



VIRGINIA LAW WEEKLY

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

Pull Up a Chair, If You Dare.....	2
Review of Porchella.....	2
Of Mice and Men.....	3
COPA: Darn Darden.....	4

Wednesday, 26 April 2023

The Newspaper of the University of Virginia School of Law Since 1948

Volume 75, Number 24

Law School, or How to Spend the Three Most Formative Years of Your Life

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Production Editor Emerita

I spent a lot of the last three years writing for this paper in a stream-of-consciousness format, and over the course of this last semester, I spent a lot of time writing in a contemplative manner—seeing the impending end of my time on this paper. But now that I am twenty-six days away from graduation, I have a complete perspective on my time in the Law School. The last time I wrote for the paper, I penned my goodbye as a member of the e-board and to my time behind the production desk. But I think I would be remiss if I didn't take the chance to use the ultimate forum to express my goodbyes to law school as a whole. When I proposed this idea to our newly installed Editor-in-Chief, Niko Morse '24, I presented it as a final way of getting some grievances off my chest. I was planning on leaving with some jokes about the administration and the concept of law school. And then I started getting emotional. Really emotional. Like, I started tearing up at random moments.¹ So, after that, I knew this piece had to go another direction. So here's my take on the last three years of law school.

It seems like an eternity ago, but the 2020–21 academic year was shaped in the darkness of the pandemic. Classes were hybrid or entirely online. Events didn't exist, students couldn't be maskless, and we were restricted to gatherings of no more than five people at any one time. Weekly spit tests in a parking lot were a way of life, and students waited with bated breath to see if they would be isolated in their homes for fourteen or more days. All those precautions were necessary and important, certainly. But it created a class of law students that were deeply affected, with their mental health scarred. It created a class that formed cliques, became cynical about their relationships with one another, and altogether reverted to middle school behaviors.² But even in those dark times, org e-boards and PAs did their best to foster connections and try to create some

¹ This week hasn't been pretty. Shoutout to Ragan Minor '23 for helping me through feeling emotional. Graduating is hard, folks.

² I admit, I'm guilty of this.
FAREWELL page 2

Spies in Spies



Pictured: Professor Citron and Peter Strzok talk in Caplin Pavilion. Photo Credit: Andrew Allard '25.

Andrew Allard '25
Executive Editor

This past Tuesday, April 18, Peter Strzok visited the Law School for an interview with Professor Danielle Citron. The event was sponsored by the LawTech Center and Law, Innovation, Security & Technology.

Peter Strzok was formerly the Deputy Assistant Director of the FBI's Counterintelligence Division. In that role, he led the investigation into Russian interference in the 2016 United States presidential elections.¹ He also worked on Robert Mueller's special counsel investigation, and he was the lead agent on the investigation of Hillary Clinton's private email server.²

A DOJ inspector-general investigation identified text messages Strzok sent to an FBI lawyer in 2016, in which Strzok wrote, "We'll stop" then-candidate Donald Trump from becoming president.³ These messages and

¹ www.washingtonpost.com/world/national-security/fbi-agent-peter-strzok-fired-over-anti-trump-texts/2018/08/13/be98f84c-8e8b-11e8-b769-e3fff17f0689_story.html.

² *Id.*

³ www.washingtonpost.com/world/national-security/trump-receiving-briefing-ahead-of-public-release-of-report-expected-to-criticize-fbi/2018/06/14/

Strzok's role in high-profile investigations garnered attention from Republican critics.

In 2018, Strzok was fired by the then-Deputy Director of the FBI, David Bowdich.⁴ Strzok sued the DOJ over his termination and the release of his text messages in a case that is still pending before the District Court for the District of Columbia.⁵

Against this dramatic backdrop, Strzok came to the Law School to talk about spy stories. Strzok recounted his work on the FBI investigation of the Illegals Program, a Russian network of sleeper agents. Strzok helped to uncover two Russian agents, Andrey Bezrukov and Elena Vavilova, who had assumed the identity of a Canadian couple living in Cambridge, Massachusetts.

Strzok compared the years-long investigation of undercover agents to seasons in sports. "You have players that return, and then eventually, they transfer out, and you get new players in. It's a recurring process." For that reason, counterintelligence is a job without an endpoint. And constant cross-competition between multiple state actors adds another layer of complexity. "It's like two

[c08c6a5a-6fdf-11e8-bf86-a2351b5ece99_story.html](https://www.courtlistener.com/docket/16020887/strzok-v-barr/).

⁴ *Id.*

⁵ www.courtlistener.com/docket/16020887/strzok-v-barr/.


fields, where the offense is playing the defense, while simultaneously on the second field, the defense is playing the offense. And it's not just two teams—it's eighteen all playing each other."


Strzok sees this ongoing fight as a serious risk for American democracy. "If we think democracy is not fragile in the United States, we do that at our own peril." Citing George Washington's farewell address in 1796, Strzok said that Americans have always been concerned about foreign interference in their government. Such concerns, Strzok suggested, have become especially problematic in our time. "I see some political figures willing to put their party over their nation, willing to team up and work with foreign powers to advance a political agenda at odds with protecting a sense of national security."


Professor Citron recalled hearing Mr. Trump's request that Russia "find" Hillary Clinton's emails and wondering, "How is that not a crime?" Strzok agreed that the request was "unprecedented." But Strzok said that the way courts have interpreted the knowledge requirement in campaign finance laws has made it very challenging for prosecutors to bring charges—even when a candidate accepts illegal foreign assistance.


Strzok also recalled Mr. Trump's meeting with Putin in Helsinki, in which Mr. Trump expressed doubt


around north grounds


 Thumbs up to the rising 2Ls getting asked about the *Law Weekly* during OGI by employers who confused it for Law Review. Both are historic UVA institutions, but only one has an office with windows.


 Thumbs up to the new library chairs. If ANG ever attended class, ANG would drag one out of the library and use it in class for "health reasons."


 Thumbs up to professors who give students a day off for "reading." ANG needs any help ANG can get.


 Thumbs up to professors who enforce strict word counts on exams. ANG is a big fan of writing less and watching those 60 page outlines go down in flames.


 Thumbs up to the end of the semester. ANG is glad to see all of you leave.

 Thumbs up to the 3Ls graduating. ANG is ready to watch the 2Ls realize they have to actually participate now.

 Thumbs up, preemptively, to summer cite checks. ANG knows that they will inevitably fall during OGI and give 1Ls a real taste of what Big Law is like.

 Thumbs up to LawIT changing how printing works during the last week of class. ANG is delighted to watch the frustrated wails of 3Ls trying to print bar materials.

 Thumbs up to people brave enough to bring a whole rotisserie chicken to club meetings.

 Thumbs up to the class of 2023, with whom will go the last memories of lockdown Law School.

Not My Chair, Not My Problem

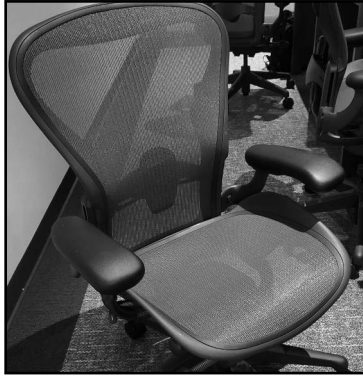
Darius Adel '24
Satire Editor



I spend most of my time in between classes anxiously procrastinating at the library. If you are anything like me, you may have noticed that we got some new chairs recently. Not only that, but they are Herman Miller Aerons, which are like the Mercedes Benz of office seating. When I realized that essentially all the broken-down, faux-leather chairs had been replaced, I was a bit surprised, since Herman Miller chairs are pretty damn expensive. I've never been able to afford one, but I've admired them from afar for years. My guess was that the school had just spent at least \$100,000 on them.

With my curiosity sparked, I decided to reach out to Amy Wharton, director of the Law Library here at UVA. Wharton gave me the lowdown on how us law students came to be sitting on these extremely expensive and comfortable chairs. The office chair purchase originated from the complaints students had about furniture at the library. In reaction to that complaint, the library put in a bulk order with Herman Miller. The old chairs were given to UVA Facilities, which will in turn sell them to the public via their Re-Use Store.¹ The library ended up

¹ UVA ReUse Store (Apr. 19, 2023), <https://www.fm.virginia.edu/programs/reusestore/index.html> (Seems



Pictured: A happy student studying for finals.
Photo Credit: Darius Adel '24.

purchasing 247 new chairs at \$980 dollars apiece. That's well over \$240,000 on just chairs. They are really well made and come with a twelve-year warranty, which is nice, but that is still a lot of money. Spending that much seems a bit crazy. But when you think about it as an investment in student health, things start to make more sense.

The old chairs at the library were fine. I never had much to complain about, except that some of the arm rests were broken. But these new chairs are ergonomic, adjustable, and extremely comfortable. Not every law student studies at the library, but a large chunk of us do. Especially during finals season, students spend hours a day sitting in one of these chairs. With the amount of collective ass-to-seat time spent by the student body, the relative comfort of these chairs becomes pretty important. It could be the difference between heading back

like a great way to buy cheap furniture.).



Pictured: Julia D. '25 testing the "lien" on these new chairs.
Photo Credit: Darius Adel '24.

home after an evening of outlining, hungry and mentally tired, or returning home hungry, tired, and with severe lower back pain.

I'm writing this article in the library, from the comfort of one of our new chairs, and I've got to say, it's really nice. Would I have been fine with our old broken-down chairs? Yes. But, that doesn't mean this purchase won't help gunners break a cycle of nightmarish back pain. A lot of us don't take care of our health enough, and posture is a huge part of that. If you're not exercising and stretching, an ergonomic chair is certainly better than nothing.

I'm not sure that spending close to a quarter of a million dollars was necessary for that, but I can certainly say that I appreciate the library's response to student requests. Sitting at a computer all day sucks. If new chairs can make that time a little bit better, I think that's probably worth it.

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FAREWELL

continued from page 1
sense of normalcy. Softball captains like Section A's Jon Peterson '23 and Jack Brown '23 made sure to keep people active and together when they needed it most. Through late nights in a much more spread-out ScoCo, GroupMe-sourced cold call responses, camera-off Zoom LRW, and melodramatic behavior, the Class of 2023 found their own unique voices at a time when they needed them most.

After a summer of virtual work and recent graduates attempting to teach the newest class about UVA Law social traditions through Summer Series, we all returned to a fully in-person Law School for a final year. We graduated to high school drama, with parties every weekend, the return of school events, and a rejuvenated student body. Much of my 2L Fall is a fever dream to me, considering how much we all, myself included, overcompensated for the loss of precious time. I look fondly on those times when academics were still a high priority, but our bodies were pushed to the limit. The return of Bar Review kept people social, and the rise of free food brought comfort to the hearts and stomachs of students who missed out on it during their 1L year. We all got to experience Sunset Series at Carter Mountain, the return of FebClub, and our first taste of the Annual UVA Law Softball Invitational. So much of our 2L year was defined by the phrase "return to normalcy." We all gave it our best shot, before the results of virtual OGI and PI in-

terviews bore their fruit and we went off to our summer jobs.

This past year has been a blur to me. Maybe that's proof that the "return to normalcy" was successful. Students in the Class of 2023 spent their time smoothing over their drama and working towards a stable final year. People relaxed and took "3LOL" to heart. This past semester really has felt like a wrapping-up of loose ends academically, professionally, and socially. I personally got the chance to attend some fun events and meet new people—a very large portion of my class. In all, I think this year has been the most "normal" that my class has managed.

So I bet you are asking yourself why I wrote this. It's not as fun as my other articles. It's not even reflective of everyone's experience in the Class of 2023. But I wrote this because I think someone should immortalize at least one complete perspective of this unique class's experience in law school. We came in at such a dark time and were still able to find our joy. Law school is a formative time for people, and the last three years have shown that to me. I hope everyone takes the time to do their own reflection on their time here before graduation. This can be a weird time. A drama-filled time. A bad time. A good time. It was certainly an interesting time. Law school gives you back what you put into it, and I put in a lot. But hey, what do I know? I'm just another stu-

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Porchella 2023: Better than Coachella in Every Measurable Way

Nikolai Morse '24
Editor-in-Chief



This past weekend, Charlottesville hosted the Eleventh Annual Tom Tom Festival. Those law students who prioritize their mental health enough to get away from North Grounds and go to the Downtown Mall would have encountered thousands of people milling in and out of stores, pop-up stalls, food trucks, musical performances, speaker series, art exhibitions, and dancing. According to the Tom Tom Foundation's website, Tom Tom is a festival dedicated to "bringing together diverse communities to build a brighter to-

morrow." The first festival, held in 2012, "celebrated the creativity and entrepreneurship of Charlottesville" and has now grown into a festival spanning four days across all of Charlottesville, including everything from conferences on social justice issues, to mixers designed to connect inventors and entrepreneurs, to dance parties featuring hip hop, Afro house, and bachata.

Tom Tom is an incredible experience, and it would be hard for any unbiased observer to pick a favorite—I am not such an observer. In my humble opinion, the shining gem of Tom Tom is the musical festival that comes at its very end: Porchella.

Porchella is a series of

small concerts ranging from thirty minutes to an hour, held throughout the Belmont neighborhood of Charlottesville. In addition to being the neighborhood that this editor calls home, Belmont is a unique and special place. The neighborhood sits just south of the railroad tracks running through downtown Charlottesville. While the area was originally part of the Belmont Estate, dating back to the 1830s, the town's population grew with the construction of the Old Belmont Bridge and the increase in families who lived in the area and engaged in work related to the nearby railroad.

The neighborhood has a certain feel of closeness and uniqueness. Populated by a mix of families, old-timers, and younger residents, it is a relatively tight-knit neighborhood, with many points of connection and friendship among the residents and local small businesses. The comity and affection was on full display at Porchella this past Sunday, when two local businesses and several private residences hosted acoustic performances on their front porches.

Beginning at 5 p.m., the streets were filled with people, families with kids and dogs, and a fair number of former hippies. As the crowds milled from one per-



Pictured: Jalei Celik enjoying Porchella at Quality Pie. Photo Credit: Niko Morse '24.

formance to another, friends called out to each other, neighborhood children sold shaved ice, and cars were generally waved off as the people claimed the streets. Featuring local performers, as well as some from as far away as Philadelphia, musicians performed on stoops, in front yards, and on patios.

Amongst our classes, journals, organizations, and whatever else, it is easy to forget what a vibrant, beautiful community we live in. Experiences like Porchella provide a window into the universe of relationships, culture, and history that make up the community of this wonderful town we all

call home. I encourage everyone to take the opportunity to join in the local community in whatever way they want—but I would be lying if I didn't tell you that Porchella should be right at the top of your list next year.

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Pictured: The 5pm show on Goodman Street. Photo Credit: Niko Morse '24.



Humans: The Thiccest of the Apes

Jon Peterson '23
Executive Editor
Emeritus



To cap off what has been, for me, an animal-related pet project in the Law Weekly, my final article will be about a very familiar animal: humans. We humans think of ourselves as relatively fragile yet extremely intelligent animals—ones which survived and thrived in large part due to our brains. And while this isn't entirely false, it overlooks many of the astonishing physical characteristics of humans. So, what was it, physiologically, that made humans apex predators?

Before our ancestors began crafting the tools involved in projectile-based hunting, they engaged in a more terrifying sort of hunting. Persistence hunting—the same style of hunting utilized by African painted dogs—involves chasing an animal during the hottest part of the day until the animal collapses from heat exhaustion. This is possible because of a suite of adaptations, all with one purpose in mind: endurance. As a result, humans are, physiologically, one of the best hot climate distance runners in the animal kingdom (excluding, perhaps, pronghorns and ostriches).

Thermoregulation

There are three broad categories of adaptations that have made humans so freakishly good at running long distances. Perhaps the most unique adaptation humans have undergone is something most of us probably hate: sweating.

Humans are undeniably the best sweaters in the animal kingdom, and it's hardly even close.¹ We have three types of sweat glands—eccrine, apocrine, and apoecrine. For the latter two, suffice it to say that apoecrine sweat glands are relatively unstudied, and apocrine sweat glands are what create

¹ Horses also sweat, but much less effectively because they have retained a coat of hair. Our hairlessness actually aids significantly when it comes to sweat's ability to cool us down.



Pictured: An Ape.
Photo Credit: Jack B. '23.

the tell-tale scent of “body odor.”²

Humans have between two and four million eccrine sweat glands located all over our bodies.³ Instead, eccrine sweat glands create a layer of water—sweat—on the body which evaporates. In this process, heat from our body is transferred into the sweat through contact with our skin. This draws heat from the body into the sweat, cooling us down. The special benefit here is that we, unlike mammals that thermoregulate through panting, can cool ourselves while simultaneously engaging in strenuous physical

² Lindsay B. Baker, *Physiology of Sweat Gland Function: The Roles of Sweating and Sweat Composition in Human Health, Temperature* (Austin) (2019), <https://www.ncbi.nlm.nih.gov/pmc/articles/PMC6773238/>.

³ *Id.* It is also a common myth that we can “sweat out” toxins. Eccrine sweat (the vast majority of the sweat we produce) is mostly water and salt. There are some minute changes that can take place; however, these are to aid in the thermoregulatory function. Excretory functions in the body—getting rid of toxins—are almost exclusively undertaken by the liver and kidney. So, unfortunately, a trip to the sauna to cope with a hangover really isn't doing much to help you “sweat out” whatever it is you're feeling. *Id.*



Pictured: An ape shortly before demonstrating shock absorption.
Photo Credit: Jackson G. '23.

activity. So, while prey animals struggled to regulate their body temperatures as they ran from human hunters, we remained comfortable. The hunting strategy, essentially, was to utilize our higher heat tolerance to induce heat stroke in prey animals by forcing them into an endurance race. Picture the tortoise and the hare, except the tortoise wants to murder the hare. Every time the hare pauses to rest, thinking he's lost the tortoise, he sees the tortoise cresting the horizon, plodding towards him, indefatigable.

Other adaptations increase the effectiveness of our cooling system. For one, our bodies are taller when compared to australopithecines and other modern apes. This creates a higher surface-area-to-body-mass ratio in humans. This means more surface area for sweat to work its magic and cool us down.⁴ Additionally, the bone structure in our heads facilitates cooling. Deoxygenated blood draining from our head travels close to the skin and is cooled by sweat. The veins which carry this cooled blood pass near our carotid arteries. Heat exchange occurs between the veins carrying cooler deoxygenated blood back towards the heart and the carotid arteries carrying oxygenated blood towards the brain. This cools the oxygenated blood, and thus our overall temperature.⁵

Shock Absorption

Humans have multiple adaptations designed to limit the wear and tear we experience when running long distances. The vast majority of these involve developing

⁴ *How Running Made Us Human: Endurance Running Let Us Evolve to Look the Way We Do*, Science Daily (Nov. 24, 2004), <https://www.sciencedaily.com/releases/2004/11/041123163757.htm> [hereinafter “Science Daily”]. For a dive into the prevalence of this surface-area-to-body-mass ratio, check out Allen's Rule. Allen's Rule, Wikipedia, https://en.wikipedia.org/wiki/Allen%27s_rule (last visited Apr. 23, 2023).

⁵ Science Daily, *supra* note 4. Great white sharks do the exact same thing, but to achieve the opposite effect: warming. White sharks heat their blood through a “countercurrent exchanger.” Heat is generated from the shark's swim muscles. Deoxygenated blood flows near those swim muscles, capturing their heat. This blood then flows near colder oxygenated blood from the gills, transferring the heat. This allows the shark to keep a body temperature higher than that of the water around it. Perhaps law students have more in common with white sharks than just their ruthlessness and lack of morals. *Are Great White Sharks Cold-Blooded or Warm-Blooded?*, Animal Cosmos, (last visited Apr. 23, 2023).

bones with proportionally larger surface areas compared to our ancestors and relatives. Our vertebrae and disks are larger in diameter; the connection between the pelvis and spine is stronger and larger; we have larger surface areas in our hips, knees, and ankle joints; and we have an enlarged heel bone—all of this aids in shock absorption by distributing impacts over larger surfaces throughout the body, collectively limiting the overall impact to any one area.⁶ Additionally, we have a ligament running from the back of our skull down to the thoracic vertebrae. This also acts as a shock absorber.⁷

The importance of shock absorption should not be understated. Typical marathon runners average about 40,000 steps.⁸ When you realize that running is really just kicking the ground over and over again, doing that 40,000 times doesn't even sound feasible. But 26.2 miles is an arbitrary number and not even close to the limits of human endurance. The Tarahumara tribe, or as they refer to themselves, the Rarámuri—“those who run fast”—are accustomed to running 200 miles over the course of several days without stopping to rest.⁹ If a marathon is equivalent to kicking the ground 40,000 times in a row, a 200 mile run equals a staggering 305,000 kicks. And that's entirely within the realm of the possible for humans.

Efficiency

Finally, our bodies have changed to accommodate the dynamics of running more efficiently. First, our heads are more balanced for running than australopithecines—flatter faces with smaller teeth and noses have shifted the center of mass in our heads backwards.¹⁰ And, our shoulders have been “decoupled” from the head and neck. This allows us to rotate our bodies while aiming our heads forward while running. Further, our longer torsos permit our upper and lower bodies to move independently of each other—enabling us to counteract the movement of our legs by swinging our arms. Our shorter forearms also make it easier to keep our arms flexed in a running position

⁶ Science Daily, *supra* note 4.

⁷ *Id.*

⁸ *How Many Steps Are in a Marathon and Half-Marathon?*, Proud to Run, <https://proudtorun.org/how-many-steps-in-a-marathon/> (last visited Apr. 23, 2023).

⁹ Matt Davis, *Why Endurance Running Is Humanity's Surprising Hidden Talent, Big Think* (Oct. 31, 2018), <https://bigthink.com/life/humans-best-endurance-runners/>.

¹⁰ Science Daily, *supra* note 4.

for a long period of time, while our longer legs enable us to take huge strides. Working alongside these long legs, our ligaments—namely the Achilles tendon—act as springs that “store and release mechanical energy” when we run. Finally, the arrangement of our feet makes the whole thing more rigid, allowing us to push off the ground more efficiently and utilize our spring-like ligaments.

However, the titular trait—our butts—brings us to perhaps my favorite fact. The very respected researcher who I am citing is quoted saying that human buttocks “are huge” and that apes “have no buns.” We callipygian creatures are certainly well-endowed. Those glutes that we hone in the gym are evolutionarily critical for stabilization when running. Humans lean forward at the hip when we run—without our big booties, we'd be falling face-first. So, thank your bloodthirsty persistence hunting ancestors for your butt. Get out to The Corner and work it, you killing machine.

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Pictured: An ape swinging from a vine.
Photo Credit: Jackson G. '23.



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 editor@lawweekly.org

UVA Law Class of 2023, et al., v. The Forum Hotel, the Darden Foundation, & UVA Law Communications
75 U.Va. 24 (2023)

BNINSKI, J. delivered the opinion of the Court which JJ. ALLARD, COLEMAN, KULKARNI, PETERSON, SMITH, and WALSH join.

LAKE, C.J. EMRITA, and BROWN, J., concur.

Bninski, J., delivered the opinion of the court.

Facts and Posture of the Case

This case comes to us on expedited review. The Class of 2023 et al., having suffered through the construction of the Forum Hotel and its incessant BEEPING, once again sought relief from the District Court of Petty Complaints against the Forum Hotel and its parent entity, the Darden Foundation.

The litigants filed suit on April 14, immediately after receiving a UVA Law email (“The Docket”) with the subject line, “Forum Hotel Will Offer UVA Law Community a Place to Gather.” The perpetually aggrieved Class of 2023, now on its way out the door of the Law School, felt that the email was a personal affront.

This litany of alleged future benefits, coupled with the hearsay report that Darden students receive a 20 percent discount at the Forum Hotel bar, prompted the Class of 2023 to peer pressure other

1 The benefits of the Forum Hotel include, reportedly, “Rooms With a View”; “A Variety of Dining Options”; “Expansive Event Spaces”; “A Garden Walk That Builds Connections”; and “The Main Lobby, Plus a Cozy Spot.”

students and alumni into joining their suit. The Plaintiffs seek an injunction that requires equal protection under the law of student discounts, and also places a duty on Defendants to provide a pleasant garden tour for returning alumni once the “green” space behind the Forum Hotel has produced substantial greenery. The relief sought from UVA Law Communications is merely that COVID-era students and alumni be spared glowing accounts of pleasant experiences they did not experience, so as not to further embitter a truly grouchy class of plaintiffs.

We must note that the Darden Foundation has a history of disregarding this Court’s very serious decrees. It persisted in building the Forum Hotel (formerly known as “the new Inn at Darden”), despite being enjoined.² To add insult to injury, the following year, the Foundation disregarded this Court’s very reasonable requirement that it cough up money for extra safety personnel rather than relying on loud, frequent beeps.³

The UVA Law Communications division had no prior part in these disputes, and its petition to be dismissed from the suit is one of the issues before us today.

With graduation impending, we took this case on emergency review. While we embrace the concept of the “shadow docket” because it aligns closely with the petty and capricious tenets of this Court, we decline to hide behind the screen of unsigned opinions and vague majorities.

Analysis

2 *Students v. Construction*, 73 U.Va. 17 (2021).

3 *Literally All Law School People v. The Darden Foundation*, 75 U.Va. 9 (2022).

Does this really need stating? In this Court, law students are absolutely a protected class, and equal discount protection is constitutionally mandated. The injunction on the Forum Hotel and the Darden Foundation is granted. Why did they even appeal? The Court has questions about the competence of the legal counsel who filed this overtly futile petition for review. Of course the Plaintiffs get a discount and a tour.

UVA Law Communications’ petition presents a more nuanced issue. Should it be obliged to avoid telling a swath of alumni about positive news? Granting the injunction would infringe on freedom of speech to a degree which, this Court concludes, would be unwarranted.

The record is not fully developed as to whether Plaintiffs would actually suffer irreparable injury⁴ from emails about positive developments at the Law School.⁵ However, we take judicial notice of the fact that students whose law school experiences were dominated by COVID are a fragile class. We also deem that UVA Law Communications is a respectable entity, unlike the Darden Foundation, and hence is unlikely to flagrantly abuse the rights and feelings of others. We therefore remand the question of the injunction on UVA Law Communications for further development.

Conclusion

The injunction on the Forum Hotel and the Darden Foundation is upheld; UVA Law Communications has the opportu-

4 Apologies, Professor Laycock, for prolonging the zombie life of the irreparable injury rule.

5 We note particularly that Plaintiffs failed to address their ability to unsubscribe from emails.

nity on remand to argue that the Plaintiffs are fully capable of getting over themselves.

Lake, C.J. Emerita, concurring.

Justice need not be a nebulous, poorly defined thing requiring whole classes dedicated to its different theories and facets, whatever the Law School might try to tell you. Justice can be something as simple as a discount at a bar that was clearly built with the expectation that law students and faculty would be popping in for a \$17 glass of wine or two.

While this Court rarely bothers to oversee real discovery (we’re busy people, ok?), word of a Darden discount at Birch and Bloom was too juicy a rumor—and too good of an excuse to grab a drink with friends after class—not to pursue. A simple student ID is not enough; the very nice bartender interrogated for this investigation confirmed there is a specific email that Darden students must present to receive their discount. I therefore concur with the order enjoining Communications from sending further laudatory messages to students and alumni alike about the Forum Hotel and its affiliated gardens and bars until such time as this school gets its act together and secures a discount for law students.

The gargantuan (some would say tacky) scale of the Forum and its multiple bars were clearly built with law student, faculty, and alumni use in mind. The built-in captive audience Darden has by virtue of its dangerously accessible location is already fully in effect—from softball teams stumbling in from across the street after losing their playoff games at Copeley, to the several Deans this Justice bumped

into during her outing. If the Forum really wants to become a beloved gathering place for the Law School community and engender some good will, extending the same discount Darden students receive to law students is the least they could do.

Brown, J., concurring.

As a gesture of good faith to my elders, I concur in the judgment placing an injunction on the Forum Hotel and the Darden Foundation on behalf of Plaintiffs. It is deeply prejudicial for the hotel, the Darden Foundation, and UVA Law Communications to laud the privileges of the new hotel to graduating 3Ls who have but four weeks to enjoy its splendors. A garden tour is the bare minimum of what is owed to these brave souls.

However, as a member of the UVA Law Class of 2025 who hopes to enjoy many more cocktails at the Forum Hotel during my remaining two years on North Grounds—in addition to the several I have already imbibed—I concur in Justice Bninski’s opinion with the utmost respect for the Kimpton Hotel chain.⁶ Specifically, I write separately to provide context for just how wonderful the Forum Hotel’s lobby bar—Birch and Bloom—will be for students at the Law School, and to emphasize my sympathy for Plaintiffs’ inability to enjoy the premises for a healthy portion of their time in Charlottesville.

Birch and Bloom is fantastic.

6 Move over, Justice Thomas—there’s a new ethics scandal in town. I have no qualms weaponizing my lofty position as a Justice on this Court to serve as a corporate shill for this massive hotel conglomerate.

COPA page 5

Faculty Quotes

M. Collins: “When is that last time I saw one of those? Probably not since the eighteenth century.”

J. Harrison: “It generates attorney’s fees over the subject of attorney’s fees. That’s why we come to law school.”

M. Livermore: “Say you’re a landlord. No, say you’re an AirBnBlord.”

J. Mahoney: “There actually aren’t living heart donations because—you can see why.”

K. Kordana: “I’m not a Harvard hater or anything but I don’t want to be subsidizing Harvard. Given my pro-Mormon views, I’d much rather give my money to BYU.”

A. Woolhandler: “Let’s say a statute says the president can decide the cute baby contest... Okay, that’s kind of stupid.”

J. Duffy: “Frank Easterbrook is a ... kind of smart judge on the Seventh Circuit.”


C. Nicoletti: “You don’t paint a house pink unless you live it.”

K. Ferzan: “Who went to Duke?” **Nobody raises hand** “OK good, nobody’s getting cold called.”

L. Solum: “I wish we had time for obscenity, but we don’t.”

C. Jaffe, in response to a student comment: “Maybe I’m an optimist but I’m going to put *sun rising* as higher than highly probable.”

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



Virginia Law Weekly

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SPIES

continued from page 1

about the U.S. intelligence community's determination that Russia had interfered with the 2016 election. Strzok said that Trump showed "abject subordination to a hostile foreign power" unlike any he had seen during his time at the FBI. "Trump is a sort of *sui generis* counterintelligence threat."

But the problem of foreign interference goes beyond individual political actors. Strzok also pointed to what he described as a "sea change" in how Americans used social media between 2012 and 2016. Russian operatives, Strzok argued, were prepared to "jump into" platforms like Twitter and Facebook, just as their reach into American politics was growing. Even so, Strzok said that Russia was not the primary driver of disinformation on American social media—domestic political actors were.

Strzok expressed optimism that the problem of disinformation is gaining due attention from young Americans. "Your generation has a built-in fascination with disinformation. When I contrast my kids talking with their grandparents, they're polar opposites. The emails that come in from my parents have things that just make you say, 'Oh come on. This is obviously not true, stop worrying about it.'"

Strzok also suggested that adopting laws that better de-

fine campaign contributions may help create guardrails for candidates' behavior. "I would like to see laws that increase transparency for financial contributions and more disclosures on less tangible things of value." Strzok said that increased transparency may help restore electoral norms that were lost in 2016.

Finishing his remarks, Strzok emphasized the need for the government to earn public trust and encouraged students to help build that trust. Strzok lamented that certain politicians, particularly members of the far right in Congress, "are not building that trust, they're attacking it—and they're doing it in a partisan way." Strzok encouraged students to get involved in their communities, particularly on school boards, where there are "concerted efforts going on right now to influence" which elements of our history will be taught. "Be engaged in a thoughtful way, because there are people involved in a way that is not thoughtful."

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Will Holt '23
Outgoing Opinions Editor
Interviewed by Ethan Brown '25

Hello, Will! First, can you start off by telling us (1) where you're from, (2) where you went to undergrad, and (3) if you had any cool experiences in between college and law school?

Hi everybody! Growing up, I lived in a variety of places, but since I was in middle school, my home of homes has been Washington, D.C. (and yes, actually D.C., not Maryland or Virginia!) As far as college goes, I started out by attending Carnegie Mellon University in Pittsburgh, PA, but after my freshman year, I transferred to Vanderbilt University in Nashville, TN. I came to law school straight out of undergrad.

What types of things have you been involved with at the Law School besides the esteemed *Law Weekly*?

I served as Membership Editor for the *Virginia Tax Review*, but starting during COVID, I spent many weekends at home in D.C., where my family and girlfriend are. Spending more time on Grounds would definitely be a priority for me if I were to do it all over again. But I have enjoyed Charlottesville quite a bit. I am a big fan of the outdoors, and there are so many more outdoorsy things to do around here than there were in Nashville or Pittsburgh.

That makes a lot of sense. I'm sure everyone in the Class of 2023 feels their time in law school was marked significantly by COVID—do you have any particularly special memories of your COVID-y 1L year?

My favorite memory of law school during COVID was Friday Torts with Professor White. It really became a meme amongst Section A, and we even had some merch—coffee mugs—made to commemorate the class. Humble brag alert, but it also helped that on the last day of class, I was the first person in White's career to successfully note what was wrong with a particular hypothetical (I won't spoil it, but hint, wolves are afraid of people.)

Wolves and I have that in common. And what's next for you after graduating next month?

After law school, I will be moving up north to Boston to work at a firm there.

Boston slaps, so congratulations. Time for our lightning round: What's your favorite day of the week?

My favorite day of the week has to be Friday. Even though the weekend has not formally started, I have always found the anticipation of fun things ahead to be intoxicating.

Wrong answer—Thursday is correct—but I respect the hustle. Lucky numbers?

My lucky numbers are 23 and 42. I have no idea why!

What's your relationship with citrus fruit like?

I have had an on-again, off-again relationship with citrus fruit. As a small child, I was terrified of them, as I found their acidic nature to be very disconcerting. I eventually got over that, but to this day, I still cannot get on board with the whole grapefruit thing. I couldn't tell you why.

If you could distill your life into one candle scent, what would it be? And how much would it cost at Anthropologie?

Wow. What would my candle scent be? Um, I have always had this weird affinity for the smell of freshly poured concrete, and sandalwood seems to be in everything these days, so I guess my scent would be fresh concrete and sandalwood. I reckon it wouldn't sell for much, but I have no idea what the going rate for candles at Anthropologie is. I'll just stick with an MSRP of twenty-five cents.

When's the last time you laughed so hard it hurt, and what were you laughing at?

The last time I laughed so hard it hurt was when I tripped down the stairs last week. I was carrying cookies, so I didn't grasp the railing. When someone pointed out the silliness of that, I laughed. It hurt because my ribs were kind of banged up.

What would you be doing right now if you hadn't come to law school?

If I hadn't come to law school, I would probably be working at an educational organization right now. I have always liked museums and the natural world, so I hope it would have been National Geographic or the Smithsonian, or something like that.

COPA

continued from page 4
Before its opening a week or so ago, where was a law student to go if they wanted a drink within walking distance of the Law School? Say it with me: Sedona Taphouse. No shade to Sedona, which was home to many wonderful memories during my 1L fall, but the establishment is hardly anything special. The opening of the Forum Hotel changes the game. To have an espresso martini within a two-minute walk of my locker in Slaughter is revolutionary, albeit dangerous—and I cannot fathom the loss Plaintiffs must feel in having only a single calendar month to indulge in such joys before leaving to do bar prep, or whatever it is 3Ls do when they go to a farm upstate and "graduate."

So, due to the crassness with which both the Darden Foundation and UVA Law Communications dangled the carrot of the Forum Hotel's opening to our graduating 3Ls, I concur in the judgment. And I wholeheartedly endorse extending any Darden student discount, if one exists, to law students as a matter of equal protection, but not for me or anything because that would be super selfish.⁷

7 Pls <3

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SO LONG, LAW WEEKLY 3LS!

