



# VIRGINIA LAW WEEKLY

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

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## So You Are Going to Make 40k This Summer

Dana Lake '23  
Editor-in-Chief

In between exit counseling and career prep for 3Ls and negotiating scholarships with incoming 1Ls, Dean Hulvey with the Law School Financial Aid Office took the time to sit down with me and talk through what the heck a 2L ought to be doing this summer. While I'm writing from a private practice point of view, the better angels of our school who are going into public service should also find some useful bits for their own financial planning.

As a regular adult working a regular job before Law School, I made \$35k a year. Now going to a firm that has adopted the \$215k rate, I and many members of the Class of 2023 will make \$41,346.15 in only ten weeks (before taxes, of course). The BigLaw mindset and your student loan balance can obscure the fact that this is a life-changing amount of money. It's worth taking the time to develop a plan for what to do with it.

The first question is whether to use some of your summer pay to cover some tuition and cost of living expenses, or to take loans. As with most things for the Class of 2023, there is a COVID catch—federal student loan repayments are on pause until the end of summer and likely until after the November midterms.<sup>1</sup> That means interest on those loans is also paused. If you have loans at a higher interest rate, it makes sense to pay off a portion of that loan now, when your dollar can get to the principal balance faster. It's important to remember that the rate you borrow at is the rate you will be paying back years from now.<sup>2</sup> Dean Hulvey advises that the choice between paying back or borrowing less

<sup>1</sup> This is Law Weekly conjecture, don't quote us on it.

<sup>2</sup> Whatever your hope is for undergrad student loan forgiveness, Congress is not going to write a check to a bunch of yuppy corporate lawyers unless you're billing them for it. It's never too late to switch to public service if you want that sweet, sweet graduate PSLF relief.

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## Retired Justice Visits Law School: Espouses Hope



Pictured: Former Justice Breyer and his Former Clerk Risa Goluboff

Sai Kulkarni '23  
Production Editor

This past week, the Law School had the distinct honor of playing host to now-retired Justice Stephen J. Breyer as he was presented with the Thomas Jefferson Foundation Medal in Law. The reason you are getting to read a front-page account of the event is because the Law School was gracious enough to grant myself and our esteemed EIC, Dana Lake '23, press passes to cover the event.<sup>1</sup> From the outset, it was clear that the event was well-organized. There were six rows reserved for the Board of Trustees, VIPs, and professors. Noted subject of many sketches in the Libel Show, Dean Dugas, was there to escort all the important people to their seats. There was even a surprise appearance in the VIP section by some youths who I assume belonged to Professor Schragger.<sup>2</sup> The room was already almost full by 1:30; turns out students will skip class easily if you give them a legitimate excuse. As is expected from an event featuring a recently retired Supreme Court Justice, there were security personnel all over the premises.<sup>3</sup>

It was easy to tell when the

<sup>1</sup> After our fearless leader lobbied the administration. She just really wanted to keep with the theme of political action.

<sup>2</sup> He was escorting them, so it's a good guess.

<sup>3</sup> @Secret Service, aren't you glad I didn't pull an Abed from Community and try to meet the Justice?

event was about to begin, as there was an immediate hush over the crowd as Justice Breyer walked in from backstage. Unlike a 10 a.m. class, everyone was bubbling with anticipation as the first speaker got on stage: President Jim Ryan. President Ryan spoke both about the prestige of the Thomas Jefferson Medal—the fact that it is the highest honor at the University, since we do not give out honorary degrees—and the “contributions and contradictions” of President Jefferson. His comments about Justice Breyer can be summarized by his praise of the Justice’s “outstanding service...in public service.”

Leading with a short joke, as I am sure she is contractually obligated to do, the next person up was Dean Risa Goluboff. As a former clerk for Justice Breyer, she is one of the few people equipped to talk about him on a personal level. She praised his work on “democracy and deliberation” and labeled him as one of the “statesmen of the highest order.” Her introduction was short,<sup>4</sup> likely because she was about to helm the Q&A portion of the event. After this, Justice Breyer was presented with the medal and proceeded to show it to everyone like, and I am quoting EIC Lake here, “an absolute grandpa.” He very clearly did not write his speech of acceptance and was simply having a good time.<sup>5</sup> The only thing he

<sup>4</sup> Please don't kick me out of school, Dean Goluboff; this was unintentional.

<sup>5</sup> I don't blame him; he doesn't have clerks to make write for him anymore.

memorized was his recitation of the Gettysburg Address and the introduction to the Declaration of Independence, presented effectively with a story about his grandchildren. The thing is, though, his speech worked. The whole room was with him the entire time. The main message he gave was one that seemed to stick with everyone. He emphasized two themes from those two famous documents: ideals and experiment. Justice Breyer, in his own optimistic way, is aware that our nation does not live up to the ideals espoused in the Declaration. But at the end of his speech, he left everyone with a quote that I think summarizes his view best: “My friends, it is you who will decide if the experiment will continue.”

After a brief statement by Leslie Bowman, the president of the Jefferson Foundation, the Q&A portion of the event led by Dean Goluboff began. I could spend a long time giving you a full recitation of the questions asked by the Dean and various students, combined with the answers we heard from Justice Breyer. But if you want that, I recommend you go watch the entire event on YouTube; I promise that it is absolutely worth it.<sup>6</sup> Instead, I'll give you a few answers that I am the author of this article, after all. On the political system, Justice Breyer remarked that, “The Constitution sets a process

<sup>6</sup> Here's a link, too: <https://www.law.virginia.edu/news/202204/american-experiment-launched-jefferson-goes-says-justice-breyer>.

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## around north grounds



Thumbs up to the states that have taken steps to legalize marijuana. ANG thinks it's a great first step, but people imprisoned for crimes under that prohibition should also be immediately released.



Thumbs up to Elon attempting to buy out ANG's primary rival. Twitter may have more subscribers, staff, and money than the *Law Weekly* but they don't have the heart.



Thumbs up to the end of student events for the semester. ANG never attends them anyway, but ANG will miss slipping in at the end of FedSoc events for free chicken.



Thumbs down to the Copeley softball field trees. ANG knows Earth Day is this week, but many beautiful would-be homers have been lost to those not-so-little thieves.



Thumbs down to high pollen counts. With all the sneezing and coughing, ANG feels as weak as a newborn baby. Also, ANG misses the days when their diet didn't consist primarily of Halls cough drops.



Thumbs sideways to *Law Weekly* ending for the semester. ANG is glad not to read the self-congratulatory blathering masquerading as journalism but will miss the free floor liners for ANG's ferret corral.



Thumbs sideways to Student Affairs for putting on a lavish, 2Ls-only event to celebrate the Class of 2023 being halfway through law school. Better late than never, just like ANG's final papers.



Thumbs up to teams that show up to softball and get absolutely demolished. Softball is about the love of the game and drinking in the sunshine—and also upping ANG's run differential.

# Do You Want To Start a Student Org? Follow These Easy Steps to Success

Monica Sandu '24  
Co-Executive Editor



So, you have an interest that you want to share with the world (or, at least, with the Law School).<sup>1</sup> You also have a hunch that there are others who share that interest. And, while there may be many groups at the Law School, there are none that fill that niche. What's a student to do? Make your own group!

My journey of creating a new student organization was a bit of a whirlwind, beginning with the spark of an idea that grew over the course of the semester until I decided to take the plunge in March. Out of nebulous desire came concrete plans, a vision for the future. But where to start?

## Step 1: Contact Student Affairs

It was a busy Saturday backstage at Caplin, between scenes during Libel rehearsal. I was hopped up on caffeine, procrastinating on Monday's reading by crafting an impassioned plea to Student Affairs. I wanted

<sup>1</sup> Though, as law students, the two may be the same thing.

to establish the Orthodox Christian Law Student Association, but I had no clue what I needed to do to get started. Over the days I had spent thinking about it prior to sending that email, OCLSA became more than just a dream. I was already planning upcoming events, imagining the kind of community we would be able to build. This was a passion project—my labor of love.

Soon after, I received a reply and set up a meeting with Savannah Ourednik, the Student Affairs Coordinator. We met the following Wednesday, where I discussed my proposal and received the go-ahead. Ms. Ourednik, ever kind and helpful, showed me the Student Organization Handbook,<sup>2</sup> which detailed step-by-step instructions on what I needed to do to get this group off the ground. I left her office with a game plan.

## Step 2: Receive SBA Approval

To create a student group at the Law School, you need SBA approval. To get SBA approval, you need to submit: a constitution; a list

<sup>2</sup> Located conveniently on the Law School's website.

of twenty-five students who support the creation of the organization; the names of anticipated board members; and the New Student Organization Recognition Form.

*I haven't even finished Con Law, I thought. How can I possibly write a whole new constitution on my own?* The prospect was daunting. Thankfully, the SBA website had a helpful template that laid out exactly what sections I needed to include. The rest was up to me. For two weeks, I wrote and rewrote the constitution, going over its provisions with a fine-toothed comb to ensure that everything complied with SBA requirements, such as allowing for a one-month transition period for the executive board, following elections. I had to develop a system that was simple enough to work with what I anticipated would be a small group to start, but which could easily be adapted to handle more members as the organization grew. While it wasn't the easiest project in the world, I felt a certain thrill crafting these rules that would guide the organization for years to come. With every section I drafted, OCLSA became a little more real.

Getting to twenty-five signatures was also not as bad as I had first anticipated.

ed. There was an outpouring of support from my section and other 1Ls, the cast of Libel, and members of other groups I'm in. We reached the minimum signature requirement in only two days! From there, I only had to fill out the New Student Organization Recognition Form, detailing the organization's vision, along with short-term and long-term goals to achieve that vision. At the first interest meeting, prospective members looked over what I had planned, and, together, we finalized our founding documents.

With the paperwork finally done, I emailed SBA Vice President Shivani Armilli '23<sup>3</sup> and eventually presented my proposal to the SBA for them to consider. When I got the email that I had been approved, I couldn't stop smiling.

## Step 3: Receive CIO Status

The last step is receiving Contracted Independent Organization (CIO) status from the University, and applications open in the fall. To receive CIO status, orga-

<sup>3</sup> Who was incredible in answering my questions and helping me out every step of the way!

nizations must have at least ten student members. Applicants must have at least three meetings directly related to the organization's mission before applying.

## Conclusion

Crucially, I didn't go about this alone. I am humbled by the kindness and generosity of the UVA Law community. Fellow students were willing to support this endeavor, become members, and even take on leadership roles.<sup>4</sup> Words cannot express my gratitude.

If you have an idea you'd like to turn into a student group, go for it! Our community is made stronger by its diversity and its members' passions.

<sup>4</sup> Huge shoutout to Riley Ries '24, the St. Thomas More Society, and LCF!

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## Financials

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comes down to that year's interest rate. For 2022, the direct unsubsidized loan rate for graduate students was 5.28%. If that rate goes up for 2023, it makes sense to borrow less next year and to use your summer funds for living expenses. If rates go down, it makes sense to take the new, cheaper loan and to instead use your summer funds to pay back the older, more expensive loan.

Dean Hulvey emphasized that this choice comes with a major caveat—what is your summer plan after graduation? 3L and 3L Summer tend to be more expensive than 1L and 2L for many reasons, ranging from going all out at Bar Review and buying your friends green tea shooters at Crozet, to purchasing wedding presents for all the couples tying the knot after graduation. You will be moving cities, expanding your professional wardrobe, maybe going on a bar trip before work starts. A frugal 3L year will still be full of unexpected expenses. You need a plan so that you can avoid taking a bar loan,<sup>3</sup> if possible. Your

<sup>3</sup> These are private loans specifically for students who need help paying for living expenses while studying for the Bar. They typically have high interest rates and are not eligible for flexible repayments or forgiveness. See <https://www.forbes.com/advisor/student-loans/best-bar-exam-study-loans/>.

firm may provide you with a stipend, or you might be able to take a forward on your paychecks. But another option is to save your summer pay in a high interest account<sup>4</sup> to prepare for these costs.

I'll touch on taxes briefly. This year is probably the last year of your working life that your federal income tax bracket will be 22%. You might even be in the 12% bracket. After graduation, you will be firmly in the 35% bracket (unless you get married, which keeps you at a cool 24%). What that means is that this is the last best year for you to contribute to an after-tax account, like a Roth IRA. With a Roth IRA, you can contribute up to \$6,000 a year of income, taxed at your current rate. It then grows and can be withdrawn tax-free when you are up there in the more expensive brackets. With the power of compound interest, that becomes \$64,000 if you only make one contribution and never even look at the account again.<sup>5</sup>

A final note on housing. It is probably too late for you to change your summer housing plan now, but this summer is the time for you to explore the

<sup>4</sup> I use Discover Bank, which has no account balance minimum and no monthly maintenance fee, with 0.50% APY. See <https://thecollegeinvestor.com/22105/best-savings-accounts-students/> for other options.

<sup>5</sup> If you are twenty-five, let it grow to age sixty, with 7% returns.

city and get to know the different areas where you can live. Take the time to look for an affordable area you can be happy in the long term. For students still trying to secure summer accommodations and that have real need of financial assistance—be that making down payments on apartments or other housing cost issues—the financial aid office can help. Reach out and talk to them before putting an enormous balance on your credit card or taking a high interest personal loan.

What it all comes down to is the need for a PLAN for your summer income, and the time to start making that plan is now, before the money starts rolling in. A successful financial plan is one that supports your goals. It will allow you to pay for your wedding, own a home, travel, or achieve whatever other life events are important to you. Starting good saving habits this summer is the key. Dean Hulvey is hosting a Budgeting for Life workshop on Friday from 12:00-1:00 in WB126 that can help you craft the right plan for your goals and situation.

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# Sudoku

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

Answers Are On Page 5

# The Midway Toast: Two Writers Give Hot Takes

Anna Brniski '23  
Features Editor  
Mason Pazhwak '23  
Foreign Correspondent

On Wednesday, April 13, the Law School held a belated Halfway Toast for the Class of 2023. (Although the event was delayed from the reasonable halfway point of January until closer to the two-thirds mark of the 2Ls' law school career, that definitely seems like a better deal than the Zoom toast that COVID forced on the Class of 2022.) Two *Law Weekly* correspondents attended the Toast.

**Anna:** The first edition of the *Law Weekly* that I ever encountered (as a visiting prospective student) covered the Midway Toast for the Class of 2021. It was on the front page, if I recall correctly. I thought, "That seems like a weird, self-congratulatory event for people who are privileged enough to be at UVA Law. Isn't celebrating the fact that you're halfway through an academic program setting the bar kind of low? Also, why is it news? Is anyone interested in reading about that?"<sup>1</sup>

Joke's on me. Turns out, law school is hard, especially in a pandemic, and it's really nice to have a big celebratory gather-

1 I still have no answers as to whether coverage of the toast has any actual appeal to the *Law Weekly* readership.



Professor Serenading Students at the Midway Toast

ing with people you know well, vaguely know, and have literally never seen.<sup>2</sup> Particularly when there are personal snack trays (easily taken home or to the library), as well as cupcakes. I was particularly pleased to note that to pair with the glasses of bubbly (both alcoholic and not), the snack trays included literal tiny toasts.

For the toast proper, Dean Risa Goluboff made remarks that expressed hope for the rest of the Class of 2023's law school career—academically, socially, and professionally.

A serenade from a large choir of professors was the standout of the event, in my opinion. With the preface, "We wanted to do a mashup, but we couldn't

2 I could blame COVID, but I'm also kind of a hermit and enjoy going to sleep at 9 p.m.

figure out what that was, so it's a medley"<sup>3</sup> and the leadership of Professors Barbara Armacost and Anne Coughlin, some twenty faculty and administration members blessed the 2Ls with parodic versions of "Leaving On a Jet Plane" and "Somewhere Over the Rainbow."

**Mason:** As a 2L, I think I can safely say that we are the UVA Law class that has borne the brunt of the COVID pandemic and everything it has entailed. Even as the illness retreats and life returns to normal, we remain a class that experienced a 1L year that, looking back, seems almost unbelievable in comparison to what we have now and that was sometimes absurd on reflec-

3 Clearly, Professor Ruth Buck was not consulted.

tion.<sup>4</sup> The measures imposed severely impacted our lives as law students, and we went through it without the benefit of the previously built social connections of the Classes of 2021 and 2022. Meanwhile, we could only dream of the many freedoms returned to the Class of 2024. This is all to say that a lot was lost for us, and while it may have served the important purpose of slowing down a deadly disease, it nevertheless made many feel that we were something of a lost class. Walking into a Class of 2023 Midway Toast already delayed by several months due to COVID measures, I am sure I was not the only one who could sense this history hanging invisibly in the air.

Dean Goluboff, in her remarks, acknowledged what had happened and the sentiment it created, but instead of dwelling on the past, she called for us to look to the future and all of the

4 I want to give honorable mentions to the outdoor universal masking phase of the pandemic, the rule on wearing masks while using already distanced cardio machines in the North Grounds gym, r/UVALaw Reddit wars, and, most notably (and destructively to social cohesion), the UVA policy of encouraging classmates and future colleagues to tell on each other for real or perceived violations of COVID measures.

possibilities of the time we have left here at UVA Law as the Class of 2023. This was accompanied by funny, heartwarming, and well-sung musical numbers by our professors in what was a Midway Toast first, uniquely created for the Class of 2023. I know that I, like many others, couldn't help but smile as they showed that they understood what we had experienced and welcomed us to look forward to better days in our little law community at the foot of the Blue Ridge Mountains. I thus found the whole experience to be cathartic, not only for its traditional purposes of being a celebration of making it halfway through law school and an opportunity to reconnect as a class, but also as a goodbye to a first half defined by the pandemic and the welcoming of a second act that might rehabilitate our battered class. Perhaps it was the background of gorgeous spring weather, the promise of an exciting summer, a few glasses of champagne, or several excess containers full of snacks and cupcakes, but I couldn't help but leave the Midway Toast feeling quite pleased for having attended and optimistic for the future of the UVA Law Class of 2023.

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## 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.*

**Note:** *Counsel's Counsel* is a work of satire. Alcoholism is a real disease with real consequences. It can be difficult to identify when your drinking transitions from moderate to problematic. If you think you or someone you know may be exhibiting signs of problem drinking, there is help available. Please speak to Student Affairs, and visit:  
<https://www.law.virginia.edu/wellness/alcohol-and-substance-abuse>.

**Subject:** I think I'm an alcoholic. What should I do?

**Question:**

I'm a 2L, and since starting law school, my alcohol intake has increased significantly, albeit gradually. I'm concerned because I've started thinking about drinking when I'm stressed. Before law school, drinking was an afterthought, not a solution.

I'm confident this change was stress-induced. I'm not sleeping. I feel ownership over my work, but the potential gravity of mistakes weighs on me. It doesn't help that alcohol dominates the social scene here. I am increasingly seeing alcohol as a part of my routine instead of as a treat. It feels like an obligation.

School is already stressful, so I'm concerned about BigLaw. Even though drinking is the fourth or fifth thing I think of when I'm stressed, I'm trying to change course before it becomes the first. How do I avoid joining the third of lawyers with a substance abuse problem?

Sincerely,  
An Aspiring Straight-Edge

**Answer:**

One apparent "solution" is to do legal work you find inherently interesting so that you're excited, rather than stressed, about your job. But this mentality fails to recognize the Third Theorem of Lawyering, which states that *There is a baseline amount of suffering essential to legal work that cannot be reduced to zero by intrinsic motivation.* Mathematically, the amount of suffering a lawyer experiences from her work is represented by the following formula:

$$S = h * sph^m, \text{ where:}$$

S = Total amount of suffering  
h = Hours worked  
sph = Suffering per hour of legal work

m = An exponential factor that is adjusted up for the number of hours worked and adjusted down for intrinsic motivation.

Because experience is subjective, *sph* requires individualized calculations. Expressed as an equation,  $sph = n - x$ , where

n = The maximum possible amount of suffering experienced per hour of legal work<sup>1</sup>

x = Suffering reduced by environmental factors and extrinsic benefits.

Everyone has their de-1 n is also known as the Non-Equity Partner's Constant. The brutal research methodology used to calculate this number has since been discontinued, but its reliability remains unrefuted.

mons, and people should address them. Some people paint, others bake. But the unavoidable suffering described by the Third Theorem of Lawyering feeds our demons. Sometimes, we need heavy artillery.

I'll concede that business students should stay away from drugs. If you can't handle the LSAT, then you can't play with the big girls. Inspirational speakers call it "drinking to excess" because *their*

demons are satisfied to go through the motions of soul consignment. A lawyer's demons are devotees of an unholy ethic. Attorneys earn their indulgence.

I understand your fears, but there's an unnecessary stigma surrounding substance use. When you drink pop, you accept the sugar for the taste. When you take medication, you risk getting side effects for alleviation. When you do drugs, you risk dependency to cope. It's all cost-benefit analysis. I took the leap, and it is up to you whether to do the same.

If you have to pick one, I'm bullish on alcohol. Your tolerance is a business development asset. It's depreciating, so you better drink to keep up with the Jones Days. If your tolerance increases with market rate, you're doing it right. Think of addiction not as an obligation but as an office supply. At the end of the day, if you can't beat your demons, join 'em. That is, if you can't beat your demons in their effort to drag you to Hell, then go skipping arm-in-arm with them in the fiery fields. The water is warm. Come on in. We have an excellent legal team.

Breyer

continued from page 1

to create *basically* a democratic system in order to decide what [we want] at the ballot box." He noted that the legacy of *Brown v. Board* can be summarized as a decision leading to a nation of 330 million people that can one day respect each other as people. He cited specifically a conversation with Vernon Jordan to say that the Court helped with that decision but that they didn't do it alone; desegregation was moved forward by regular people. Despite sidestepping a question about *Roe*, Justice Breyer went out of his way to note that action is required by the people in keeping the experiment going.

I think most of the crowd, regardless of their views of the man, can respect that he did not become a cynic after many years of public service. In honor of that, I leave with you the quote I think he would like everyone to see the most, even if most of you might be a little too cynical to agree with it: "We do what we can do. Listening, talking, and by no means shutting down people who disagree. Participate. [There are] lots of ways to convince people, but never shut those people off...Stay together. Worry is something to keep to yourself...Be a positive force, and find something you agree with [in the people that disagree with you]. And use it. Be upset at home. But when you are out, [help]."

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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](mailto:dl9uh@virginia.edu)

Tonseth

v.

The Haters II

74 U.Va 24 (2022)

TONSETH, C.J. EMERITUS delivers the opinion of the court, in which LAKE, C.J., BNINSKI, J., MORSE, J., PAZHAWAK, J., SMITH, J., and ROSCOE, J., join.

KULKARNI, J., dissents.

BIRCH, J., concurs in part and dissents in part.

TONSETH, C.J. EMERITUS delivering the opinion of the Court.

I.

Today's case comes before this Court via an action in assumpsit, wherein Plaintiff, yours truly, alleges that the defendants, his haters, violated his covenant of quiet enjoyment to coast through law school with his peace undisturbed. Inspired by Will Smith and King Lil G, Plaintiff humbly requests a permanent injunction against the defendants' use of his name in casual conversation, citing King Lil G's lyrics in his amicus: "Keep my name out of your mouth, cause most of the time you don't know what you talking about." This Court is inclined to agree with today's plaintiff. Defendants vehemently disagree, so into the Thunderdome' we go.

II.

"Everybody talks, everybody talks. It started with a whisper."<sup>2</sup> Plaintiff under-

1 <https://www.lawweekly.org/front-page/2021/3/3/welcome-to-the-thunderdome-chief-justice-phil-tonseth-takes-the-gavel>

2 See Neon Trees's popular 2011 hit.

stands that UVA Law is a small school. Further, Plaintiff acknowledges that unless one were to be an extreme introvert, or to attend every event on Zoom, people will come to know most students within their graduating class and the entire school more generally. However, the plaintiff has taken umbrage and filed a direct complaint to this Court to halt a potential miscarriage of justice: the defendants indiscriminately bringing Plaintiff up in unrelated conversations, med-

entering into mutual friendships, no matter how superficial, even if just by being classmates, a social contract was created. As this Court is founded on the work of Hobbes, Locke, and Rousseau, we do thus find there was a contract between the parties. In regard to the actual real property affected, the plaintiff points to social status, reputation, and time spent putting out fires unnecessarily created by the blabbermouths. In such an insular and cliquish school,

it has been done so by the named defendants. This case is one where the plaintiff has been irreparably harmed and thus demands an instant remedy. But going further, this Court would like to invoke Justice Thomas's sage counsel one final time, in hopes that the defendants are listening: "Good manners will open doors that the best education cannot."

IV.

You may be asking yourself, "Doesn't this case reek of bias and pettiness?" Ab-

solutely, but this Court cites deep precedent to weather this criticism. First and most importantly, as I shall remind the learned audience, the First Petty Rule of Civil Procedure is, "We do what we want."<sup>4</sup> This rule as a stand-alone is justification for this legal and my personal opinion. However, lest we forget, nary a fortnight ago, this Court, via complaints brought by some of the defendants in this case, sought to sue me, as the Chief Jus-

stice, myself.<sup>5</sup> As I wrote in my dissent and will repeat now, if you come at the King, you best not miss. Look who has the last laugh now!

And with that, the Thunderdome<sup>6</sup> officially closes its doors. A permanent and timeless injunction is thus granted against the defendants, and damages are awarded to the plaintiff equal to the current Powerball figure. Mamba out.

KULKARNI, J., dissenting.

This is a law school. It is that simple. So why then, is the most esteemed court in all the land being tarnished by this farce of a majority opinion? To have himself as the plaintiff and to be the Justice deciding the case seems clearly inspired by Justice Thomas in all the worst ways. Plaintiff Tonseth (for that is the way to describe him today) has many failures in his opinion, the most glaring of which is his lack of understanding of the University of Virginia Drama School of Law. His mere existence causes stories to start.

5 *UVA Law Student Body v. Chief Justice Tonseth*, 74 U.Va. 10 (2021).

6 <https://www.lawweekly.org/front-page/2021/3/3/welcome-to-the-thunderdome-chief-justice-phil-tonseth-takes-the-gavel> ditto on not knowing how to fix this

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"Inspired by Will Smith and King Lil G, plaintiff humbly requests a permanent injunction against defendant's use of his name in casual conversation... 'keep my name out of your mouth.'"

dling in business that isn't their own, and thus making a mountain out of a molehill across various social circles. In their response, Defendants urge that as a "public figure," Plaintiff has no claim to quash the defendants' First Amendment rights to speak, especially with SCOTUS's incredibly malleable "malice" requirements. This Court finds the defendants' counter persuasive, and thus dismisses any potential slander claims out of hand.

In response, Plaintiff argued in the alternative that Defendants have violated the agreed-to covenant of quiet enjoyment between the two parties. Defendants urged this Court to see past this smokescreen, arguing there was no consideration between the parties, and no "real property" was impacted by their continued pedantic gossip. Plaintiff, in true and high-quality legal ingenuity, posited that by both parties

the Court deems this argument as full of merit, and thus sustains the claim.

Plaintiff then turned to the quiet enjoyment of his tenure at UVA Law. Defendants, it is alleged, violated the covenant as hostile claimants, a byproduct of their mutually formed social contract, by not allowing Plaintiff to enjoy his time as a student undisturbed with full enjoyment of his real property. Thus, Plaintiff brought the action in assumpsit to remedy this, as Defendants have neglected to uphold their collegiality end of the promised social contract.

III.

There is nary a need for an in-depth analysis of these claims. Plaintiff has proven their prima facie case that their quiet enjoyment has been disturbed<sup>3</sup> and that

3 The sheer amount of rumors people spread is enough, like c'mon, folks.

4 *Law Weekly v. CoPA Copiers*, 369 U.Va. 96 (2019).

4 *Law Weekly v. CoPA Copiers*, 369 U.Va. 96 (2019).

4 *Law Weekly v. CoPA Copiers*, 369 U.Va. 96 (2019).

## Faculty Quotes

**A. Bamzai:** "In some ways, lethal injection laws are not designed to promote the public health."

**K. Kordana:** "I'm not an expert in administrative law, but that seems stupid."

**M. Collins:** "I was filling my water bottle in the faculty office and there was this tall guy in there fixing himself a coffee. He looked *astoundingly* like Justice Breyer."

**R. Verkerke:** "I believe in professorial modesty, and this is a case where we should be very modest. We have had virtually no effect on anybody."

**R. Schragger:** "It will harsh the vibes."

**J. Harrison:** "It's interesting how many important statutes were enacted because nobody trusted Nixon."

Heard a good professor quote? Email us at [editor@lawweekly.org](mailto:editor@lawweekly.org)



*Thomas Jefferson*

## Virginia Law Weekly

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COPA

continued from page 4

To allege that he is the only one being harmed is outrageous. If I didn't believe in the integrity of this Court, I would file a countersuit. The haters are correct, and this opinion will describe why.

Plaintiff relies on a theory of social contract between himself and the very people he is suing and alleges breach thereof. The reality is that there is no contract amongst friends at the Law School. Here, friendships are made and lost on a dime and weekly. To claim that such a transparent and superficial relationship is anything akin to a contract is true fantasy. Similarly, to allege that "putting out fires" related to issues off-shooting from the very drama Plaintiff causes is to allege no real property interest. That is energy that every law student is required to put in when attending law school in such an environment.

On the question of remedies, Plaintiff Tonseth is once again "shooting from the hip." Much like Professor Thomas Frampton's attempted punch at Dick Cheney, this shot misses its mark. The Court of Petty Appeals has no authority to issue a binding permanent injunction against Plaintiff Tonseth's haters. Put simply, he has to accept that "haters gonna hate." On a personal note, I can guarantee you that I will not be pursuing such action against my many haters in the fu-

ture. While Plaintiff Tonseth is fond of the phrase, "If you come at the King, you best not miss," I choose instead (and recommend he choose to follow as well), "They hate us 'cause they ain't us."

BIRCH, J., begrudgingly concurring in part and dissenting in part.

As a matter of deference and friendship that flies in the face of the dissent's view of this Law School, I must concur with Justice and Plaintiff Tonseth. Three years alongside the Justice has, at times, contained the mundane activities of being a graduate student. More often, however, it has been a roller coaster ride in a theme park that managed to open the gates before the state inspector had a chance to look anything over. That is to say: fun, but who knows what the hell could happen next.

Much of the claimed harm is alleged from the actions of others, and I agree there have been some truly unprecedented and unwarranted breaches of quiet enjoyment of the Justice's Law School experience.<sup>7</sup> For this, a remedy should be granted and is offered at the end of this

<sup>7</sup> Note that "quiet" enjoyment often meant yelling so the person next to you could hear you at Bar Review, Feb Club, or many of the other debauched escapes from work this amazing colony of 'students' manages to come up with

mixed opinion. To claim that this opinion in any way tarnishes this most esteemed Court would be to assume there was precious metal at the heart of this bench to tarnish. Instead, this Court is made of the most solid foundation the Law School has to offer: hand-cut marble heavy enough to crush hopes and dreams.

However, and in a turn none of us ever expected, I must agree in part with our junior colleague on the bench. Justice Kulkarni has taken the correct position that Justice Tonseth must simply accept the fact that "haters gonna hate." It is called assumption of risk. Justice Tonseth unceremoniously stepped into this Law School's social boxing ring and must now fight his way out. The final bell has rung, but it seems the Justice refuses to go out any way but swinging.

Damages should be awarded to the plaintiff, Justice Tonseth, totaling only the amount of already-received real and grossly over-perceived social status granted by lighting little fires throughout much of the Law School's social scene. The injunction should be denied, and Justice Kulkarni should be held to his precedent regarding a similar opinion, expected next year.

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Solution

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

Cartoon



Comic by Monica Sandu '24

HOT BENCH



Michael Berdan '22

Interviewed by Nikolai Morse

**Michael, thank you for sitting down with Law Weekly, and congratulations on wrapping up 3L! Let's start out with the basics: Where are you from?**

I'm from outside Seattle, specifically Redmond, WA.

**Ah, that's a beautiful part of the country.**

Yeah. It's also where Microsoft and Amazon are from. It's totally transformed the area from being known for Starbucks and Nirvana to being a tech-y area, which it never really was before.

**Where did you do your undergrad?**

Brigham Young University, in Provo, UT.

**Did you do a mission after BYU?**

Yes, in El Paso and then Hispaniola, New Mexico, which is right on the border. But I'm not affiliated with the

church any longer.

**What did you do after that?**

I taught through Teach for America in Texas, down in McAllen.

**What brought you to law school?**

I was looking into grad school in general for furthering my career prospects and took the GRE, but had a long-standing interest in law. Looking at different schools, we determined that UVA checked all the boxes for our family. It's a great school, and we didn't want to go to Chicago, Boston, or New York for climate and other fit reasons. UVA was the only place I applied, early decision.

**And when did you get involved with Law Weekly?**

I started by submitting a Letter to the Editor in my second month of law school and then another one. After that, the EIC at the time reached out and said I needed to come to the meeting and join up. I was the Opinions Editor.

**What was your first Letter to the Editor about?**

It was about a FedSoc event where there was a line for everyone to get Chick-fil-A. There were only a few of the spicy chicken sandwiches left (which everyone vastly prefers to the regular, non-spicy sandwiches), but there was a long line. Then, this one guy cut the line and walked around the other side of the tables where the food was be-

ing served from and acted as if there was a line there that everyone had just decided not to step into. He took the last spicy chicken sandwich, and people were upset. I wrote about this, and about how him acting as if it was totally reasonable to assume there was another line was really just a cover to get that sandwich, and I made an analogy to how disingenuous political discourse is and how people will tie themselves to an argument they know isn't rationale as a cover for taking a specific political position.

**Sounds like the chicken wasn't the only spicy thing you took away from that event! You've been with Law Weekly throughout your time at the Law School. Do you have a favorite article or topic you wrote about?**

Yeah, it was about a town hall that Dean Goluboff held in the wake of the disenrollment of a student who was called up in the National Guard to help with COVID in New York City. The School has a policy that you cannot work more than twenty hours a week while in school. So, they administratively withdrew the student from school, which, while not an expulsion, does result in being unenrolled and losing credits for that semester. In response to the controversy, Dean Goluboff held a town hall, and I reported on it. People questioned her pretty directly, and many came away feeling like the answers weren't satisfactory. Well, I emailed

my article to Dean Goluboff the night before publication, and she reached out and said she would have a response. Dean Goluboff then reached out to the student who was in the National Guard, and they sent back a co-written response committing to work together to fix the issues with the process. It was a really great opportunity to see the power of publicity to get officials personally involved and responsive. And the student ended up getting her appeal approved, which is great.

**That's a fantastic story. Makes me wish I wrote less COPA's attacking Paw Review and more hard-hitting journalism. So, what are you doing after law school?**

I'll be with Troutman Pepper in Richmond, in their labor and employment group. It's a small group, which I like because you get more autonomy and responsibility early on, and I really liked the people I worked with. I've also been interested in immigration law since having lived on the border and will definitely continue to do immigration work during my pro bono hours.

**Fantastic. Do you have any parting advice for law students?**

Question and push back on things that are communicated as being a policy, requirement, or a standard. Institutions, and schools in particular, have practices and policies that are not always in the interest of students. And

only students will be able to change them.

**Alright, lightning round—biggest pet peeve?**

When people come to UVA and never really see anything that Charlottesville and Virginia have to offer.

**Favorite place in Charlottesville?**

Rivanna Trail System; it's magnificent.

**Favorite place in Richmond?**

Four-block area in the West end, where there are Vietnamese, Mexican, Lebanese, and other restaurants. It's a really cool international district.

**Favorite professors?**

Rip Verkerke, Molly Shadel, and Charles Barzun.

**Favorite food in Charlottesville?**

Pearl Island. It's hard to find such good Caribbean food anywhere.

**Favorite holiday?**

Labor Day. It places very little obligations on people to do stuff (especially as a dad and husband). Labor Day is great because no one wants anything from me, and I can relax and enjoy.

**Michael, thank you for speaking with us, and best of luck in the real world!**

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# Farewell to Our Beloved 3Ls (and Phil)



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