



# VIRGINIA LAW WEEKLY

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

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## Beware of Leeches

Caleb Stephens '23  
Technology Editor

Why would I ever be attacked by a leech? Is this something to do with medicinal leeches? Do leeches hurt? All of these are questions I frequently hear whenever leeches come up in common conversation.

Much like a cold call, you never expect to find a leech.<sup>1</sup> It just kind of happens. I've had to deal with a lot of leeches over time, and it is something to which you can grow more accustomed. Honestly, I far prefer leeches over red-bugs, ticks, or fleas (all semi-common occurrences if you live in the woods and have outdoor dogs). Leeches are easier to spot, less frequently in unfortunate locations, less likely to give you a disease, and much simpler to remove. You're also far less likely to get a leech if you don't go in water (although I hear there are land-dwelling leeches in some places, I've never experienced those, since I haven't spent much time in jungle environments).

As a native North Floridian, I have had my share of time in the swamps, and I've had many encounters with leeches. Fortunately, most of the encounters were with baby leeches, which are only noticeable when you exit the water and see them. I've had a few full-size leeches too, and, while they hurt more (you'll actually notice when they latch on, unlike the tiny ones), they're still pretty easy to deal with. As temporary Virginians, most of you probably won't have to deal with leeches, as I've never encountered one in mountain water. While they do live in Virginia, the existence of leeches should not deter you from entering nice cold mountain streams, as leeches tend to be relatively harmless denizens of the swamp.

If you do encounter a leech, the most important thing to remember is how to remove a leech once attached. You may think you know how to remove a leech, particularly if you've seen *The African Queen*.<sup>2</sup> However, unfortunately, the common knowledge is completely wrong. You absolutely do not apply salt, lemon, or heat. As much as applying any of those to a leech and watch-

1 Or the Spanish Inquisition

2 Humphrey Bogart, Katharine Hepburn, and WWI Africa. Well worth a watch.

## LawHoos Register to Go to the Virginia Polls



Pictured: ACS's Voter Registration Tabling. Photo Credit: Andrew Allard '25.

Andrew Allard '25  
Staff Editor

With Election Day fast approaching, the American Constitution Society, If/When/How, Lambda Law Alliance, the National Lawyers Guild, and the Virginia Environmental Law Forum jointly organized a week-long voter registration drive at the Law School that ended Monday, October 3. The powerhouse team joined together, no doubt, with the strategic objective of increasing registration among a group of Charlottesville's most likely registered voters. "Why report on it, then?" you ask? Because democracy is cool.

Since last Wednesday, September 28, ACS and company have encouraged students—read: 1Ls gunning for 1L rep positions—to volunteer to help UVA Law get out the vote. This laudable goal is naturally unable to escape the derision of a writer for the *Virginia Law Weekly*. Armed with the persuasive power of Doritos and Snickers, the motley crew told me that they had succeeded in registering at least ten students when I stopped by to check in on them last Friday.

The voter registration drive's volunteers were aware of the challenges inherent in getting students at the Law School to register in Virginia. Said one volunteer, Grace Allaman '24, "It's kind of hard because Virginia doesn't have a lot of competitive races right now." Allaman was sure to note that students can still vote absentee in their home state and that the drive would be happy to help students seeking information on absentee ballots.

Allaman is right to say that Virginia does not have many competitive races for the 2022 election cycle. Neither of Virginia's senators, nor its governor, will face voters this November, and at press time, FiveThirtyEight indicates that all but two of Virginia's eleven House races are either solid Republican or solid Democrat.<sup>1</sup> Suffice it to say that Charlottesville is not situated in either of the competitive districts. In all likelihood, Charlottesville, and with it, North Grounds, will reprise its dependable role as a blue island within Virginia's Fifth District. But for what the Commonwealth of Virginia lacks in contested elections this year, it more than makes up for in bright-eyed law students.

As they left the drive last week, I asked some of Charlottesville's newest eligible voters what motivated them to cast their ballots here in Virginia. Will Schweller '25 made the bold decision to change his registration from his home-state and noted swing-vote territory, Ohio. Asked why, Schweller said, "I want to get involved locally, and I think it makes sense. I'll be here for the next three years. I should be voting here." Another new Virginia voter, Colby Woodis '25, changed from his previous registration in Tennessee. Woodis offered a similar motivation—his newfound home in Virginia—for changing his registration. Asked if he thinks other law students should register in the state, Woodis answered, "I would encourage others to

1 <https://projects.fivethirtyeight.com/2022-election-forecast/house/>

do what their conscience tells them."

In the tit-for-tat world of modern American electoral politics, it's hard not to admire the commitment to community expressed by Schweller and Woodis. But I would be lying to you, reader, if I told you I fully understood their position. As a native New Hampshire, I know a thing or two about the joys of being wooed by candidates seeking a leg up in a competitive election. In my first year of undergrad in 2015, it was a no-brainer for me to choose an absentee ballot for my home state over registration in D.C. Sure, I've been registered in Virginia for a few years now, but from time to time, I do miss the privileges of voting in the Granite State.

Thankfully, I am in good company. Another new Virginia voter, Tara Chowdhury '25, offered a more pragmatic reason for her change in registration. Chowdhury, previously registered to vote in New York, explained her decision to switch to Virginia, saying, "I am a lot more comfortable with the politics around abortion rights and trans rights in New York than I am with them in Virginia. My vote and views feel like they would count more in Virginia, and the post-*Dobbs* panel held this September really highlighted how changing our voter registration to be able to vote in Virginia is a first step in trying to preserve our rights." Now, *that*, I can understand! Chowdhury also encouraged law students to register in Virginia, mirroring the sense of

## around north grounds



Thumbs up to Fall Break. ANG will be on vacation next week, but is returning October 19.



Thumbs down to the cool weather. ANG actually likes cool weather, but hates the specter of cuffing season on the horizon.



Thumbs up to Fat Bear Week starting. ANG spends all year looking forward to ranking the chubbiest bears (and has money on the line).



Thumbs down to the new SCOTUS term starting.



Thumbs up to the Nord Stream pipeline leak, ANG is fascinated by the international whodunnit.



Thumbs down to Virginians complaining about the "Hurricane" last weekend. ANG does not want to be lectured by another Floridian about what a real hurricane is like.



Thumbs down to Animal Week at Law Weekly. ANG needs less reminders of ANG's imprisonment in the windowless interior of the Law School and more obscure Tik Tok memes.



Thumbs up to the rain canceling all the Friday softball games last week. ANG appreciated the temporary clearance of 1Ls from ANG's home in Copeley, but knew there had to be some catch to Darden teams agreeing to play on a Friday.



Thumbs down to horse costume man at Fauxfield. ANG saw the costume and thought, for one brief and horrifying moment, that there was a furry in ANG's midst.



Thumbs sideways to Kim K getting fined by the SEC. ANG is concerned about all the Copeley Coin ANG has been pushing without disclosing ANG's financial stake.

# Snakes Spotted at Darden, Absolutely No One Surprised

Sarah Walsh '23  
Staff Editor



At first glance, the news that snakes have recently been spotted on the stairs and sidewalk by Darden should be shocking to exactly zero people. After all, in the words of Dana Lake '23, "That's just what business students look like." Of course there are snakes hanging out around Darden—that's their home. However, it has recently come to the attention of the *Law Weekly* staff that the snakes spotted near Darden over the past couple weeks are, in fact, actual, literal snakes (copperheads, to be specific).

And yes, you read that correctly. Darden students have been aware of the snakes for weeks. And no one thought to tell the law students? No one thought, "Hey, maybe this could be important information to know for the people who walk past our school—and now potentially right into a snake's path—every single day"? I'd say that I'm surprised by this appalling lack of empathy, but really, this is classic snake behavior and exactly what I would expect from the "students" at Darden.

Not only have the Darden students been aware of the snakes, but it has also been reported that one of the students has already chosen to participate in snake-

on-snake violence.<sup>1</sup> The student's weapon of choice? Exactly what you would expect from a business student—no, not a Power-Point with a bunch of boxes and arrows on the slides and phrases like "process optimization," although that's a good guess. Instead, the man struck down his reptilian brethren with the *other* weapon preferred by business students everywhere: a golf club. And if you're questioning why the man was locked and loaded with a golf club at the ready while at school, my only answer is: It's Darden. Don't question it—accept that that's just how business students are and move on.

So, what should you do if you find yourself faced with a snake (copperhead or otherwise) in your path? Well, not what the Darden student did. According to both Jon Peterson '23—the *Law Weekly's* resident animal expert—and the Virginia Department of Wildlife Resources,<sup>2</sup> your best bet is to just leave the snake alone and get as far away

1 I could have reached out to the snake-killer for comment, but that would have required speaking to a business student, and that's something that I am simply not willing to do.

2 <https://www.washingtonpost.com/weather/2022/05/31/snakes-copperheads-safety-treatment/>



Pictured: Snek. Photo Credit: Humane Society of the United States.

from it as possible, just as you would if you suddenly encountered a Darden student. Do *not* try to kill the snake, since this actually increases your chances of being bitten. If you want, you can call a professional to relocate the snake to a safer location (although what location a snake could be safer at than a business school is still unknown).

Unfortunately, copperheads can be extremely difficult to see when they're not vibing on a sidewalk or the stairs of Darden, thanks to their earth-toned coloring and the fact that they usually remain motionless for long periods of time. This means that it's fairly easy to accidentally get too close to a copperhead, which may feel threatened and strike without warning, much like a Darden student when you ask them why we don't just print more money. Another piece of

unfortunate news: copperheads are venomous. Thankfully, the venom probably won't kill you (unlike being forced to listen to a Darden student talk about their latest consulting project), but that doesn't mean that you should wait to seek medical attention.

If you do get bitten, the most important thing for you to do is to get to the hospital as quickly as possible, either by calling a friend who can drive you, or—if there are any severe symptoms—911.<sup>3</sup> Whatever you do, do not drive yourself, and do not

3 For more advice on what to do if bitten by a snake, see <https://www.hopkinsmedicine.org/health/conditions-and-diseases/snake-bites> and <https://www.brgeneral.org/news-blog/2022/april/snake-bite-dos-and-don-ts/>.

wait around to see if symptoms get worse, even if you think the snake that bit you is harmless. In the meantime, circle the bitten area and mark the time of the bite. If you don't have a pen or marker on you, take a picture of the bite with your phone, since the photo will have a timestamp that emergency physicians can then use to measure the progression of symptoms. Remove any constrictive clothing and/or jewelry (such as rings or watches) in case of swelling. Make sure to stay as calm and still as possible, and keep the bitten area at or below heart level. If you can do so safely, take a picture of the snake that bit you. Contrary to popular belief, you should not bring the snake itself, whether dead or alive, since deceased snakes can still envenomate. Additionally, do not do any of the following: apply a tourniquet, try to suck the venom out, take aspirin or ibuprofen, or pack the extremity in ice.

At the end of the day, the number one thing to keep in mind regarding snakes is that if you leave them alone, they'll generally leave you alone. Just try to stay on sidewalks and steer clear of Darden (which is what most people would instinctively do anyways), and you should be fine. But remember: Not all snakes at Darden slither.

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## Voting

continued from page 1

community expressed by her classmates: "I absolutely think people should register in Virginia while they're here—it's our home for at least three years! We have a responsibility to be bettering our community, and I think voting is a fundamental part of that." Undoubtedly,

The levity with which I treat this topic is probably unsurprising to regular readers of the *Law Weekly*. But voting is, in seriousness, a sacrosanct duty we have as citizens and as lawyers. Because we are here, we are—hopefully—more familiar with the workings of government than the average person. We know how the law can help and hurt. We also know that the right to vote itself has recently become a target of some lawyers. So, as much as I joke about the decision to direct a voter registration drive at a group of people that probably have not missed an election since they turned eighteen, the drive, it seems to me, is about much more than getting law students to vote in Virginia. It is a statement from the student body that access to voting is a public good. In the face of efforts to undermine public faith in elections and make it more difficult for some folks to vote, ACS et al. make it clear that they think more voter registration is a good thing. I can't help but agree. Regardless of where you are registered, be sure to go to the polls this November 8.

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## Leeches

continued from page 1

ing it drop off, writhing in pain, sounds incredibly cool, it is not. If you try to stress a leech, they will throw up back into, well, you.<sup>3</sup> And the last thing you want is the entire contents of a leech's stomach emptied into your bloodstream. This is the easiest way to accidentally wind up with an infection from a leech.<sup>4</sup> For a leech, you should remove it by taking something hard and flat, like a knife blade, credit card, or your fingernail, and gently scraping up under the small end of the leech. It will detach from your skin, and then reattach after a second. You then want to scrape under the large end of the leech, grab it, pull it the rest of the way off (the small end will not have finished adhering properly), and dispose of it.<sup>5</sup> This will keep a leech from vomiting into you and end your encounter with a leech.

3 <https://www.cbc.ca/news/science/bloodsuckers-1.5361074>

4 This also applies to ticks, incidentally. Don't try to burn them off.

5 Or keep it, if that's what you're into. I hear you can get good prices for freshwater leeches in the herbal remedies market, but I take no responsibility for the legal ramifications of trying to sell a wild-caught leech.

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## A Return to Writing About TikTok

Sai Kulkarni '23  
Production Editor

Two years ago, I had my first front-page article in this newspaper, and it was—in a completely on-brand move—the most unserious thing I've ever written. And that is a high claim; I use this newspaper as my stream of consciousness every week, simply blathering about the newest pop culture events, my weekend plans, or whatever Law School event has occupied us now. In honor of that first article, I wanted to revisit TikTok as an app, a cultural touchstone, and the ultimate time waster.

When I first wrote about the app, I wrote the article as a pitch to all of you to join. I took advantage of the season and wrote about the excellent Halloween-based trends. I don't have to do that now. This year, there are plenty of you on the app already. It's much easier to reference trends and not be shown blank faces in return. But in the time since then, the app has changed dramatically on the user side. You can now swipe right/left and switch between the For You Page (FYP) and Following feeds, rather than having to press a button. Notifications and messages are all centralized, and users can scroll past ads much more easily.

However, with the concerning rise of BeReal over the course of this semester, it is no surprise that people think there's a new kid on the social media block. And to that, I say, have you learned nothing from Meta, one of our four great overlords?<sup>1</sup>

1 The other three are Amazon, Google, and Disney.

As of last week, TikTok introduced the "TikTok Now" feature, replacing the "Friends" tab. No one I know has used it yet, but that's what I said about Instagram Stories years ago, and now all my followers can tell you that I am obsessed with the feature. So, I look forward to the time when the BeReal app gets bought and crushed so that I can see everyone's "TikTok Now" posts.

My previous iteration of this article had only the lightest reference to the Law School, through the appeal at the end. But much like my mental health, my approach to article writing has absolutely improved in the last two years. Two years ago, I mentioned a dancing TikToker to all of you. This time, I point you all to @rebmasel, who produces delightfully real content about life as a real attorney, mixed with dramatic readings of hilarious court transcripts. If you instead want to consume a distilled daily explanation of pop culture legal issues, I recommend @the.law.says.what as an alternative. I will warn you, though, that the account is much like watching that annoying couple from your section seem like they are having much more fun being much more successful than you.

Beyond the legal side of the app, TikTok has changed over the last two years from being the home of many distinct communities to having a clear culture of its own. The trends set on the app tend to have many real-world impacts. Political campaigns have used content on the app to up their microtargeting of younger

voters. Coverage of important social issues has tended to start or grow there. And the largest change has been the impact on the music industry. Rather than being a tool to increase virality of existing projects two years ago, songs are now made entirely to go viral on TikTok. Look no further than Charlie Puth's upcoming album, "CHARLIE," which was marketed almost entirely on the app, with the hit single "Light Switch" allegedly made on the app as well. Truly, the app has gone from being a hub of parts of communities to a cultural touchstone.

With all that in mind, why did I write this article? Was it to stroke my massive ego and brag about how I predicted that this app would blow up? No. Was it to make you all sit through another one of my pointless late-night ramblings? Never. The truth is that I wrote this article for the same reason I wrote the last one, two years ago. I want anyone who isn't on the app to get with the times. Even this year, there have been plenty of moments where people have been confused at some of my references. It's been even worse with the plague of Instagram Reels—people see the memes, but three weeks late. I would like the student body and the professors to join in on the cultural event embodied by the app while it exists. I just don't want people to continue missing out on such fabulous works of art as the Miami Boys Choir.

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# The Bear Necessities: The Dos and Don'ts of Bears

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Co-Executive Editor



Bears are one of the most widespread and successful animals on the planet. Inhabiting North America, South America, Europe, Asia, and the North Pole, the lifestyles of different species of bears vary widely. And, while some bears are more successful than others,<sup>1</sup> all species of bears have managed to carve out a niche in their environments.

Most bears are omnivorous. However, there are exceptions to that general rule. Giant pandas, native to China, are herbivorous. Polar bears eat almost exclusively meat, making them the only carnivorous bears.<sup>2</sup> Still, most bears are lucky to enjoy a mixed diet, engaging in

both foraging and hunting.

Bears have an incredible array of traits which make them specially suited to this lifestyle. Being generally beefy creatures, bears often have little to worry about except for other bears.<sup>3</sup> Armed with massive teeth and claws, there is simply little that can stand up to even a subadult bear.<sup>4</sup> Add to this the fact that grizzly bears can run at an astonishing thirty-five to forty miles per hour, and you can see why they are so successful. Further, a bear's sense of smell is seven times stronger than a bloodhound's—or 2,100 times that of a human.

To cap this all off, bears are incredibly intelligent creatures. Historic accounts from Inuit hunters told of polar bears hurling chunks of ice to take down walrus that the bears would otherwise have been incapable of hunting. These accounts were



Pictured: A Grizzly Bear. Photo Credit: People.com

largely ignored. However, recent research has shown a lot of anecdotal evidence in support of these claims. Particularly of interest is the story of a captive polar bear. The bear, GoGo, was faced with the problem of an out-of-reach food source. "The bear independently refined a technique of using toys as tools including piping, logs, and a ball by throwing them like a basketball to knock the meat down."<sup>5</sup> If they weren't scary enough, it turns out that Planet of the Bears might not be too far off.

<sup>5</sup> <https://www.iflscience.com/polar-bears-may-use-ice-blocks-as-tools-to-bonk-unsuspecting-walrus-on-the-head-60538>

Suffice it to say, bears are incredible creatures. Their speed, size, sensory abilities, and intelligence make them formidable and admirable creatures. So, should one be worried if they encounter a bear?

The answer, unfortunately, isn't a simple "yes" or "no." The first thing you need to know when asking yourself that question is what type of bear you've come across. Different bear species react differently to people. In this article, I will discuss the limited types of bears that one might encounter in and around North America: black bears and grizzly bears.

Black bears are widely distributed across North America. In fact, Shenandoah

National Park is one of the most black-bear-rich areas in the world. So, should you be worried if you encounter one?

Generally, no. Smaller than the grizzlies of the West Coast, black bears are generally quite afraid of people, and would much rather run from you than attack. However, there are known instances of black bears actively hunting people. Further, as many know, there is little that is more dangerous than a mother bear near her cubs. If a bear starts to exhibit threatening behavior, first, you should not attempt to appear threatening in response. Do your best to back away calmly from the bear. Ideally, you will have bear spray. If not, stay calm, do not run, and retreat to a safe place.

If a black bear does attack, you have no choice but to fight back. This is imperative. Black bears, unlike grizzlies, often don't have the sole goal of killing you, but also of later eating you. That is the main difference between the two; grizzlies will attack solely to remove someone from their space, while black bears are often looking for dinner.

So, if a black bear attacks, Bears page 6

<sup>1</sup> The difference between pandas and grizzlies exemplifies this. One is a ferocious tank that can eat anything. The other munches on bamboo and behaves like a doofus.

<sup>2</sup> A noticeable lack of vegetation leaves animals living on the poles with little choice in the matter.

<sup>3</sup> One exception to this is in the case of sloth bears, which share territory with bengal tigers. While fights are rare, the bears often lose when attacked.

<sup>4</sup> Subadult bears are bears which, while independent from their mother, are not yet sexually mature.

# Farewell to Fauxfield: A 3L Gives a Surprisingly Earnest Review

Sai Kulkarni '23  
Production Editor

This past Saturday, a majority of the Law School student body came together to participate in the years-long tradition of Fauxfield.<sup>1</sup> With no Foxfield this year, it may seem odd to many 1Ls to have this event. Many of them likely have no idea what it even is. To them, the person in the horse costume at the event must have been even more confusing than it was to me.<sup>2</sup> To all of those students who don't read their SBA emails (you should; they are very informative), Fauxfield is a replacement event for the Foxfield event because one year, Foxfield was on the weekend of fall break. Since Foxfield is a day-drinking event at a race track—where all the people wear pastels and look fancy—Fauxfield is intended to be a day-drinking event where people dress fancy as well. Except the latter event is held at the most distinguished of locations: Crozet Pizza at Buddhist Biker Bar.

The 1Ls, despite having no experience with the real event, really took it to heart and showed up dressed to impress. I am proud of all of them for once again being gunners for abso-



Pictured: Cara Capoccitti, Sammy Spindler, & Paige Kennett '23. Photo Credit: Sai Kulkarni '23.

<sup>1</sup> How many years? I don't know. What am I, a reporter?

<sup>2</sup> No, I didn't scream because I thought it was a hallucination; how could you possibly think that?

lutely no reason at all and showing off in the rain. To embody how much of a slog 2L is, a few members of the Class of 2024 took it upon themselves to make and wear shirts proudly declaring their "Flop Era." Meanwhile, myself and all of my 3L girlies took it upon ourselves to aim for comfort and beauty wrapped into one, boldly embodying the idea that trying at all during 3L is an actual crime. The rain limited everyone's ability to show off, but not everyone let that put a damper on their spirits. I mentioned the horse costume, but all of the hats I saw were just as entertaining. There truly was a range of fashion that would be appreciated in Paris this week.

We were all presented with a rapidly disappearing and rap-

idly replenishing stock of pizza as the unfortunate chefs at Crozet had to keep up with the ravenous appetites of hundreds of drunk law students just trying not to pass out from hunger. The jello shots ran out quickly as everyone tried to speedrun their way to feeling like an undergrad again.<sup>3</sup> But for once, the lines weren't too long, and we weren't surrounded by seventeen-year-olds as we all took advantage of the fact that we had the bar for a private event for once. SBA and the bar did a good job with the tents, and people weren't nearly as soaked as they were at last spring's 3@3, even though the rain never stopped. People seemed in relatively high spirits throughout the day, despite not being able to enjoy all of the outdoor real estate.

There was a semi-official afterparty at Boylan Heights, as everyone tried to keep the energy going with some football and burgers. Though we took over the entire first floor of that bar, it was clear that the energy had dwindled by the time we got there. Despite our best efforts, it was apparent that no matter how often we went to undergrad bars, we really were starting to get old.

At the end of the day, it was truly an enjoyable day-long event. I don't like to get senti-

<sup>3</sup> Despite us trying to do that every weekend at Bar Review.



Pictured: (Back Row) Abigail McDonough, Kathryn Kenny, Isabelle Foley '24; (Front Row) JJ Citron & Emma Danzinger '24. Photo Credit: Abigail McDonough '24.

mental much on this paper,<sup>4</sup> but I really did appreciate the chance to see so many people from the Law School in one place. As attendance at Bar Review begins to dwindle, with 1Ls learning what outlines are, 2Ls becoming hermits in pursuit of clerkships, and 3Ls throwing in the towel, such events are going to get rarer throughout the semester. As a 3L, it's becoming increasingly clear how close to the end of Law School I am getting. So after every event like this, I want to implore all the 1Ls and 2Ls who didn't go, to give these things a try. Drinking may not be

<sup>4</sup> That's what my text messages with every person I know after 9 p.m. are for.

your thing, and that is totally understandable. But don't let these events and chances to socialize with your class slip away from you. I truly made some lifelong friends at the Law School, and going to these events really solidified those relationships. Don't miss out on this in the next year or two years, because I promise, you will regret it. Otherwise, you might be the only person who graduates without hearing or seeing the real blockbuster stories, like a 3L falling off the roof of the bar with everyone watching.

## 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)

1Ls

v.

2Ls and 3Ls  
75 U.Va 6 (2022)

PAZHAWK, J. delivers the opinion of the court, in which LAKE, C.J., BNINSKI, J., MORSE, J., WALSH, J., BROWN, J., PETERSON, J. and KULKARNI, J. join.

SANDU, J. dissents.

**Pazhwak, J., writing for the majority.**

This class action suit comes to us from the District Court of Petty Complaints (“DCPC”), where Appellants, the University of Virginia School of Law (“UVA Law”) Class of 2025 (“the 1Ls”), challenge an injunction enjoining their overconsumption of Law School event food, and the concomitant practice of forming ridiculously long queues at events to obtain said food. Appellees, the UVA Law Classes of 2023 and 2024 (“the 3Ls” and “the 2Ls,” respectively), while seeking to maintain the injunction, also request reconsideration of the issue of compensatory and punitive damages against the 1L class as an additional remedy for harms suffered.

Furthermore, this Court has decided to hear a separate, yet linked, issue on appeal from the DCPC, brought by the 3Ls and 2Ls against the UVA Law Office of Student Affairs (“Student Affairs”). Appellants in that case, the 3Ls and 2Ls, seek a writ of mandamus compelling Student Affairs to increase student organization budgets to bring them in line with larger class sizes and rampant inflation, thereby partially preempting the issue of inadequate supply.

### Background

As the 3Ls, and to a much lesser extent, the 2Ls, well know, the pandemic brought severe disruptions to life at

UVA Law. This was especially apparent with the lack of events put on by the Law School’s many affinity groups, academic forums, social clubs, and other student associations during the 2020–2021 year.<sup>1</sup> They slowly began to recover in the 2021–2022 year; however, there were still consistently small event turnouts, with the then-largely absent 3Ls, estranged 2Ls, and indifferent 1Ls providing little in the way of participation. Yet a silver lining quickly became apparent: an abundance of

determination to offset their high tuition.

Starting in the Fall of 2022, a disturbing trend began to upset this state of affairs. As evidence submitted by Appellees has shown, there is no longer even a surplus, much less an abundance, of food. For example, there are images of a Common Law Grounds (“CLG”) event with tables that were picked clean of food by the time the event actually began, according to the timestamps, denying even the marginally late law student any reward

beyond courses, job hunts, and clerkships to the sphere of consumption.

### Analysis

Appellants contend that the DCPC committed an abuse of discretion in granting a permanent injunction after applying the following four factor test: “(1) that the plaintiff has suffered an irreparable injury; (2) that remedies available at law, such as monetary damages, are inadequate to compensate for the injury; (3) that the remedy in equity is warranted

sent the lack of injury under factor one. Regarding factor three, Appellants argue that the 3Ls and 2Ls endure no greater hardship than the 1Ls, who have an equally legitimate interest in eating what food is available at events. Finally, regarding the fourth factor, Appellants claim that it is not in the public interest to enjoin 1L overconsumption, with the proper approach instead derived from the property principle in *Pierson v. Post*, with the first-in-time consumption of food establishing rightful possession.<sup>5</sup> Indeed, they assert that a conniving subset of 3Ls and 2Ls, who they allege were instrumental in bringing this case before the DCPC, are attempting to use the law to maintain their fiefdoms of free food, with the vast majority of 3Ls and 2Ls actually being indifferent to the matter and not likely to benefit from the injunction.

We find the appellants’ reasoning woefully inadequate. Not only have the 1Ls not even taken Property yet, but they will never know what it was like for UVA Law students during the pandemic. Indeed, even the 2Ls do not know much beyond mandatory masking. For the 3Ls, Zoom doctrinal classes, the five-person gathering rule, GroupMe ugliness, anonymous reporting, and an atmosphere of mutual suspicion are only some of the experiences that constitute

**“Not only have the 1Ls not even taken Property yet, but they will never know what it was like for UVA students during the pandemic.”**

food and short lines for the law students attempting to get it. A law student could go days in a row living solely off event food, not only getting sufficient calories but also, according to several affidavits, eating quite well. Sometimes, very well. There were Roots bowls galore, Panera boxes of all kinds, Mellow Mushroom pizza, Bodo’s Bagels, Ivy Provisions, and Chick-fil-A sandwiches in abundance. There were dinners, breakfasts, and ever-present leftovers sitting on that most cherished of Law School sites: the free food table. GroupMes would fill to the brim with alerts, with pictures of foods hailing from the varied culinary traditions present in Charlottesville, calling to be consumed. It was a time of abundance and plenty, especially for that thrifty, industrious subset of law students with the open ear, the hungry stomach, and the iron-willed

for their attendance.<sup>2</sup> A similar situation was documented at the Law, Innovation, Security & Technology (“LIST”) general body meeting, with one 3L reporting many empty boxes and only meager slices of cheese pizza remaining upon their arrival. 2L testimony regarding the Constitution Day Conversation with A. E. Dick Howard and Bertrall Ross described a line stretching out of the door, with some students never laying eyes on the supposedly available food. The days of plenty were evidently over,<sup>3</sup> and competition at UVA Law had once again extended

upon consideration of the balance of hardships between the plaintiff and defendant; and (4) that the permanent injunction being sought would not hurt public interest.”<sup>4</sup> Regarding factor one, Appellants assert that the 3Ls and 2Ls have suffered no injury, and merely have been forced to contend with the level of food availability at UVA Law that existed before pandemic disruptions. Regarding the second factor, Appellants argue that no remedy was warranted, ab-

4 *Injunction*, LII, <https://www.law.cornell.edu/wex/injunction> (last visited Oct. 2, 2022).

2 Is event attendance a reward in itself? This Court reserves judgment.

3 It ought to be noted that food aplenty can still be found every Monday in the office of UVA Law’s most esteemed publication, the *Law Weekly*, but only for those with the desire to contribute to its fearless journalism and unparalleled wit.

1 Aside from plentiful well meaning, if horribly awkward, Zoom events.

5 3 Cai. R. 175 (1805).  
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## Faculty Quotes

**F. Schauer:** “This is due to a particular tendency of the Rule writers, which to use a technical term, we would call stupidity.”

**A. Coughlin:** “All children look alike, they’re all fungible.”

**K. Kordana:** “The loser circus companies have a dog and pony show which is a piss poor event.”

**A. Woolhandler:** “You’re going to make [the case] turn on Whopper College?”

**R. Harmon:** “Could be drugs, could be Disney World. These are our options!”

**C. Barzun:** “Who doesn’t have a tear gas gun at home, you know?”

**J. Jeffries:** “The Supreme Court said, ‘you’re slicing the salami too thin.’”

**R. Ballenger:** “If I were shooting heroin I would have a scale!”

**M. Riley:** “Americans are weird, when they save people they also want to murder people.”

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



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COPA

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ongoing injuries. Whatever small silver linings they managed to grasp from the experience ought to be maintained in the interest of justice. Indeed, the 2Ls really should not be entitled to the same level of relief as the 3Ls, absent this same injury. However, this Court is magnanimous to the 2Ls, whether it ought to be or not.<sup>6</sup> Thus, this Court upholds the DCPC permanent injunction limiting 1L consumption to 33.3% of event food, regardless of the number of them present at an event, reflecting the breakdown of grades at the Law School. Thus, 66.7% of all food will be reserved for 2Ls and 3Ls.

Regarding the issue of only a subset of 2Ls and 3Ls benefiting from food abundance, this Court finds that so long as event food is open to all 2Ls and 3Ls, it cannot be helped that some law students take greater advantage of the resources available to them than others.

Regarding the additional issue of whether compensatory and punitive damages ought to be paid by the 1Ls to the 2Ls and 3Ls, this Court finds that while they might be warranted, given evidence of 3L and 2L deprivation, so long as the injunction is complied with, the issue need not be taken further. However, if future

claims are brought against the 1Ls, perhaps further remedies might be justified.

Finally, the additional issue on appeal, brought by the 3Ls and 2Ls as a class, against Appellee, Student Affairs, is whether a writ of mandamus compelling Student Affairs to increase student organization budgets to reflect a great number of students and high levels of inflation was properly denied. As a procedural matter, while this case involves at least one party not present in the appeal covered in the previous discussion, it was properly joined to the earlier case, per the Petty Rules of Civil Procedure. Substantively, we find that the DCPC may have erred in denying mandamus; however, this would require a greater look at the administrative record. It is a duty of Student Affairs to take care of the affairs of students, and absent a more detailed showing for why student organization budgets have not kept up with inflation or greater student numbers, their decision not to take such care must be regarded as arbitrary and capricious. We thus remand this matter to the DCPC, where Student Affairs will have an opportunity to make the proper showing to substantiate student organization budget levels, considering prevailing Law School and societal conditions.

**Sandu, J., dissenting.**

This Court's position is, at best, myopic. It ignores the fundamental purpose behind

offering free food—to get 1Ls to sign up for organizations and do all of the work. Such a strategy is employed by this very court, where the perfume of pizza wafting down the halls has attracted many a future Justice. I would argue that a 3LOL can only exist if 1Ls are taking up everyone's time by asking questions and filling seats, allowing 3Ls to comfortably fade into the background. I am troubled by the cavalier (no pun intended) attitude the Court has taken towards this potentially devastating outcome.

Further, even at hosted events with no long-term organizational repercussions, having a crowd of 1Ls makes it socially acceptable for 2Ls and 3Ls to come at the end and take food, because nobody is going to notice them. While my colleagues may argue that they only seek to enjoin 1Ls from eating all of this food, they ignore the fact that nobody goes to any event if there isn't food. Bringing this suit thus dangerously discourages 1Ls from participating in events, placing the burden on 2Ls and 3Ls. These are not the incentive structures we want to create. Lastly, how do you expect 1Ls to ever be able to fully integrate into the Law School if we deny them that most sacred of traditions—free food? Therefore, I respectfully dissent.

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Assassins:  
Week One Recap

Jack Brown '23  
Sports Editor



Two weeks ago, a mysterious group, the enigmatic "Spies Justicars," announced the start of a game of Assassins open to all members of the Law School. While some critics questioned if a supposedly "serious" professional school is the right venue for a game typically played in high school, there was overwhelming support for the juvenile game throughout the Law School classes. With roughly 150 students participating, and no cease-and-desist sent by Student Affairs (yet), Assassins has been a success so far.

Interested in finding out more about the game and getting the scoop on some of the most dramatic kills so far, I began the arduous journey of meeting with the secretive group behind the game. After sending several emails using the only known contact info of the Spies Justicars, I received a response in the form of a letter tied to a knife in my front door one frigid morning. After completing several dangerous trials, I came face-to-face with the spokesperson of the Justicars, who was able to give me the tidbits of information I had been looking for.

So far, the game has gone fairly smoothly, with a shocking lack of rule appeals from law students and most people (we assume) reporting their kills in a timely manner. Many of the

initial kills came from the 1Ls, who, with their public schedules and general enthusiasm for life, butchered each other the first week. Unsurprisingly, the 3Ls have also excelled at killing one another, though this is more due to the class's burning hatred for each other, rather than a desire to collectively do something as a class. The 2Ls have lagged far behind either of the other classes, possibly due to many of them now having firm offers and not putting the effort in to come to school. Or it might be because they didn't read the instructions and aren't reporting their kills and should get on that.

While most of the performances so far were described by the Justicar spokesperson as "laughable," one assassin in particular has stood out. Makenna Cherry '23 was able to get six kills in a single day, demonstrating a level of bloodlust that impressed the otherwise stoic entity. It is unlikely that anyone will be able to top the single-day record in this iteration of Assassins, but the ancient Justicars do intend to run the game in the spring, if it continues going well.

With my last question before being escorted out of the Justicars' subterranean headquarters, I asked them: Why are you doing this? Why run this game? Their leader, otherwise silent for the entire meeting, rose from his marble throne to simply say, "Because it is fun."

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HOT  
BENCH



Zoe Kiely '25

Interviewed by Elizabeth Patten '25

**Hi Zoe, and welcome to the Hot Bench! Let's start with everyone's favorite interview question: Tell me about yourself. Who are you, where are you from, and—most importantly—how do you pronounce your last name?**

My name is Zoe Kiely, and I am the sixth and final member of the Kiely (pronounced ky-lee) clan. I mainly grew up in San Bruno, California, whose only claim to fame (or, rather, infamy) is the 2010 explosion of a gas pipeline. The days of my youth were filled—at least the ones where post-explosion ash was not raining down from the sky—with soccer, Girl Scout trips, marching band practice, and the magic of Dungeons and Dragons. After high school, I moved a whopping thirty miles across the bay to attend Berkeley City College for two years, before transfer-

ring to UC Berkeley.

**You've spent your whole life in the Bay Area. Why did you decide on the East Coast, and UVA Law specifically?**

After twenty-five years in the Bay Area, I was itching to leave and try out a new place. Since law school is only three years, it felt like a good opportunity to branch out for a bit while keeping the option to return home open. Initially, during the application process, UVA felt like a great option because 1) the weather wasn't terrible for a poor California girl who has never experienced a "real" winter, and 2) returning to the West Coast after graduation seemed fairly attainable. As I learned more about the school through chatting with alumni and current students, I was charmed. It was clear that people not only enjoyed their experience but were also active participants in the Law School community. To put it simply, people cared, and I loved that. Plenty of schools have great academics, but the UVA community is its own unique blend of honesty, thoughtfulness, and joy that I truly love so much.

**Did you have any reservations about moving cross-country, even if just temporarily?**

I don't think any reservations really set in until I got here. I've moved a lot in my life (this is my fifteenth move!), so the aspect of physically moving was not new—it was a known, albeit annoying, quantity. When I arrived at the start of August, however, I had a little

bit of a freak-out, dealing with humidity and ninety-degree weather all of a sudden. It was kind of a WTF moment for me initially, but that feeling slowly faded when I realized AC is a thing. On the whole, the East Coast is still very new and shiny to me. I love seeing all the brick buildings around Grounds—we don't really have any in California (because of earthquakes). Honestly, the biggest thing I miss about California is decent Mexican food. The Mexican food here unfortunately does not live up to California standards and is more akin to my dad's loving, but paltry, "Mexican" cooking.

**I tried to warn you about the humidity! Are you conceding that I, in my infinite wisdom, was right?**

I am most definitely not conceding anything! My original thesis was that since I enjoyed vacationing in humidity, I was excited to try living in humidity. I completely recognized the difference (I'm usually not rushing to class on vacation). Unfortunately, living—and walking to school—in humidity is not for me. Nevertheless, it is absolutely fabulous to not spend the entire month of September stressing about wildfires.

**UVA added a new question about resiliency to their admission application this year. How have you had to be resilient in your life?**

I love that they added a resiliency question! Resiliency is about what to do in the face of difficulties or failure, and learn-

ing how to be resilient and deal with failure is a critically important part of growth. In fact, my college career began with failure—my first college acceptance was rescinded when I failed a high school math class. I didn't have a particularly stable living situation growing up, and I let my frustrations fester into poor coping mechanisms that impacted my personal and academic success. I carried the burdens of home with shame and in silence, worried that my speaking up would be viewed as an excuse, as if poverty were a failure of my own making.

The rescission gave me a moment of lucidity—the traumas of the past do not excuse continued bad habits. I had to speak up and create an environment for myself where I could succeed, and, while it wasn't perfect right off the bat (I definitely had more failures along the way), I was able to move forward and not internalize situational pressures or setbacks as a moral failing of my character. Although I can't say that the rescission was a good thing, it did have a good outcome.

My re-acceptance to Berkeley as a transfer student was a fitting acknowledgement of this perspective change. Now, I don't love to fail—it's not exactly a nice feeling—but I'm okay with it and take it in a forward-facing way. Things have gone wrong—now what? What went wrong, and where do we go now? It's an outlook that has clearly helped me a lot, so (returning back to the original point) I understand why Admissions included it in the application.

**What led you to law school, and what do you hope to do with your degree?**

I first became interested in law school after taking a privacy class at Berkeley. It was structured like a law class, and I enjoyed the material so much that I decided to focus the rest of my undergraduate career on the intersection of law, technology, and identity. When I graduated, I felt like I'd only seen this focused, narrow area of the law, and I wanted to make sure that the law would be a good fit for me, beyond my interest in privacy. I ended up taking a job as a Legal Practice Assistant at Morgan Lewis, and the experience helped me better see myself working within the legal world. I like the legal profession as a lens to look at particular subjects and examine the relationships between people, both on an institutional and an individual level. That's what ultimately pushed me to go to law school. While I haven't fully decided where I'd like my legal career to go, I'm hoping to use my time at UVA to find my niche.

**As a Big Law "veteran," what advice would you give to someone who is considering it?**

For any job, remember to keep an open mind and that fit is critical. I worked in private equity during my time as a legal practice assistant, and coming into the job, I was really worried about the practice area. I wasn't a "finance"

**Hot Bench**  
continued from page 5

person in any way, shape, or form, and I felt some imposter syndrome when starting out. The concerns I had faded pretty quickly because the partners and associates with whom I worked were absolutely fantastic people. They taught me the language of private equity, and I found that I actually enjoyed the practice area and its quirks. In thinking about my career after law school, I'll focus on finding bosses and colleagues that complement my personality and working styles.

So when you, dear reader, are interviewing with a firm, it's not just them evaluating you—you also need to be evaluating whether this is a group of people you want to spend time with and whether a specific group's workflow works for you.

**Let's do a Lighting Round!**

**Favorite word?**  
Gobsmacked.

**Greatest celebrity encounter?**

I unknowingly, but quite loudly, told Danny DeVito to screw off while walking into a bar in London. I didn't realize until after we'd gotten inside and my sister told me.

**Philosophy of life?**

If you can't blow them away with your brilliance, baffle them with your bullshit.

**Worst Halloween candy?**  
Almond Joy or Mounds.

**Most embarrassing haircut?**

In third grade, I had a habit of trying to color my hair using mascara. Right before picture day, I used my sister's mascara to color my hair electric blue. Because I didn't understand how makeup worked (or that makeup remover existed), I thought I'd permanently ruined my hair. Naturally, I decided to cut off the blue parts of my hair. I ended up with about an inch of hair left in front of my face. I tried to hide the damage, but when my mom saw it, she took me to get a proper haircut that left me with a bob and microbangs. It was awful. And yet, I have since experimented with bangs and short haircuts (although not mascara hair painting) multiple times because apparently, I cannot learn my lesson.

**Where's a place you've never been, but would like to go?**

New Zealand.

**If you could make one rule that everyone had to follow, what would it be?**

When you're walking on the sidewalk, walk on the right-hand side and pass on the left! I do not understand why this is such a hard concept for people to understand.

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**Bears**  
continued from page 3

fight. If a grizzly attacks, it's the exact opposite. Lay down on your stomach and cover the back of your neck. Wait it out. Once the bear has left, despite your best instincts, continue to wait. Count to 1,000. Then go. There are accounts of individuals who, after being attacked, later ran into the same bear, which then attacked them again, starting the whole process over.<sup>6</sup>

Most importantly, don't be dumb. Stay away from bears. They are beautiful and interesting creatures—from a distance. Bears becoming habituated to humans is a source of problems for both bears and humans. Humans (and their vehicles and homes) may be seen as food sources, making them a target. Bears that do this frequently may become "problem bears," requiring either relocation or even euthanasia.

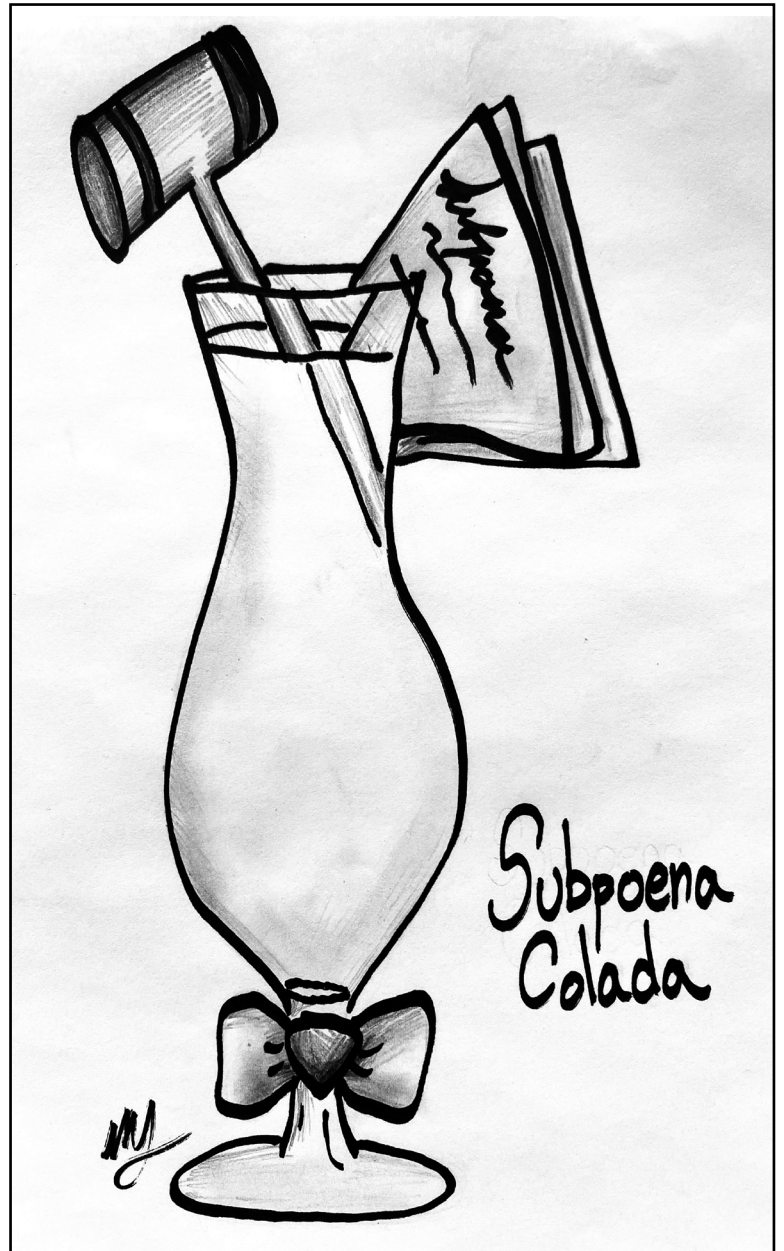
So, if you see a bear, there's reason to be excited. They're cool. But be cautious. And take pictures—that's the best way to make memories with wild animals.

6 Blue Ridge Outdoors, *Man Attacked Twice by Same Grizzly Bear, Lives to Post Facebook Video*, <https://www.blueridgeoutdoors.com/go-outside/man-attacked-twice-grizzly-bear-lives-post-facebook-video/>.

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**Cartoon**

Created by Monica Sandu '24



**The Docket**

| TIME                         | EVENT   | LOCATION             | COST | FOOD? |
|------------------------------|---|----------------------|------|-------|
| <b>WEDNESDAY - October 5</b> |   |                      |      |       |
| 12:00                        | Working for the CIA Office of the General Counsel   | SL 294               | Free | ☺     |
| 13:00                        | The Nation That Never Was, Reconstructing America's Story with Professor Kermit Roosevelt | Brown 126            | RSVP | ☺     |
| 19:00                        | JLSA Yom Kippur Break The Fast Dinner   | Purcell Reading Room | RSVP | ☺     |
| <b>THURSDAY - October 6</b>  |   |                      |      |       |
| 11:30                        | Federalist Society "Marijuana Federalism:"  | SL 294               | Free | ☺     |
| 11:30                        | Planning the Rest of the Semester   | Brown 152            | Free | ☺     |
| 13:00                        | UVA Law Stories by Common Law Grounds & SBA   | Brown 126            | Free | ☺     |
| 13:00                        | Virginia Law Women Judicial Accountability Project  | Purcell Reading Room | Free | ☺     |
| 16:30                        | Lone Star Lawyers: Texas Day  | Caplin Pavilion      | Free | ☺     |
| <b>ONGOING EVENTS</b>        |   |                      |      |       |
| 10/10 - 10/12                | Holiday Break   |                      | Free | ☺     |

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