to a certified check?" So please do not take offense, but your family is at risk to receive ineffective legal counsel. If they really need a lawyer, they should hire one with experience in the field they need.

But how do you tell you family that you won't help them? This is where you disclose the risk to you of giving legal advice. Tell them that you will be required to sign forms for your application to the bar and for malpractice insurance coverage when you start working. These forms may well ask if you provided any legal advice prior to obtaining your license to practice.

If you answer "yes," your bar admission could be delayed and your insurance coverage could be more expensive and/or less comprehensive. These would be unfortunate beginnings to your legal career. This is not to say that you shouldn't help your family at all. Offer to help them find a lawyer and offer to participate with them as they consult with the lawyer they hire.

## SUCCESS

### FROM PAGE 3

he was a student here at UCLAW. His vast experience as a public servant (from Judge to California Assemblyman, to Congressman) was not only a reflection of his excellent UCLAW education, but it was also a testament to the great things one can do in intellectual property with almost no technical background. Though it surely wouldn't have hurt, Rogan went all the way to becoming the Undersecretary for the United States Patent and Trademark office with no technical experience.

We can only hope that the keynote speakers of the future, highlighting different aspects and changes in the intellectual property industry, will be as informational and entertaining as this year's. JOLT would like to especially thank James Rogan for attending.

In addition, JOLT would like to thank the many firms for their generous support of the UCLAW students and the Journal of Law and Technology. Our Gold sponsors in-

cluded: Cooley Godward, Gray Cary, Irell & Manella, Kirkland & Ellis, Knobbe, Martens, Olson & Bear, Mitchell, Silverberg & Knupp, O'Melveny & Myers, Paul Hastings, and Pillsbury Winthrop. Our offi-

cial sponsors included: Christie, Parker, & Hale, Fish & Neave, Foley & Lardner, Howrey, Simon, Arnold & White, McDermott, Will & Emery, Orrick, Herrington & Sutcliffe, and Weil, Gotshal & Manges



attracted to women who were my type. This is kind of reassuring. I guess this means that 66% of men my age don't find the same women attractive that I do. I feel good about that statistic. I interpret it as meaning that I am only competing with 34% of men my age for women I find attractive. The moral of the story is that the ladies should not fret if they are not getting love from 66% of the men out there. They should just sit back, relax and remember that 34% of the guys out there that will find them attractive.

Just like the unmasking that happens at the end of an episode of Scooby Doo to reveal the true identity of a conspirator, it is important to uncover the truth behind this test. Given the stats in the preceding paragraph, I am led to believe that two-thirds of men my age are not interested in "very beautiful women." How is that possible? That just doesn't make sense. For a while, it hurt my brain just trying to think of what it all meant. Then it came to me. It is almost too simple and I feel silly for not having seen it earlier. Clearly, this test was funded by really unattractive people to help shift the conceptions of beauty imbedded in society. They disguised the test as a legitimate indicator of who people find attractive. It is brilliant really. As more people take this test, they too will find that the bulk of people their age are attracted to less than beautiful people. They will start to question themselves as I did. They will seek answers. And without even knowing it, they will subconsciously shift their preferences away from beautiful people. Bravo really unattractive people. Bravo.

(Ed. Note: As a short haired, square face shaped woman, I am relieved to find that Justin writes for *The Docket* because it is a creative outlet for him and not as a way to be closer to me, as I am not a woman he is attracted to, but I am disappointed to learn that I am not in the group of "very beautiful women" according to an online dating service. Thank goodness my husband has clearly warped preferences.)



## CHARM

FROM PAGE 7

which I went to do that!), she fell in love with me. Now you know why she was willing to have me; that's not self-pity, just the truth.

You may wonder why I didn't leave the shakers to Janet (that is, assuming you're not wondering whether the cancer had eaten my brain in my last days). It would have been the fair thing to do, though she might have hated me if she knew what I had done. But from what the gypsy told me, that would have been pointless. The shakers won't work if they are given to a lover or a former lover; to anyone who is related to the giver by blood; to a person over the age of 40; or to a natural redhead.

You are none of the four. You are my best friend. I want you to find love, too. So the shakers are yours.

Love, always and forever,  
Michael

Ellen's first reaction to the note was nervous laughter. Surely this was a sick joke that someone was playing on her. But that someone had to be Michael—who else would know both about the shakers and about that dinner at the Chinese restaurant?—and Michael never played practical jokes, not about important things and not on her. So maybe Michael's disease had affected his mind; but she had visited him often in his last days, and he had always seemed lucid.

When Ellen first got the shakers, she put them in the glass-fronted cupboard in her dining room, out of respect and affection for her friend. After the e-mail, though, their presence began to disturb her. If what the message said was true (which, of course, was impossible) then Michael had done something very wrong by forcing Janet into his arms. Yes, the alleged spell had made Janet happy to love Michael, but it would still have been a way to control her will—a sort of rape, Ellen's legally trained mind concluded.

But thinking this about Michael, whose decency she had always cherished, made her feel disloyal to his memory: Surely the note must have been simply the product of an illness-induced delusion. Ellen couldn't move the shakers out of the cupboard, since that seemed symbolically unfaithful; yet so long as the shakers were there in plain sight, she couldn't get them out of her head, and thinking about them was making her miserable.

She considered seeing a psychiatrist, but how could she explain the bizarre story without sounding like an idiot? So she did what she, trained as she was in systematic, lawyerly thinking, had always done when faced with her toughest problems, professional or personal—she wrote herself a little memo on a yellow legal pad. The memo, which she burned shortly after finishing, went like this:

1. Michael had always been my closest friend, and one of the most honest people I have ever known.

2. If Michael had done what he said he'd done, then he acted very badly.

3. Michael's story must be false, because *there are no such things as working salt-and-pepper-shaker love charms sold by gypsy women!*

4. Still, in some corner of my mind I have this fantasy that the story might be true, and this is coloring my memory of

Michael by making me doubt his goodness. (She couldn't bring herself to write the rest of her reasoning, which was that for many women like Janet—including herself, she feared—voluntarily marrying someone like Michael was only slightly less improbable than falling victim to a love charm.)

5. It is disloyal for me to go on thinking this way, since the story is clearly false.

The last item, which took her an hour and three false starts to commit to paper, said:

6. I therefore owe it to Michael's memory to test the shakers, so I can prove to myself that the story is false, and dispel my foolish doubts about my best friend.

Item 6 occupied more and more of Ellen's mind as the days went by. Its mix of rational deduction and wild credulity, coupled with recklessness and topped with a dollop of sheer perversity, captivated her.

She started to fantasize about slipping condiments onto the meals of handsome strangers. She wondered what would happen if someone caught her doing it: How would you explain putting salt and pepper onto someone else's plate at a dinner party? "The food here is so bland that I just knew you'd need it spiced up a bit"? Or would the man be so nonplussed by her weird action that he would just pretend it hadn't happened?

A few weeks later, Ellen found herself putting the shakers into her purse and realized, to her horror, that it had become only a matter of deciding exactly when she would run her experiment. Once she almost salt-and-peppered the food of a striking, brilliant young investment banker, before she recoiled from the possibility that she actually *wanted* the charm to be effective. Once she nearly did the same to a toad of a senior partner whom she secretly loathed, but was held back by what she later realized was the fear that the charm might work.

Finally, at a friend's cocktail party, another guest—an average-looking but moderately bright criminal-defense lawyer—used some turn of phrase or made some gesture that somehow reminded her of Michael. At that moment she felt the resolve materialize inside her. A few seconds later, when the man had turned away, she surreptitiously took the shakers from her purse, hid them in her hand, and snuck some salt and pepper onto his appetizer plate.

The man showed not a glimmer of romantic interest in her during the whole evening. Ellen returned home elated, a heavy burden lifted from her mind. Over the next few days she thought fondly of Michael, laughing at herself for even considering such a stupendously irrational story, and crying over photos of Michael, Janet, and herself in better days.

A week later, the hostess phoned Ellen in a state of great excitement. Sorry for being so slow to call her, the hostess said, but she had been traveling, and had gotten home to four messages from this *very* nice fellow she knew, who seemed *quite* smitten with Ellen; could she give him Ellen's number?

Ellen was mortified. Obviously, the enchanted seasonings, like ordinary salt and pepper, took time to digest; her victim must have been stricken after he came home, and had been obsessed with her since then. She naturally said "no," but as fate would have it, she ran into the man at a law firm function two weeks later—lawyers travel in small circles. He was as

polite as could be expected from a man seized by supernatural forces. Knowing that she was entirely to blame, she couldn't refuse him to his face.

On their second date, she had sex with him. This was early by her standards, but, being a practical woman, she realized that eventually her conscience would force her to ease his misery; and he was passably attractive, and it had been a while since her last lover.

The man was obviously utterly thrilled by the act, which made it nice for her at the time—and, objectively, he behaved like the perfect boyfriend. He complimented her. He paid attention to little details about her tastes. He learned which flowers she liked and sent them to her at surprising times.

But of course the pleasure couldn't last: Even if she could have come to like him under normal circumstances, she felt trapped and resentful. Hearing her friends tell her how lucky she was to have someone so devoted only made it worse.

Ellen tried to break up with him, but couldn't go through with it. The charm made him keep loving her just as intensely as in the first flush of his infatuation, no matter what she told him. He called. He sent her letters. He showed up at her doorstep. What could she do? She couldn't very well call the police and have him arrested for what was her own fault.

There must exist, Ellen concluded, an antidote: What the dark powers can do, the dark powers can undo. Feeble logic, but it was all she had, and she made herself a deal: So long as she was working on finding the remedy, she could go on with the one-sided love affair without too much revulsion or despair. The solution was just around the corner, and hope (and, she let herself realize, regular sex) made the waiting tolerable.

Michael, fortunately, had rarely left Los Angeles in his adult life. Ellen therefore began to visit antique shops all over town, neutrally describing the accursed shakers and seeing if any of the dealers showed signs of understanding her plight. This project, she quickly realized, would take a long time. She took days off from work; some at the firm grumbled, but she knew that she had a good reputation with the partners, and would be forgiven.

Once a week she'd see her spellbound man, but the rest of Ellen's spare hours were spent going from store to store, building an ever-growing list of antique dealers, present and past, whom she had yet to see. Some dealers realized she was desperate for something and tried to con her, but they failed, because they didn't know what she was really looking for. Good lawyer that she was, she gave little away in her questions.

Then one day she walked into a little storefront in Hollywood. Bric-a-brac sat haphazardly on the shelves. The place smelled musty and looked unpromising. But when she mentioned the accursed shakers, the dealer (neither a gypsy nor a woman, but a balding, bearded white man in his early fifties) smiled knowingly. "Oh, you have the shakers?" he said. "I was wondering when they would turn up. I'll sell you the elephant creamer for \$30,000."

Ellen scowled and turned to leave, wondering whether the dealer was trying to fleece her or, more likely given the ridiculous price, mock her. But then she heard him say, "There are, I'm told, only three reliable love charms in Los Angeles. A real estate developer has owned one for

20 years, and he's tremendously happy. I've heard little about the second, and apparently that's for the best. The third has fallen into your life, and I think you would pay a lot of money for the antidote."

Thirty thousand dollars is indeed a lot of money, even for a partner-in-the-making at a big firm. Ellen considered her options. She could dump the guy and let him live with his broken heart, perhaps for the rest of his life; but she had tried this, and her conscience wouldn't let her. She could make the best of the situation and marry him, but then she'd soon come to hate him.

She actually tried to give him the shakers and have him sprinkle the magic stuff on her food—after all, if she were in love with him, too, then there'd be no problem. But it didn't work, as the gypsy woman had warned Michael.

She could bargain with the antique dealer, but he knew that Ellen was desperate. So one day she paid him \$30,000 for a creamer that was shaped like a little elephant and that would supposedly make any person fall out of love in under seven hours.

Five hours after drinking Monday morning coffee at Ellen's house, her beau looked at her picture on his office desk and frowned. Yes, she was pretty, but somehow not as gorgeous as he'd remembered; smart, but somehow that wasn't so important any more.

And why did she so often seem annoyed when they were together, as if he were doing something wrong? He deserved someone who would treat him better than that. He dithered about whether he should call it off or try to talk it over with her; but at their next meeting they were both so palpably unenthusiastic that the parting came naturally.

A month later, when Ellen's relief was replaced by remorse over what she had done to him, she met him for lunch and told him the story. At first, of course, he was sure she was lying, but the story did explain what in retrospect seemed so mysterious: Why did he fall in love so fast and so deep? Why did he fall out of love equally quickly? Why did she yield to his approaches but, as he now saw with his newly cleared judgment, never seem happy that she yielded? And her willingness to tell him this story, a story that didn't reflect well on her, vouched for her credibility: Why would she say all this, unless, as she explained, she felt she owed him the truth?

Once he came to believe her, he naturally began to hate her for what she had done to him: for the humiliation of making him beg her when she'd tried to break up with him, and for the deeper humiliation of tampering with his free will. But he was, after all, a defense lawyer and a fair-minded man, so after a while he saw the mitigating circumstances. She didn't *know* the love charm would work. (What sane person would have?) She wasn't trying to get anything out of him, not money or apparently even affection. She spent lots of time and money to undo what she had done. She didn't have the heart to just leave him heartbroken, though other women might have.

And she gave him her body, and few men can really resent a woman for that. It was a very nice body, and nothing feels as good as sex with someone with whom one is completely infatuated—even if in

SEE CHARM, PAGE 13

# 10 Body Language Hints to Help You Score:

1. Make eye contact. Remember there is a difference between a lingering gaze and a creepy stare.
2. Smile. Not the kind of smile you plaster on your face to get out of a parking ticket or when your great uncle with the stinky breath leans really close to talk to you about the sexy women who sponge bathe him. The kind of natural smile that only happens when you think of puppy dogs or getting laid.
3. Touch the person. Touch them on the arm, not the ass, crotch, or breast. The ass might work later, but it isn't a starting point, at least not usually.
4. Tilt your head a little. Not so you look like you slept wrong, but kind of like your dog does when you make a strange noise. For some reason, body language experts think a tilted head with a slow approach is a sign of attraction. I think it's a sign of someone who just got off a boat, but who am I to diss the pundits of love.
5. Coil your hair around a finger. Your finger. Your hair from your head and not from other, less seemly locations.
6. Lick your lips. Not like someone with beer foam on his or her top lip at a baseball game but just a semi-quick darting of the tip of the tongue over the center of the top lip. Practice this regularly until you have it

- down. Do it while driving. Do it in public restrooms. Do it during class and try to get a good reflection off your laptop screen. Show it to your mom and ask if you are doing it right.
7. Dilated pupils are a sure sign of attraction. To make your eyes dilate you can do some drugs (or does that make them pinpoint?), but I recommend quickly holding your hand in front of your eyes for a count of 25 every 5 or so minutes as you talk to the other person. This will make your eyes dilate, a sure sign to your crush that you are interested.
8. Blush. Having the blood rush to your neck and face is supposedly attractive and let's the other person know you are interested. If you have a hard time blushing naturally, take a breath and hold it, then use your lungs to try to press the air out without letting any escape. This will make you turn red and the other person will know how attractive you find them. Do not hold your breath until you are blue. That is not a sign that you are turned on. However, if you pass out, they might perform mouth to mouth, which could lead to you slipping a little tongue in there, but beware, Bruno the bouncer might perform mouth to mouth instead. Of course, if Bruno is your crush, it's all good.

9. Cross your legs so that your foot points at the object of your affection. Bounce it a little. Don't bounce it a lot. You risk kicking the person or, if you are a girl, giving yourself an orgasm (according to the Summer of '42 - a novel and movie). If you do give yourself an orgasm, then maybe you don't need this person. Additionally, you'll likely get that natural rosy glow to your cheeks and your eyes may well dilate and you could manage a goofy and genuine smile, so what the hell, go for it. Bounce away. Try to keep your hands busy with a drink though.
10. Putting your fingernail between your teeth and gently biting down is a sign you are attracted to the other person. Putting a straw in your mouth, pressing your lips around it and sliding it in and out can also be a sign. So can eating bananas. This really only works if your crush is a guy. If you are trying to pick up a girl sucking a straw in and out may not be your best bet. Go back to the tongue darting. If you can touch your nose with your tongue, this might be a good trick to let her know about. Try to be subtle though. Don't hit her over the head with it, or other body parts unless you want to spend tonight and every night at home with your left hand and a bottle of lotion.

## Website surfing late in the evening:

What better thing to do while sitting on your couch, assuming you are a part of the 21st century and have put in a home wireless network, than to surf the world wide web for pointless trivia and mindless pablum.

Of course you could be doing your homework, but that isn't really very exciting. Not nearly as exciting as reviewing the fashions on the red carpet for the Grammy's or tracking Angelina Jolie's love life (she was recently seen canoodling with her first husband, a Mr. Miller, and getting a new tattoo).

How else would you learn that MSN has a whole new section all about sex. They have a sex specialist who writes an advice column. They run articles on sex. They keep up on news about marriage, fertility, erotica, how to stimulate body and mind.

Of course, most of this is pointless for the average law student who isn't getting any. However, they have plenty of articles that are focused on trying to help get you some, or help you be happy not getting some, or help you achieve that singular release, singularly.

Of course, if what you are looking for is something to assist you in releasing tension, you might go for more traditional means, if you know what I mean.

Moving on to something a little different, you can research new cell phone programs, your ancestors, win a vacation, and even locate a lawyer, not that you really want a lawyer for anything, but just in case.

You can get an online degree. As you are spending all this time going to law school, what are you really doing to better yourself and provide for your future? You really should consider getting an advanced degree online so that once you are finished with law school, you don't find yourself stuck in a dead end position. Now is the time to work on increasing your marketability.

You can track the news and the campaigning, in case you aren't getting enough of it already.

You can check the weather, not that I have ever really understood the need to check the weather in SoCal.

You can take Geoffrey Murry's advice and go to various BLOGs or create your own.

The best thing about it is that it is all instant gratification, especially if you have DSL. Always on, all the time.

You can buy just about anything you could want or need. You can buy stocks, airline tickets, groceries, gifts, cars, clothes, Prada, flowers, music, books, etc.

You can file your taxes.

You can communicate with old friends and look for new friends.

Overall, I think that a lot is enhanced through having at my fingertips such a huge variety of information, easy accessibility, a way to communicate, and entertain myself.

Then again, I spend a tremendous amount of time surfing, cutting in on time I might spend actually with people, talking with them, and being social.

But, really, as a future attorney, I think I speak for the profession as a whole when I say that being social and communicating directly with people is over-rated. So, if you'll excuse me, it's time to google.

New Advice Column to Launch March 2004!  
Right Here. Right Now.  
Send letters to  
[docket@lawnet.ucla.edu](mailto:docket@lawnet.ucla.edu)

## CHARM

### FROM PAGE 12

retrospect the infatuation was a fraud.

He was not, after all, so badly treated by Ellen Silber; he came to think well of her, and wish her well. It meant a lot to Ellen that he (mostly) forgave her.

Ellen no longer remembered her old friend Michael with the same affection, and she regretted that. She still couldn't find a man she could love, and she regretted that, too: At times, she wished that she could get a charm to make herself fall in love with someone, rather than the other way around. But mainly her life and her thoughts returned to a more mundane state; that mostly made her comfortable, though to her surprise she sometimes felt she might regret it a bit as well.

One night, a few weeks later, Ellen had an unusually vivid dream. She was in court. The judge was the man for whom she had clerked, a widower with a heavy Russian accent and a love of the absurd. Ellen was explaining why Illinois law rather than California law should govern a particular insurance contract, when the judge interrupted.

"Ms. Silber," he said (as usual, it came out "Seelberr"), "you are not trying an insurance case here. You are the defen-

dant. You have been convicted of second-degree preternatural seduction, and of unlicensed distribution of ensorcelled substances. I am about to sentence you."

She didn't know what to say. She wanted to deny everything, but of course the charges were true. She knew she was guilty. Her former boss knew she was guilty. She looked at the jury, who, surprisingly, were still empanelled, though the trial was over. The jury consisted entirely of her former lovers. They knew she was guilty, too.

So she asked the one question that was on her mind, because she was somehow back in law school, and thought it would be on the exam: "Why only second-degree?"

"Because of the 1986 amendments to the statute, of course," the judge told her. In her dream, it made perfect sense. A quiet peace came over her as she prepared to hear the sentence.

But the judge, she saw, wasn't talking to her any more. He had risen, and approached the table at which Ellen's lawyer, a tall woman with short gray hair, was sitting. He and the lawyer kissed

passionately. Ellen suddenly knew that her lawyer had somehow used the shakers, too, at precisely the right moment.

The judge understood that he had been bewitched: He had just presided over Ellen's trial, and heard the whole story. In her dream, though, he didn't care. He and Ellen's lawyer walked out of the courtroom hand in hand. "I suppose I'll have to declare a mistrial," he told Ellen as he left. Can mistrials be declared based on post-verdict misconduct?, she thought. She told herself to look it up when she got back to the office.

The prosecutor got up from his table, waved fondly to the departing couple, and turned to face the dream jury. "There are lessons to this case," the prosecutor told them. The ex-lovers took out their laptops and got ready to take notes. "There are lessons to this case, and they are these:

"There are three reliable love charms in Los Angeles, and that's three too many.

"Don't perform experiments if you might not like the results.

"And if you find yourself gripped by sudden, inexplicable love, think carefully about what you're doing—as if you can."



## PRO

## FROM PAGE 9

friends, I apologize, but there is no Santa Clause (or Hanukkah Harry) or containable terrorists. While I'm willing to live with the illusion of the former I am certainly not willing to live with the reality of the latter.

The argument against a pre-emptive war is that the risks somehow exceed any gains deriving from it. As support for this position the "parade of horrors" is brought out, which takes advantage of the unknowns and assumes the worst. One of the risks would be alienating our precious allies in the war on terrorism. Needless to say, it is vital to American interests to remain on friendly terms with the rest of the civilized world. A war in which our "allies" disapprove of our action might be seen as aggressive and make our allies less inclined to support us thereby endangering the coalition against terror. Moreover, a war with Iraq might inspire Saddam to unleash his current supply of chemical and biological weapons possibly compelling us or Israel to respond in kind with nuclear weapons.

As a result of these reasonable fears, a minority of Americans believe that the great debating society AKA the U.N. has the right idea. Go in and inspect and keep on inspecting and hope it works. If it doesn't, then deliberate for another 6 months to a year before the U.S. finally decides to go to war anyway. Only days after the mid-term election, the U.N. passed a resolution calling for inspections of Iraq's weapons capability. While I understand the president's desire to get world approval and appease our allies, the whole thing seems like a useless and dangerous exercise. I didn't vote for Kofi Annan and I had no ability to prevent Syria from obtaining the rotating position in the Security Council or the Sudan from gaining membership on the Human Rights panel the very year that the U.S. was kicked off. I do know that I trust the U.N.

as far as I trust Security Council members France and China.

The reason that this is a useless exercise is that it fails to realize that all the inspections in the world will not solve the problem and delay only aggravates the eventual consequences of going to war. The inspections, in order to be successful, require full cooperation from the host government. Does anyone really trust Saddam to provide this? If I were the weapons inspector, I'd start my inspections in elementary schools and hospitals. These are just a fraction of his potential hiding places. Ultimately, it is all just a senseless cat and mouse game providing Saddam with more time and opportunity to continue his treachery and ultimately threaten the world.

Besides, this whole game misses the point. The problem isn't just the weapons that Saddam no doubt has or is in the process of developing, but the problem is Saddam himself. He was willing to starve his own people to keep the inspectors out. He is determined to arm himself and he has the full resources of his country at his disposal not to mention mercenary countries like France and Russia providing technological support. He dreams of global power. Combine these factors with his unbridled intense hatred of America and that is why regime change is the policy of the government.

Giving Saddam more time to bait and switch his weapons and develop new ones certainly cannot serve the purposes of our national security. The idea that war should always be a last resort even when it is inevitable is foolish. All it does is increase casualties and the level of danger when you finally decide to embrace maturity and take action. It emboldens your enemies. Take a look at World War Two as a reference.

That is why I say lets take action

now. As to the danger of alienating our allies, we have learned from the past that coalitions, when they are ends in themselves, lead to terrible judgment calls. Such was the case when Bush Sr. mistakenly called off the Gulf War effectively giving victory to Saddam in order to appease our allies like Syria and Saudi Arabia. That decision was a result of a profound misunderstanding of the Middle East that subsists to this day. We, and other western nations, viewed it as a 100 hour war where our forces destroyed the Iraqis in every battle. This is a rational understanding. Do not project rational understandings into the Middle East. As far as Iraq and the other hostile nations view it, Saddam won that war. After all, who is still in power now George Bush Sr. or Saddam? Power is their most important variable. The normative message of that failure is that the U.S. is too soft to finish the job. It is a message that still resonates with the terrorists who struck us so brazenly on 9/11.

Moreover, the U.N.'s fun and games diplomacy has already been completely discredited. North Korea promised Jimmy Carter, who recently won the Nobel Peace Prize, which is the highest honor a terrorist or terrorist enabler can get, that they would not develop nuclear weapons. How did that promise go? Well, to make his peace prize all the more laughable, less than a week after Carter won the prize, North Korea admitted that they were developing nuclear weapons. The Europeans pointed to the peace prize as a protest against Bush's policies. Ironically, it symbolizes the complete failure of the diplomacy of the 90's, to which the Europeans and liberals have inextricably wedded themselves, to achieve anything remotely substantive. Just look at the list of the peace prize winners in the last decade. It should make you shudder.

The fact that some people would describe a pre-emptive war without U.N. approval as "unilateralist" is not surprising. It is no wonder that these people are not able to recognize leadership. After the poll-watching "decision making" of the 90's, any principled policy that does not change at the whim of the populace or the beck and call of other governments may seem "unseemly" to them. However, one look at the mid-term elections will tell you that the American people respond favorably to principled leadership that, while concerned about the feelings of other countries, is not subject to the feelings of other countries. This is especially true when the security of the U.S. is at stake.

The normative impact of a successful war against Iraq will have a significant deterrent effect and keep other hostile nations like Iran and Syria from developing their own weapons of mass destruction. In addition, maybe it will erode some of the confidence the terrorists have gained since we allowed our embassies in Tehran to be overrun and our diplomats held hostage; since we retreated from Lebanon after a bombing killed hundreds of marines; and since two embassies were blown up in Africa with some empty gestures in return on our part.

Some people believe that a pre-emptive war will spur hostile countries to frantically attempt to acquire WMD's in order to shield them from a war with the U.S. This betrays a further misunderstanding of the realities of the Middle East because, once again, it fails to recognize the most important variable: power. These crooked regimes want to keep it at all costs. They will respond to a show of force like the "Muslim street" we have heard so much about. They will retreat and disappear. However, give them an inch and you better be prepared to live at their mercy.

## Last Minute Valentine's Ideas

Are you like me and you just don't have the time and energy to go out and shop for gifts for any occasion, much less for Valentine's Day?

Is being in law school, either as a student, professor, lecturer, staff, etc. seriously interfering in your love life.

Even if at some point prior to having UCLAW suck all the personality out, you managed to trick someone into being your Valentine, you more likely than not haven't recently expressed your feelings to them, other than your feelings of frustration and contempt.

If this sounds like you, and I bet it does, you may find yourself in a world of hurt right about now.

To save you the pain, torment, and humiliation of losing the only person who can currently stand you, the following is a quick suggestion list and guide for finding that just "oh so right" item that

really expresses your feelings for you, so you don't have to be able to express yourself, yourself.

Don't be like all the other law school lemmings and panic shop for that "perfect" something at the ARCO on the way home. Any average Joe or Josephine can pick up a chocolate bar and a faux silk rose. Instead, really put yourself out there and toggle off the porn site and check out the following possibilities that will scream of your impeccable taste and undying passion.

The first item up for your consideration is the "champion lover trophy". This beauty stands 11" high and is made of "hefty" silver-plated cast brass sitting on a wooden base. Who wouldn't want this for their desk at work or on a display shelf in their formal living room, right next to their singing bass fish and farting santa? Especially as the bargain basement price of \$50.00 (excluding shipping, handling, the monogram, and the gift box).

That doesn't quite tickle your fancy? I bet a feather duster would, especially with a little "french" maid's outfit, but that's not on sale this year. No, this year, get your lover and best friend an engraved set of heart shaped measuring spoons. Nothing says passion quite like culinary-safe pewter. And you can add that "pinch of kindness" and "dash of humor" to your "spoonful of fun" to create a "heap of happiness" all for just \$38.00 (see above excluded additional costs).

If the "loving" cup and even more "loving" spoons just aren't doing it for you and you know that the way to your true love's heart is to offer up the bling, the online wide world of wonder won't let you down. For a mere \$199.00 you can get spun gold art in the perfectly crafted ladder bracelet encompassing TWO gold chains joined together by eight gold bars and letters spelling out "LOVE". Who could say no? Not I.





## CON

## FROM PAGE 9

and on. Yes, Saddam was a bad guy. I don't support him, and Iraq is better off now that he is gone— but are we, and is the world? No.

Here is where I get radical — my opinion is that our President is a threat to the entire world, a threat to our national security, and a threat to freedom. The President's policy of "pre-emption" used to be called by another name — naked aggression. There, I said it.

The great thing about democracy is that we get to overthrow our government whenever we feel like it. Let's hold the President accountable and have regime change here at home. Vote!

## REPRINT October 2002

The President has not shown that war with Iraq is morally just. Until he does so (if he can) we should not go to war with Iraq. Under "just war doctrine," a state is morally justified in its use of force if it meets the these factors: (1) The damage inflicted by the aggressor on the nation or community of nations must be lasting, grave, and certain. (2) War should be waged only as a last resort. (3) There must be serious prospects of success. (4) The use of arms must not produce evils and disorders graver than the evil to be eliminated. As discussed below, war with Iraq has not met the just war standard.

(1) The damage inflicted by the aggressor on the nation or community of nations must be lasting, grave, and certain. If the facts show that Saddam is close to completion of a nuclear weapon we don't need to wait and be hit first before responding. His history of chemical weapons use against Iran and his own Kurdish minority demonstrate that he should not be allowed to acquire even more dangerous nuclear weapons. Is there proof that an atomic threat from Iraq is imminent? We simply don't know. We are told that evidence can't be shared because of "national security." If the United States is to go to war, it had better not do so under false pretenses. The administration needs to lay out its case clearly and unambiguously, just as President Kennedy did during the Cuban Missile Crisis. If there really is evidence, then a way can surely be found to show it while protecting the identity of sensitive intelligence sources. This has not been done. Meanwhile, North Korea, which provided Iraq its Scud missiles, has openly admitted to continuing its development of nuclear weapons despite agreeing to stop doing so in 1993. Is there talk of war against North Korea? Strangely, no. Why Iraq and not North Korea?

I am not willing to take it on faith, without evidence, that we must invade or suffer nuclear attack. Retired General Wesley Clark, a former NATO commander, feels the same. He recently testified before the Senate that, "It's a question of what's the sense of urgency here? So far as any of the information has been presented, there is nothing that indicates that in the immediate, next hours, next days, that there's going to be nuclear-tipped missiles put on launch pads to go against our forces or our allies in the region."

On 9/11 we watched in horror as two towers full of living human beings crashed to the ground. Our reaction was normal—we wanted to fight back, to punish the "evildoers." I feel the same. I want Osama dead. So why are we invading Iraq, a secular regime often denounced by Islamic fundamentalists such as Al Qaeda? Iraq did not attack us on 9/11. If Iraq had been behind the attacks, this debate, and Saddam, would already be over. The

President's weak attempts to use 9/11 to justify war with Iraq only point out the weakness of the case. When a president uses half-truths or untruths to justify a war, it is probably a good idea to slow down the march towards conflict. The attacks of 9/11 are unrelated to Iraq, and thus can provide no justification for an invasion.

Saddam and his cronies are evil, and the world would no doubt be better off without them. He has brutally oppressed his own people. That is not a reason to invade Iraq. If that were the test, then we should also invade North Korea, Syria, Zimbabwe, and arguably Saudi Arabia, Egypt, Iran, China, and on and on. Something more is required to provide a just cause for war or the sovereignty of all nations is threatened.

(2) War should be waged only as a last resort. One reason given for war is that Saddam is not complying with UN resolutions. However, Saddam hasn't complied with UN resolutions for at least a decade. Why the rush to war now? Three retired four-star American generals said recently that attacking Iraq without a United Nations resolution supporting military action could limit aid from allies, energize recruiting for Al Qaeda and undermine America's long-term diplomatic and economic interests. The three generals, some of whom warned that a war with Iraq could detract from the campaign against terrorism, said the Bush administration must work harder to exhaust diplomatic options before resorting to military action to oust Saddam and eliminate any weapons of mass destruction Iraq may have. They said a United Nations resolution was important because it would isolate Saddam internationally, give skittish allies some political cover to join any military action and bolster America's long-term global aims. "We are a global nation with global interests, and undermining the credibility of the United Nations does very little to help provide stability and security and safety to the rest of the world, where we have to operate for economic reasons and political reasons," said General John M. Shalikashvili, former Chairman of the Joint Chiefs of Staff.

Now that the President has been forced to obtain a UN resolution calling on Iraq to comply with weapons inspections, he must allow time for the resolution to work. If Iraq complies, then no war is needed. If Iraq does not comply and is shown to be an imminent threat we will have worldwide support for our actions. Why rush to war without such support? The short answer is that there is no need to rush. Make the case, build support, and then if other measures don't work we will have the moral legitimacy we need before we issue our military a license to kill and put our soldiers in harm's way. When (if) diplomacy fails we will at least know that we tried. Our soldiers and the innocent noncombatants who will be caught in the middle deserve our best diplomatic efforts.

(3) There must be serious prospects of success. Our military is the best the world has ever seen. Success against the Iraqi military is a certainty, and thus the President's call for "regime change" is bound to happen if we invade. We need to be certain, however, that such a change would result in a safer world. That is the test for success, not removing Saddam. The President has not shown that war with Iraq would result in increased safety for our nation.

The war could (and probably would) have consequences beyond what most of

us can predict now. The eminent military philosopher Carl von Clausewitz has cautioned that when preparing for war, political leaders should never take the first step until they know their last. If war with Iraq is worth U.S. blood and treasure, it is worth establishing and articulating a desired political end, and a plan for the political consolidation of our military success. We must not take the first step until we have thought our strategy through to the last step, until we understand all the risks and rewards. This has not been done.

The first Gulf War convinced many Americans that war is cheap and easy. It isn't. If Saddam and his cronies hold out in the cities we will face urban combat, which is much more dangerous both to our military and to noncombatant civilians caught in the middle. It will not be a cheap victory. There is also the expectation that Saddam, backed into a corner and with nothing to lose, will lash out with the chemical weapons he already has. He has already threatened to strike Israel, and Israel has already promised to respond, throwing the entire region into even more disarray, with unforeseen consequences. General Clark warned that attacking Iraq could divert military resources and political commitment to the global effort against Al Qaeda and possibly "super-charge" recruiting for the terrorist network. Does this sound like a safer world then we have now?

This war would also cost a lot more than the first Gulf War. Democrats on the House Budget Committee issued a report putting the likely price tag for this war at \$30 billion to \$60 billion. The Persian Gulf War in 1991 cost about \$60 billion, but our allies picked up four-fifths of the costs. By going it alone this time the President has ensured that our nation will pay all of the costs of war, both in blood and treasure. The Democrat estimates do not include the costs of a possible long-term peacekeeping mission, or of providing aid. No doubt those costs would be enormous. Would an invasion of Iraq be in our long-term best interests, making the world safer? In short, we don't know. Rushing to war without properly considering the risks and rewards is a recipe for disaster, not success.

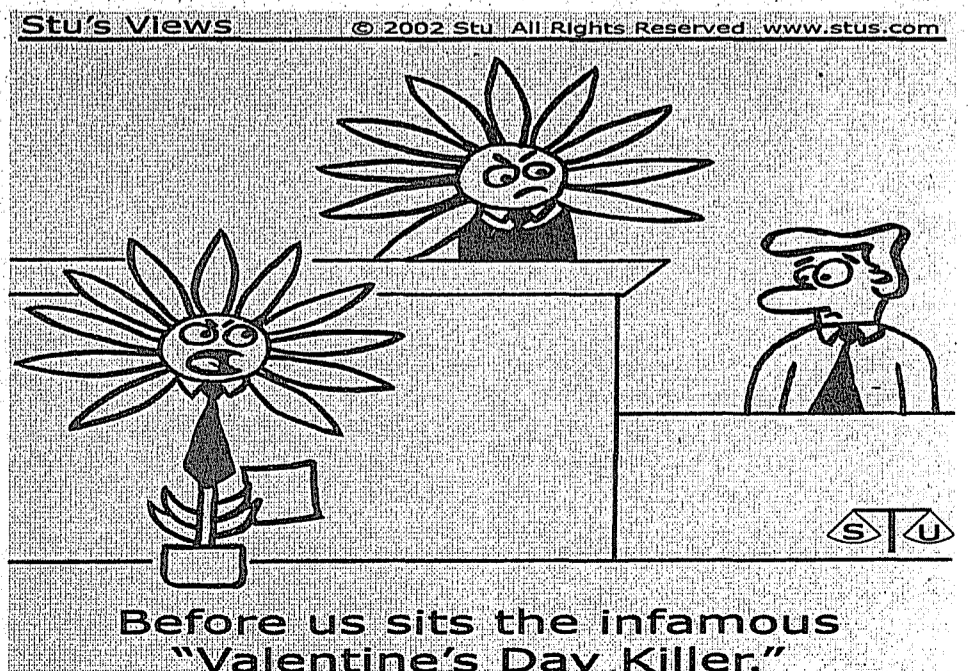
(4) The use of arms must not produce evils and disorders graver than the evil to be eliminated. If Iraq is close to possession of nuclear weapons, then an invasion of Iraq would be the lesser evil. As discussed above, the President refused to present evidence of this. Any use of arms would be more evil than a non-existent danger. However, I am also concerned

about the President's partisan use of the threat of war. In January, Republican strategist Karl Rove suggested that war created a political advantage for the Republican Party. Before the election, Mr. Bush questioned the patriotism of senators who raised valid questions about his handling of the Iraqi threat. In June, a misplaced diskette containing one of Rove's private PowerPoint presentations included advice to candidates to "focus on the war" in their fall campaigns. In the recent election, Republicans in Georgia ran ads showing the twin towers falling and stating that Senator Max Cleland, who voted against giving Mr. Bush unchecked war powers, did not have the "courage to lead." Cleland is a combat veteran who lost both legs and an arm fighting in Vietnam. His opponent, who never served in the military, won, as did the Republican Party generally. These "wag the dog" tactics threaten the long-term survival of our democracy.

Mr. Bush, a National Guard veteran who courageously defended Texas from the Viet Cong one weekend a month while Cleland fought in Vietnam, has falsely tried to link Iraq to 9/11, has refused to provide evidence of an imminent threat, and has dissipated the worldwide sympathy and support the U.S. enjoyed after 9/11 by not building a coalition with our allies. He then wrapped himself in the flag when questioned and used the threat of war to his political advantage. Patriotism is the last refuge of a scoundrel.

It is ok to question authority — our founding fathers taught us this when they created our republic. I therefore question Mr. Bush's understanding of our revolution and our Constitution. If war in Iraq is the right thing for us to do, then our President should provide evidence to the American people. He has refused to do this, citing "national security." Until he does so (if he can), a war in Iraq is unjustified. If a "wag the dog" strategy is allowed to succeed, it will weaken our system of government, which is a greater threat to our national security than any possible threat from Iraq. We are not an imperialist nation. We must not become one. War without justification, without allies, for partisan political gain, leads our democracy down the path to destruction.

One last note: as citizens of a republic we are all responsible for the actions of our military, whether we wear a uniform or not. When America wages war, it is never the generals who decide to do so, but the politicians whom we elect. Blame the politicians who start the war, not the soldiers who fight it and pay the price.





**SUPREME**  
BAR REVIEW

# Taking a supplemental multistate workshop makes a lot of sense ... ... Overpaying for it doesn't

Introducing: DVD Multistate Bar Exam (MBE) Workshop

NOW ONLY

# \$695

SPECIAL INTRODUCTORY OFFER!\*  
REGULAR PRICE: \$995

**NEW!**

EXCLUSIVELY FROM  
**SUPREME**  
BAR REVIEW

We will credit any deposit made to another supplemental MBE bar review course (up to \$100) with proof of payment.

Why pay more to watch videotaped lectures in a crowded classroom? *Get your own DVD videos and study whenever you choose. Review subjects as many times as you want!*

*Our program includes:*

- ✓ All the advantages of other supplemental MBE courses, plus DVD videos, for a lot less money!
- ✓ Comprehensive outlines and DVD video lectures for all multistate subjects (just like 6-day workshops offered by others).
- ✓ Testing drills and full-length practice exams with explanatory answer keys (just like 3-day workshops offered by others).
- ✓ Easy-to-follow menu-driven DVD video lectures taught by experienced bar review lecturers.
- ✓ FREE PLI Multistate Bar Review course (\$295 value).
- ✓ FREE *Strategies & Tactics for the MBE* workbook (\$43 value).
- ✓ FREE course guarantee.

**\*Enroll by May 29, 2004 to save \$300 off regular price!**  
*Program includes everything you need to master the MBE!*



**LOCK-IN YOUR SAVINGS NOW**  
**WITH \$100 ENROLLMENT DEPOSIT**

- ✓ Visit our website at:  
[www.SupremeBarReview.com](http://www.SupremeBarReview.com)
- ✓ Call our office toll-free at:  
1-866-BAR-PREP

\* Tuition price does not include \$150 refundable materials deposit or \$20 shipping charge.

*We Turn Law Students Into Lawyers!*