



VIRGINIA LAW WEEKLY

2017, 2018, & 2019 ABA Law Student Division Best Newspaper Award-Winner

A Letter from PalTrek	2
He Is Justice, He Is Vengeance.....	3
Court of Petty Appeals.....	4
Is "The Luck of the Irish" a Real Thing? Doubtful.....	5

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Alternative Spring Break : A Valuable Experience & Giving Back

Nikolai Morse '24
Managing Editor

While most students were enjoying a well-earned rest over spring break, a group of students spent their free time volunteering for public-interest organizations across the country. The program, hosted by the Public Interest Law Association (PILA), is a long-running program which provides students the opportunity to work with an organization for a week, provide assistance to organizations who are often severely under-resourced, and gain valuable experience in the process.

While the Alternative Spring Break ("ASB") program is now considered a mainstay in the UVA law school student experience, it has grown significantly since its inception. The ASB program at UVA Law originated in the late-aughts as an effort by PILA to provide interested students an opportunity to do good while gaining hands-on experience. In its first year, seventeen students participated between two organizations.

According to Ariana Smith '23, PILA's Alternative Break Programming Director, this year nearly sixty students participated across twenty-seven different organizations. Students had the opportunity to work with attorneys from organizations across the country whose focus included public defense, legal aid, civil rights, prosecution, sexual assault, domestic violence, immigration, and environmental law.

Smith '23 emphasized the value of the program to both the participating students and the communities in which they volunteer. "I think the program is a great supplement to traditional classes, which can sometimes feel a bit more theoretical and abstract as opposed to hands-on and skill-based. And more importantly, students are learning and leveraging those new skills to help others and strengthen the communities they're working within." Students who participated in the ASB program noted the variety of benefits the program offered.

For many students, the ASB program was an ideal

ASB page 2

Looking to History for Truth and Reconciliation



Pictured (left to right): Dr. Selena Cozart, UVA School of Architecture and Professor Bertrall Ross

Anna Brinski '23
Features Editor

On March 15, the UVA Law chapters of the American Constitution Society (ACS) and the National Black Law School Students Association (BLSA) hosted Dr. Selena Cozart in a conversation with Professor Bertrall Ross, the Law School's Justice Thurgood Marshall Distinguished Professor of Law.

The well-attended event focused on questions surrounding Truth & Reconciliation Commissions, a model of restoration and justice-seeking that is most well-known in relation to post-apartheid South Africa. The publicity for the event posed these questions: *What role does confronting the truth of racial injustice have in helping build a more just world? Are we able to break down oppressive structures without first understanding how they were built and maintained?*

The conversation brought those questions close to home; Dr. Cozart has for years been an active participant in the University and Community Action for Racial Equity (UCARE) program at UVA, which has been instrumental in UVA's recognition and accountability in relation to its unpaid, underpaid, and enslaved laborers. Dr. Cozart's wide-ranging knowledge of and engagement with the Charlottesville community includes work with Cultivate Charlottesville, an organization that engages youth in building a healthy and just food system, Piedmont Environmental Council, the City of Charlottesville, and the University of Virginia.

The movement toward

a potential Truth & Reconciliation body in Charlottesville, Dr. Cozart explained, was "birthed out of community members going to other sites, places and spaces of civil rights battles" in the wake of the events of August 11 and 12, 2017. Some of these communities had gone through Truth & Reconciliation processes, and the pilgrims from Charlottesville were especially impressed by efforts in Greensboro, N.C., to get to the truth of the city's history during the mid-1970s. So in 2018, some people found themselves asking, "Is there something we can do locally here in Charlottesville?" Dr. Cozart noted that while Charlottesville is far from having its own Truth & Reconciliation Commission, community members are looking to South Africa and to Greensboro for models of how the process has worked.

Movement toward truth and reconciliation, Dr. Cozart emphasized, doesn't come from an "external evaluation that says 'You need a Truth & Reconciliation process,'" but instead comes from within the community. "Any community can be that community, but you need people who will get at the truth from a variety of perspectives." Accordingly, the conversation in Charlottesville has open invitations to those who are not necessarily sympathetic to the goal of assessing the impact of the institution of slavery on American history, government, and society.

Professor Ross made an appearance via Zoom. His remarks and ability to really get into dialogue with Dr. Cozart were sadly truncated by technical difficulties. (He was speak-

ing from Germany, and was hampered both by Europe's refusal to adopt Daylight Savings Time and by unreliable train Wi-Fi.) However, in the short time that he was able to speak to the gathering, Professor Ross also emphasized the *truth* aspect: "Truth & Reconciliation requires engagement with inequality, the sources of it, the conditions that have led to current racial inequities, which has been called critical race theory ... but it's about understanding our history." Education should include this aspect of history from early stages up through law school, Professor Ross stated, but noted that *how* it is taught is important. "Teachers need training to do it effectively."

Dr. Cozart agreed about the need to educate educators. "Having expertise in the ability to teach is really important . . . I have seen conversations that lean toward creating a sense of guilt and shame, rather than creating understanding" of the history.

In response to an audience question about tension between truth-focused justice and a "right to be forgotten," Dr. Cozart observed that she wouldn't like to have a record of everything she thought at age fifteen. More seriously, she spoke to the importance of having some record of the past, and non-idealized assessment of historical figures, without moving into the nuance-free realm of "cancel culture."

She also spoke to the use of historical records in the Charlottesville community's efforts to document the effects of slavery. "We do not have

Truth page 3

around north grounds



Thumbs up to the Libel Show happening this week.

ANG spends ANG's days criticizing the administration and supports an organization whose sole purpose is to join ANG in the crusade.



Thumbs up to the new Indianapolis Colts QB Matt Ryan.

ANG appreciates a person who would like to fade into obscurity after a brief moment of glory and high expectations.



Thumbs up to Dean Hulvey. While ANG doesn't appreciate

people pointing out ANG's terrible financial decisions, ANG DOES appreciate people saving ANG from financial armageddon.



Thumbs down to podcasts. ANG has no desire to

hear about how Senator Ted Cruz has a platform to talk about his boring life during a Supreme Court confirmation hearing.



Thumbs down to those insufferable

people who listen to podcasts. ANG is ready to incite violence against the next person who recommends a podcast to ANG.



Thumbs sideways to the end of masks in hallways. While

ANG is glad that students seem more upbeat, ANG also regrets that everyone can see ANG's facial expressions now.



Thumbs sideways to the administration bringing back

the Friday cookies last week. ANG loves a pre-packaged sugar cookie but knows that it was only so the administration can be fake for admitted students like an influencer.



Thumbs up to extending daylight savings time. ANG,

too, simply does not care about whether school children can see to get on the bus.

Letter to the Editor: A Letter from PalTrek

Letters of interest to the Law School community may be sent to editor@lawweekly.org. Letters may be published at the discretion of the Editorial Board and are subject to editing for grammar, style, and clarity, but not content or viewpoint. The views expressed reflect the opinion of the writer, and not of the Law Weekly.

The Law Students of UVA PalTrek '22

This past spring break, 15 students from UVA became the first ever group of UVA students to visit Palestine on PalTrek, a student-led, student-organized, and student-funded trip that offers students a chance to hear directly from Palestinians on the ground and gain an understanding of the Palestinian narrative. PalTrek was started by a Palestinian student at the Harvard Kennedy School who wanted his peers to have a chance to experience his culture, and has since grown to many other campuses, including Columbia,¹ Berkeley, the University of Chicago, and more. This is a snapshot of what we, UVA PalTrek, saw in Palestine.

In Hebron, a Palestinian city under Israeli military occupation and home to some of the holiest sites in Judaism, Christianity, and Islam, we try to use the bathroom. We are told by armed Israeli soldiers, fingers on their triggers, that we can only use the bathroom if we are not Muslim. After that, we take pictures of the streets, empty because of checkpoints that do not allow Palestinians to enter their own homes. A young Israeli soldier, mustache not yet fully grown in, approaches us and demands we stop taking

¹ <https://clspaltrek.home.blog/2019/03/25/introducing-paltrek/>

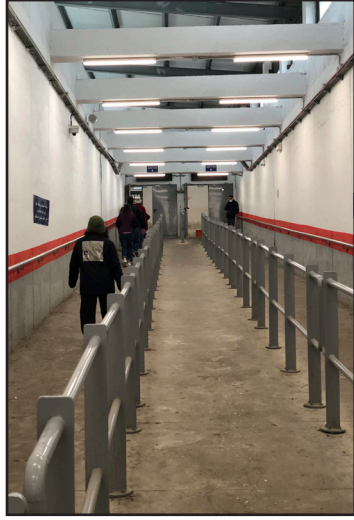
ASB

continued from page 1

opportunity to serve their community while not adding another commitment to an already-challenging class schedule. "As a 1L, joining pro bono programs in the fall seemed like it would be too overwhelming, ASB was a great way to get my feet wet in the pro bono world, and hopefully start building a habit of service that I can maintain throughout Law School," says Camille Blum '24.

For other students it was an opportunity to explore a field of the law they had an interest in as a potential career. This reporter, for instance, was able to supplement an interest in criminal law by working for the Fredericksburg Public Defender's Office. Having the chance to participate in and observe the daily work of the public defenders helped add to an understanding of not only what the experience of working in the criminal law is like but also seeing the stakes for the accused and the victims in the criminal justice system.

Students who participate in the program are also eligible to use these hours to satisfy their Public Summer Service ("PSS") grant pro bono hours requirement. The PSS program, which is also run by PILA, provides students who are working unpaid positions in the public service or judicial fields a grant to assist them with living expenses over the sum-



Pictured: A checkpoint from Bethlehem to Jerusalem; it is usually more crowded in the mornings when most Palestinians cross for work.

pictures. Our Palestinian tour guide affirms that we all have the right to do so in a democratic country. The Israeli soldier tells us that he is the law in Hebron and what he says goes.

Driving north from Bethlehem to Ramallah, we take the only road open to Palestinians.² The road is ostensibly controlled by the Palestinian Authority, which is responsible for its maintenance. The road is pockmarked and lined with garbage. Our guide points out the sewage from Israeli settlements nearby that pollutes the waterways and valleys around us. Even though the Palestinian Authority controls the road,

² <https://visualizingpalestine.org/visuals/segregated-roads-west-bank>

mer.

While most students conducted their pro bono remotely, students who had the opportunity to be in person noted the benefits of being able to interact with attorneys and observe court proceedings. "I had the opportunity to meet with clients, research for motion hearings, and even watch a trial. Having the chance to see how the attorneys at the Fredericksburg PD's office litigated challenging cases helped me better understand a side of criminal law that, prior to ASB, I had little experience with," says Liam Fineman '24.

In addition to their daily work assisting attorneys at their host organizations, students participated in a curriculum curated by second- and third-year law students that supplemented their volunteer experience. This curriculum included readings and podcasts focused on the challenges faced by legal advocates and their clients in a given area of public service. Students met daily to discuss these materials and reflect on how they connected to their ASB experience. Outside speakers provided an additional perspective and the opportunity for the students to ask questions of practitioners. Whitney Carter, '23 who led the Public Defense & Capital Punishment discussion groups said, "During our curriculum time, we had the opportunity to hear from Dawn Davison, a formal capital defender, and Lauren Reese, a public

they are not allowed to have police powers—they can't so much as issue a traffic ticket. Hundreds of Palestinians die on this road every year because of traffic accidents, our guide says. Next to us, we see clear roads with much smoother pavement. Barbed wire separates us from them. Those are the settler-only roads in Palestinian territory that Palestinians are banned from using. Because of traffic on our road, we are over an hour late to our meeting.

In Susya, an unrecognized village in southern Palestine under a demolition order, we meet shepherds and farmers. It is March 8, International Women's Day. Fatima tells us that home demolitions are also a women's issue. Palestinian women are in charge of the home. It is where they sew, make handicrafts, and tend to their families. When Israeli soldiers bulldoze a family home, women lose everything. We also speak to Mohammad, a teenager who apologizes for his English skills. Getting to school is sometimes difficult for him, because Susya has no water or electricity, as Susya's residents are Palestinian and Israel does not recognize them. We ask Mohammad about the dogs in the village. He replies that people very much love their dogs. One night, he was awakened by his dog barking very loudly. Unable to sleep, he went outside and saw armed settlers attempting

defender. It was really interesting and useful to hear their takes from what public defense and capital work really looks like when you're doing it."

For any student interested in public service, giving back to their community, or even just gaining hands-on experience relevant to litigation, PILA's Alternative Spring Break program presents a unique opportunity. Perhaps most importantly, it exemplifies the role of lawyers as advocates, taking the practice of the law from abstract ideas we learn in classes to something concrete and impactful. As Smith '24 noted, "ASB is...a good reminder that law school is a lot more than just readings and cold calls. Behind the cases we read are real, live people who are confronting our legal system with a lot at stake, and when we do pro bono work, we truly engage with those people in a way that I think is really valuable and fulfilling."

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to set his tent on fire. He had to wake up his grandfather in the next tent over too to make sure settlers had not gotten to him.

PalTrek included students of varying perspectives and levels of knowledge about Palestine, the occupation, and Israel. But



Pictured: An Israeli soldier in Hebron motioning to the group about cameras

Throughout the trip, our Palestinian guide periodically goes to sit at the back of the bus. He doesn't say why. Finally, at the airport on our way out, we understand why: at each checkpoint, advanced facial recognition technology and soldiers scan cars for Palestinians. They rarely check buses full of tourists like us, or cars driven by settlers. But at the airport, armed soldiers stop us. They order our guide out and check his documentation. Even though he is one of the 1% of West Bank Palestinians allowed in Israel, he is not allowed to use the airport. He tells the soldiers he is just there to drop us off and they let him go.

one of the things we all came to understand was this: what we saw is apartheid, and it is wrong. In coming to recognize Israeli apartheid for what it is, we join a group of international, Israeli, Palestinian, and U.S. organizations, including Amnesty International, Human Rights Watch, B'Tselem, Ir Amim, Adalah Justice Project, the Movement for Black Lives, and even two former Israeli Ambassadors to South Africa.³

³ <https://www.middleeasteye.net/news/israel-palestine-south-africa-former-ambassadors-call-occupation-apartheid>

PalTrek page 5

Counsel's Counsel

Counsel's Counsel is the world's preeminent advice column for law students. Written by recent UVA Law graduate, Jane Doe, J.D.

Question:

Hi, I'm a 1L. Everyone makes such a big deal about softball here. But, I came here for the books, not the balls. I'm torn. I want to be social and get some sunlight, plus my crush is a star on our section team, but I'm super unathletic. Is there a way I could make softball fun and get my crush to notice me for something beyond being horrible at hand-eye coordination?

Sincerely,

A Clumsy and Hopeless Romantic

Answer:

Oh, my naive 1L friend. Softball isn't fun. It's the alcohol that makes it fun. Drinking isn't technically allowed on the fields, so you might consider filling a CamelBak with booze.

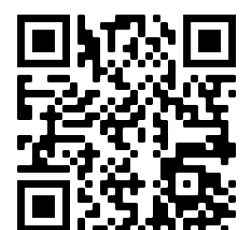
Just because you are uncoordinated doesn't mean that all hope is lost. What you lack in athleticism, you can make up in another crucial part of casual softball—talking sh*t. Improving your trash-talk will get your crush's attention because people like confidence and eloquence. Artfully disparaging your peers showcases a facility of speech.

Loads of classic baseball heckles exist, but the more creative, the better. Here are some oven-ready insults to get you started. **Batters:** (1) My GPA is higher than your batting average; (2) you couldn't hit an Election Law textbook with a shovel; (3) maybe it'll help if you hit the ball with your giant

silver spoon. **Pitchers:** (1) You're looking like Unlearned Ham-Hands out there; (2) home plate hasn't moved since before baseball got an antitrust exception, and they still can't find it; (3) I've seen more heat in a traffic court opinion; (4) we're lighting you up like edits on your first LRW memo; (5) the right to arms is wasted on you.

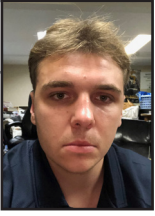
Umpires: (1) With these judgment calls, I hope you stay out of the judiciary; (2) your umping is below the curve; (3) this is intentional infliction of emotional distress; (4) for someone who does so many cite checks, you need to get your sight checked. A versatile insult for any baby-faced player is *You KJD-looking-a** m****f******. Don't forget—it's more important that lawyers skillfully wield words than softball bats. You mentioned that you're here for the books, so study up on the best insult comics. Draft your best burns and deploy them with reckless abandon. Best of luck swinging for the fences, both linguistically and romantically.

For a serious response to your serious inquiries, please access the anonymous submission form using the QR code below.



Broadway Returns! A HADESTOWN Review

Devon Chenelle '23
Staff Editor



Over Spring Break, I was fortunate to attend the Broadway production of the acclaimed musical *Hadestown*. As I'm certain many readers of this paper are soon headed to positions in Manhattan, and more still are excited for the return of live theater, I felt a review of this cultural masterpiece would serve my fellow students well.

I had avoided spoiling myself in any way, shape, or form prior to entering the play. All I was aware of was the title and the fact that, most likely, people would be singing and acting on a stage. These assumptions were correct. Additionally, from the title itself, I surmised there was a decent probability that the ancient Greek god of the underworld would on

some level be involved in the action, but I was far from sure - perhaps, I wondered, there might be some other character named Hades, with only light inspiration from the ancient myth. However, once I arrived in the theater I found that, to my delight, the musical was to be a full adaptation of the ancient myth of Orpheus and Eurydice, wherein Orpheus descends into the underworld to rescue Eurydice, his lover. The action essentially follows along the lines of the ancient tale, except with Hades' underworld cast as a center of industry, nativism (see Hades' song *Why We Build the Wall*), and labor exploitation, in desperate need of some collective bargaining. To my further delight, I noticed the stage was laid out in the fashion of a Greek theater, with a half circle open towards the audience and descending stairs all around. Another delightful

aspect of the stage was a descending platform in the middle, used to portray different characters' movement into the underworld. At this point, as a passionate, albeit amateur, student of the classics, I was practically giddy with excitement. As the lights dimmed and the production began, I settled in for a delightful performance.

By far the highlight of the show was Eurydice, sung and played flawlessly by Eva Noblezada. Her *All I've Ever Known* (with accompaniment from Orpheus) is one of the best pieces I've heard in any musical, and I have been listening to it devoutly since exiting the play. Additionally, Persephone and Hades - Persephone especially - were excellent. *Why We Build the Wall*, sung by Hades and his collection of downtrodden industrial workers, was a rousing and catchy piece, with lyrics so obviously Trump-y ("We Build the Wall...to keep out poverty...to keep us safe" etc.) in their overtones I initially assumed the character was written as intentional political satire, before I learned the musical was actually written in 2006 (though subject to edits since then).

My only quibble is that I was a little underwhelmed by the performance of Sayo Oni as Orpheus. I felt, from both the original myth and the way the character was presented in the play, that his singing chops

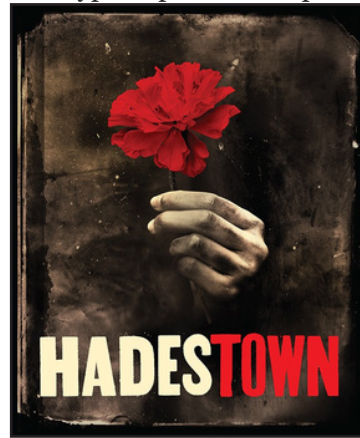
were supposed to be the feature of the show. Unfortunately, while I felt that his falsetto was pleasant, I was expecting Orpheus - for all the buzz - to carry the musical, perhaps even on the level of Idina Menzel in *Wicked*, or Chaim Topol in *Fiddler on the Roof*. However, this was not the case. Additionally, Orpheus's big set piece song, *Epic III*, which was hyped up and anticipated

understandably may have felt somewhat less comfortable in the role than someone who has been performing it night after night. This, perhaps, renders my criticism a little unfair.

One final note of chagrin: during intermission, I went to concessions to purchase two glasses of white wine, a bottle of water, and M&M's. To my shock and horror, I learned - after the glasses had been poured, of course - that the purchase would run me \$56. I feel certain this incident will haunt me well into my forties as I continue paying off my student loans.

In sum, *Hadestown* was an excellent production, and it was a tremendous relief amidst the general return to normalcy to again attend live theater after the tumult of the previous two years. A number of songs - chiefly *All I've Ever Known*, *Why We Build the Wall*, and *Our Lady of the Underground* - will enter into my permanent rotation, alongside other such musical classics as *Look Down*, *Past the Point of No Return*, and *No One Mourns the Wicked*. I recommend readers consider purchasing a ticket the next time they find themselves in the Big Apple.

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Picture Credit: Show Score

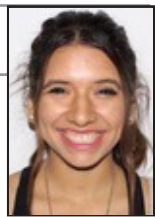
for the entirety of the musical, and was supposed to serve as the climax of the plot's action, fell a little flat to me. I was expecting something rousing and overwhelming like *Defying Gravity* or *The Music of the Night*. However, please note that insofar as this is a criticism, it merely reflects my expectations. I assumed Orpheus would be the focal point of the play. In truth, the real foci of my attention were Eurydice first and then Hades. Furthermore, Mr. Oni was an understudy for the part, and thus



Picture Credit: Matthew Murphy of Vox.com

A Review of *The Batman*

Anne Reyna '23
Staff Writer



Welcome to your spoiler-free movie review of *The Batman* brought to you by *Law Weekly's* official part-time volunteer movie critic enthusiast. Are you looking for a high-budget grunge vigilante film that unfortunately won't cure your existential dread but instead add to it - all while taking three hours of your day? Then wow, have I got the film for you. *The Batman* has everything you could ask for in a comic book film. It had riddles, crazy action sequences, a vintage batmobile, cops with mustaches, Zoë Kravitz, and, of course, a young goth Bruce Wayne that no one asked for, but we all needed. So, let's dive right into it. This review will not only offer entirely subjective and biased personal opinions, but it will also censor any opinions I find contrary to my own.

Riddle me this. What happens when you have a director who not only understands and appreciates the source material, but also is able to provide a fresh new take on a historically famous character? You get the best comic book film of all time. Our reimagined Dark Knight was full of surprises and is not your typical Batman film. Although we have been promised a 'darker and grittier' Batman time and time again, director and vi-

sionary Matt Reeves actually delivered. "Reeves' *The Batman* feels so different from its predecessors, and part of that is due to his choices with Bruce Wayne. I feel like it's more of a crime thriller than it was a superhero movie. I really enjoyed this interpretation and can't wait for the HBO Max Penguin spin-off,"¹ said Law School affiliate and popular movie blogger, Delaney Granberry.

I couldn't have said it better. This is really the first time we've seen Batman's detective skills on the big screen and witnessed him clue hunting in true Sherlock fashion. This was an epic movie of 'firsts' with a character whose story has been told a thousand times. With a \$300 million opening box office week it looks like many people are excited about this latest Batman iteration. "I was skeptical at first because Batman is not my favorite, but I love Robert Pattinson," said Law School affiliate and Library visionary Rebecca Hawes Owen, "I gave it 4 1/2 stars out of five which is the highest rating I've given."²

Even men enjoyed this film. Sid Goyal '23 deemed *The Batman* "a masterpiece of a film" after having seen it

only once.³ Although there's multiple reports⁴ that men might try to make Robert Pattinson into the new Ryan Reynolds, I truly think this is a film for all genders.

For example, Effie Kisger '23 had this thought-provoking insight about the film.

"There may have been 14 Batman films already, but this Batman isn't like the other Batmans. Not only is the film immaculately shot and scored, but it delivered a performance we all deserved. From the onset, it indulges you in a twisted detective mystery fraught with chilling atrocities, cryptic clues, psychological backstory, and a young Bruce Wayne listening to Nirvana with mascara running down his face. He may not be buff, suave, and playful like Nolan's Batman, but Reeves depiction of a much younger and inexperienced Batman grappling with his inner turmoil and barely keeping it together is likely much more relatable to audiences. Equipped with eyeliner, an emo haircut, and sunglasses to obscure his high sensitivity to daylight, Pattinson's performance as a melancholic Caped Crusader exudes the strength of the vigilante we know and love but scraps the philanthropist playboy persona in past iterations for vulnerability and emotional complexity.

3 Multiple viewings encouraged.

4 Things I saw on Twitter.

1 It's true, HBO Max has officially ordered a Colin Farrell 'Penguin' spin-off series coming to a living room near you.

2 *this year.

Truth

continued from page 1

the people who initially experienced the harm, but we do have their descendants," and records that indicate the impact act of slavery on a wider level. This includes looking at the history of redlining in Charlottesville and looking at the work performed by enslaved people. "If that had been wage labor, how much would they have been owed?"

The conversation covered many more topics than this article cannot adequately convey, including the arc of history, local vs. national Truth & Reconciliation efforts, the necessity of facing "icky stuff," the recent removal of Confederate statues in Charlottesville, and more.

"We wanted people to learn more about their local community: Charlottesville has been our host for three years," said Tommy Cerja '24, Social Action Chair for BLSA. The event certainly checked that box.

"The goal of the event was to think critically about our privilege and the conversations that aren't happening," added outgoing ACS president Max Larson '23 (who had dealt heroically with the worst Zoom could throw at her). "We hope to hear more from Professor Ross next time. His work really is profound regarding race, democracy, and marginalized communities."

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5 'Too long, didn't read' for those of you not on the internet.

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LAW WEEKLY FEATURE: Court of Petty Appeals

The Court of Petty Appeals is the highest appellate jurisdiction court at UVA Law. The Court has the power to review any and all decisions, conflicts, and disputes that arise involving, either directly, indirectly, or tangentially, the Law School or its students. The Court comprises eight associate justices and one Chief Justice. Opinions shall be released periodically and only in the official court reporter: the Virginia Law Weekly. Please email a brief summary of any and all conflicts to dl9uh@virginia.edu

City of Charlottesville v. Student Affairs
74 U.Va 20 (2022)

LAKE, C. J. delivers the opinion of the court, in which PAZHWAQ, J., REYNA, J. PETERSON, J., MAR-TIN, J., and ROSCOE, J. join.

STEPHENS, J. CONCURS.

TONSETH, C.J. EMERITUS and KULKARNI, J. DISSENT.

C.J. LAKE, delivering the opinion of the court.

The issue before us is a mix of Land Use and Antitrust, two issues we love to misinterpret. The mixture of arbitrary common law and wanton infringement of constitutional rights is ripe ground for the Court of Petty Appeals. Here, Plaintiff City of Charlottesville alleges Defendant Student Affairs has improperly infringed on their best gig—the City Market.

I. Argument

Plaintiff has accused Student Affairs of improperly operating a produce stand at the Law School on two (2) separate occasions this semester, with apparent plans to continue through the spring. The City of Charlottesville claims this produce stand is a barefaced attempt by Student Affairs to impede the operation of the city market, a Charlottesville tradition hosted downtown every fall and spring. Plaintiff identifies two routes for the Court to find in their favor: the Charlottesville City Code, and Section 2 of the Sherman Act.

Not In My Law School

The Charlottesville City Market is a large farmers market hosted every fall and spring at 100 Water Street. It brings together local craftspeople, food trucks, and fresh produce into one delightful parking lot.

Plaintiff points to the the Charlottesville City Code for the basis of their land use

claim. “The city market shall be operated for the accommodation of any person desiring to make retail sales of farm produce, foodstuffs, art work or handicrafts grown or produced by them, members of their family or farm laborers employed by them upon property owned or leased by the seller.” Code 1990, § 8-2. This language, Plaintiff claims, gives the City domain over all non-grocery store sales of farm stuffs. They argue the “accommodation of any person” means the “accommodation of every person.” On review, Plaintiff acknowledges

their produce stand with predatory pricing with the intent of monopolizing the farmer’s market.

Predatory pricing happens when a firm sells its goods below cost in order to drive its competitors out of business. Once it wins a monopoly, the predatory firm is free to jack up the prices unchecked by all but the most dedicated FTC commissioner. Student Affairs has priced their produce at zero (0) dollars. Discovery found its justification for doing so was “God forbid we ever do anything nice for you ingrates.”

“The Law School has been running their produce stand with predatory pricing with the intent of monopolizing the farmer’s market.”

this claim is not based on any solid legal foundation, but feels strongly it is nonetheless correct.

Plaintiff is clearly empowered by the State of Virginia to establish a city market. Code of Virginia, § 15.1-880. We are less convinced Plaintiff has been delegated this right to the exclusion of all other markets. This Court is a big fan of the market at IX park, which is not run by the City. While its website may be totally incomprehensible, this Court is a fan of anything with IX in the title. (It’s a joke, don’t come at us for the pronunciation.)

Busting the Trust

Charlottesville City Market has been the best game in town for fresh produce since 1973, and now the Law School has begun wading in with a ready supply of captive customers. Discovery has revealed the most recent produce stand signup sold out in about five minutes. Plaintiff alleges the Law School has been running

The Court finds this reasoning persuasive. For one, while free produce may seem to be the great equalizer, findings show students who are slow typers or infrequent email checkers are routinely excluded from participation. Second, law students and their irresponsible loan taking are the backbone of the city market. The twenty dollar vendor signup fee is nominal—it’s the sweet, sweet six percent daily slot fee at the market that keeps this city running. Student Affairs may not provide enough produce for all, most, or even a good portion of students, but they do make me so mad when my form submission doesn’t go through or the stand starts a half hour early while I’m in class, that I am subsequently less likely to participate in other markets. Perhaps this is part of their monopolization strategy.

II. Conclusion

We find that the more farmer’s markets, the better. Free cookies might heal the

soul, but they do nothing to help the population of Law Students in the early stages of scurvy. While pizza may be a vegetable and more than enough to sustain the average *Law Weekly* editor, this Court can only encourage more fresh produce on grounds.

We also find Student Affairs has yet to find the optimal distribution system. Have they considered, perhaps, a personalized “market share” service that can be ordered online and delivered? Unrelated, we find the use of the term “produce stand” is far too close to “farm stand,” a known trigger

that an old dog learns a new trick. The classic school yard taunt of “Up high, down low, too slow!” should govern here and is a blatant miscarriage of justice by the current Chief Justice to ignore this critical tenant.

For one, the amount of free food in this school is redonkulous. If I could do the math, and cared to, I guarantee aggregating the costs of food I’ve had provided by the school would equal to close to a years worth of tuition. Requiring “fresh food” options just seems like we’re pandering to a vocal minority. There’s plenty of grass already in Spies Garden, stop asking for more greenery.

Two, I’m anti-trusting of the majority’s opinion. They both want the produce stand, but also for students to support outside produce stands. Seems like a double standard to me from someone who wants double proportions.

This is just a bad decision that I pray gets discarded to the annals like the idea that 1Ls deserve rights. For this, I dissent.

KULKARNI J., dissenting.

I write separately to dissent from the court deciding this case on the merits. From what I remember from civil procedure,¹ courts tend to find

¹ Which is more than most classes—Professor Bamzai I promise I do pay attention in your classes!

COPA page 6

Faculty Quotes

T. Nachbar: “I will take your frustration as a sign of my pedagogical success.”

T. Frampton: “We start with the Constitutional right to get drunk.”


C. Barzun: “Anybody want to wager that Covington’s lawsuit at the ICJ is going to stop the war?”

R. Harmon: “Wait why am I talking about warrants... oh yeah!”

A. Coughlin: “I promise not to use bad words. But I was going to use the word ‘titty’ before. Can I use that?”

K. Faglioni: “If I can’t do it because I am having sex with a client, y’all have at it.”

Heard a good professor quote? Email us at editor@lawweekly.org



Virginia Law Weekly

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PalTrek

continued from page 2

We have a request of you, our peers: do not go on iTrek. While iTrek is cheap, it comes at a severe cost: normalizing and whitewashing apartheid and destroying fundamental principles behind the rule of law. As law students, we hold immense power through our actions and the future careers we will have. We regret that our peers on iTrek did not see what we saw.⁴ We invite everyone, including, and perhaps especially, those who have gone on iTrek in the past, to join us on PalTrek. Just as our lives were forever changed, we believe yours will be too. We hope you will agree with us that all people deserve freedom and equality under the law, including Palestinians.

⁴ We also regret that our peers on iTrek were apparently under the mistaken impression that they had visited Gaza. <https://www.lawweekly.org/col/2022/3/16/the-return-of-itrek> As we learned during a briefing with UN officials in Jerusalem, Gaza has been subject to an intense military blockade since 2007, and no one, save for aid groups and an extremely small number of people granted permission by the Israeli military, is allowed in or out.

Come See Libel

March 24, 25, and 26
at 7 PM in Caplin Auditorium

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libel | 114
return to the
big stage



scan code to
purchase tickets



HOT BENCH



Jonathan Peterson '23

Interviewed by Jeffrey Horn '23
picture courtesy of Camille Boler '23

First things first, what do you like to be called? I hear people call you Jon, Jonathan, and JP.

Honestly, this is one of the hardest questions for me. I actually flubbed this one in an OGI interview. To people who don't know me well, I usually introduce myself as Jon, but JP is also great. Mostly only family and friends from high school call me Jonathan.

Tell me about yourself. Where are you from?

I'm from here in Charlottesville!

What's it like being from around the Charlottesville area? What are your favorite and least favorite things about Charlottesville?

I'm lucky enough to love the outdoors, so growing up

here was great for me. This dovetails with my favorite thing about Charlottesville; its location is great. If you like hiking, camping, biking, and most other outdoors activities (at least those you would do in the woods), Charlottesville is a wonderful area to grow up in. Least favorite? Probably that there isn't much to do other than what I just talked about. Especially when you're not *legally* allowed to drink. Kind of felt like I was stuck going outside or doing nothing in high school.

What led you to come to law school?

I was considering going for my PhD in philosophy and, full disclosure, I had a professor tell me that "if there was anything else" that could possibly make me happy, I should do that instead. So I came to law school! The brighter side of that story is that I figured that if I wanted to do good things (which, despite my BigLaw future, I still intend on) I might be able to make a larger impact with a law degree and applying my own personal philosophy than just doing philosophy.

What's your favorite pre-law school job you had? Any formative experiences that you have drawn on during law school?

Ooohh this is a fun one. This is hard to apply to law school, but I was a camp counselor for five- to six-year-olds after my first year of undergrad. I absolutely love kids, and getting to spend five days a week hanging out outside with them was a blast. I also in-

terned at the Public Defender Service in D.C. during undergrad as an investigator in the juvenile division, and that was incredibly formative. I already had pretty strong views on the criminal justice system in our country, but that experience definitely helped to solidify them.

What are your post-law school plans?

This summer I'll be heading to work for a firm in San Francisco. I've been saying this lately, but I think long-long term I could see myself doing something with animals. I don't know how far down the road that really is, and plans change. But I've always had a passion for the outdoors and animals. I also have no idea what that would really look like in practice. Maybe it's just a dream job sort of situation.

What do you like to do for fun? Any hobbies?

So I recently got a new game, Elden Ring, that has been taking up some of my time. I also absolutely love playing softball here at the law school. I really enjoy surfing and skateboarding, as well as hiking, running, and when I'm not forced to read hundreds of textbook pages a week, reading for pleasure. Oh, and writing for pleasure too—both creative and like, journaling.

What's your favorite game and why?

I'm gonna treat this as my favorite video game. It's got to be Dark Souls. The game is pretty widely held to be one of the harder games to get the hang of, but I invested a lot (too much) time into it in high school, so now it's a breeze for

me. Because I know it pretty much from front to back, the game is actually quite relaxing for me now. It can be good to destress by just playing some.

Time for a lightning round. If you could be an expert in anything, what would it be?

Can I say languages generally? I would love it if I could speak a ton of different languages. I would hate to be an expert in one of my hobbies, because half the fun of a hobby for me is seeing progress. Suddenly being an expert would ruin it.

Pet peeve?

When people put the Brita back in the fridge completely empty or with like, only a mouthful of water. Absolutely infuriating.

Favorite Charlottesville Restaurant?

Oh this one's tough. It's a toss-up between Roots and Vivace. Roots because, come on. The El Jefe is top tier. Vivace is a wonderful sit-down restaurant though. Or my mom's house.

What is the best advantage to being really tall? Biggest disadvantage?

Definitely concerts and other crowd events. I can see everything. It's like being an omniscient being. Biggest disadvantage is hitting your head on things and the fact that airplane discomfort is directly proportional to height. There just isn't enough leg room and I'm too cheap to shell out the money for exit row seats.

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Nowroz Tabling 2022



Pictured: Layla Khalid '23 and Ida Abhari '22



Pictures Courtesy of Mason Pazhwak '23

COPA

continued from page 4

a way to dismiss cases on procedure when possible. As our name suggests, we only deal with petty issues. Things like property debates and antitrust issues with the City seem too far out of our purview. Chief Justice Lake goes out of her way to connect this to the student body—the reality is that I can’t imagine anything that the average law student cares about less than fresh produce. As she admits, we all know that pizza is our favorite vegetable. Amongst the minority of us that do cook, we tend to find our vegetables rotting in the refrigerator from lack of use. In my personal opinion, the effect on the student body writ large is too small for this court to take up this case in the first place. I respectfully dissent.

STEPHENS, J., concurring in disposition.

While my esteemed colleagues in the majority opinion speak well and broadly in their analysis of the land use statutes of the City of Charlottesville, some may find the conclusion to be “vague and unconvincing.”² I would urge the majority to consider the small potatoes, which can be found to be delicious and tasty, far better than the free pizza which is so graciously provided to the chambers of

² We believe this is either a quote from Justice Scalia or K2-So, but simply cannot be bothered to find out which is responsible.

this esteemed Court.³ While these potatoes were both excellent and free, land use statutes are nothing at which to sneeze.⁴ However, rather than finding that the City of Charlottesville is the governing body, I would urge the majority to reach the same finding on the basis of the Clean Waters Act, under which the Law School Grounds are probably considered a “wetland” of the Rivanna River, and the produce is almost definitely considered “fill” material after it has resided on the students’ shelves until going bad and being thrown into a landfill.⁵ Under this standard, the farmers’ market should be ordered to cease operation and pay daily fines until proper certification is acquired from the Army Corp of Engineers and the Environmental Protection Agency.

³ Any queries seeking to have any Justices recused due to connections to Domino’s will be redirected to our waste disposal technicians

⁴ A separate, though related, inquiry regarding the market’s impact on seasonal allergies has been summarily dismissed.

⁵ 33 USCS 1344(a)

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Sudoku


	9				3			
5		3						8
2		1		8			5	
	5	2				7		3
4			3	2	9			6
3		6				1	2	
	2			9		8		5
1						6		7
			7				1	

The Docket


TIME	EVENT	LOCATION	COST	FOOD?
WEDNESDAY – March 23				
13:00	Public Service Job Search for Rising 3Ls	WB129	Free	☺
16:00	The McCorkle Lecture With Randall L. Kennedy: “From Protest to Law: Triumphs and Defeats in Struggles for Racial Justice, 1950-1970	Caplin Pavilion	Free	☺
THURSDAY – March 24				
13:00	National Lawyers Guild DisOrientation with Mark Jefferson	WB154	Free	☺
17:00	Health Law Association Pizza Party	Class of 1950 Dining Room	Free	☺
19:00 – 21:30	Libel Show	Caplin Auditorium	Purchase a ticket	☺
FRIDAY – March 25				
13:00	1L Clerkship Information Session	WB152	Free	☺
19:00 – 21:30	Libel Show	Caplin Auditorium	Purchase a ticket	☺
SATURDAY – March 26				
19:00 – 21:30	Libel Show	Caplin Auditorium	Purchase a ticket	☺
MONDAY – March 28				
10:00 – 17:00	Public Interest Law Association Hornbook/Clearance Sale	Lounge 2	Books for sale	☺
12:00	“Researching as a Judicial Law Clerk,” With Suzanne Corriell, Circuit Librarian for the Fourth Circuit	Online	Free	☺
17:00	Transactional Roundtable	Caplin Pavilion	Free	☺

March 24, 25, and 26 at 7 PM in Caplin Auditorium
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libel 114 return to the big stage



scan code to purchase tickets



Correction

In our front page article in edition 19, we mistakenly stated that Professor McConnell teaches at Yale. In fact, Professor McConnell teaches at Stanford. We apologize for the confusion.

Solution

7	1	4	5	3	2	6	9	8
2	6	9	7	4	8	5	3	1
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8	9	6	2	1	7	3	4	5
1	2	7	3	5	4	8	6	9