THE LEGAL PROFESSION JOKEDAYNE FREYKUSMAN

For a second-year required class detailing the ethics, morals, standards and rules that govern professional responsibility, it may seem shocking that New York Law School would be willing to unethically and unjustly sancton the students of the class. The situation is simple. There are several sections that compose the pool of students that the exam is taken by. This year, in the second-year class, Section C received a Legal Profession exam (the exam) that was highly criticized by the rest of the 2L sections of students and body and when the other two sections secretly petitioned the administration of protest, no regulatable resolutions were implemented.

Sections A and B argue that the exam was too easy, that it was a memorization test. The exam, Section C was given the 25 multiple choice questions ahead of time and just memorized the answers. The reality, although it is true that the exam was composed of 25 multiple choice questions, the students received over 100 sample questions (accompanied by detailed explanations) to study from, learned the ABA model rules, attended classes, studied analytical principles that accompany the lessons, took time away from studying for other exams and most of the section went as far as drafting lengthy outlines. In fact, the students believed that the exam would be no more than the rumored 25 multiple choice questions. This was not a point forth we are going to measure fairness of an exam based on the results at the end of each semester! Are we going to start comparing the grades between sections every single day? Is there any way we can hope that all the students are studying the same amount of good. Why would you expect the same results? As it stands, the distribution is continued on p. 4

THE LEGAL PROFESSION WARBY DENA OPERMA	

Tension is always prevalent in low school and from semester to semester we live in a state of flux until we receive our final grades. So imagine how relieved students felt when they were able to gauge their final 2002 performances and move on to greet the challenges ahead. Perhaps some felt the sun shine again, but for the second year students at NYLS the proverbial cloud still casts its shadow over all our heads. The crux of the concern lies with the controversy surrounding the Legal Profession final administered to Section C.

Truth be told, the only people who really know what happened are the students in Professor Cone's class - the rest of us can only guess. As a non-member (and at this late point in the game), it seems foolish to disparage those students for several reasons: Firstly and most importantly, they are our peers and our friends. Secondly, there's the honest factor. Let's cut through the bullshit and get real. Though it's true that Section C had an advantage on this exam, who among us wouldn't have appreciated the same opportunity? Having said all that, this article seeks to give a logical accounting of what happened. 

That aside, members of the administration appeared to be bewildered as to how the situation should be handled (and even at times this was entirely in our control). Additionally, this shameless state of affairs was compounded by their delay to address ALL sections and inform them that there would be no more similar actions. Therefore, this is an opportunity for the administration to address the students concerns, a meeting was held on January 22nd to share various opinions about resolving the dilemma and to give students a forum to air their grievances.

The final meeting was conducted in a respectful manner though student emotions ran high throughout. The faculty mediators consisting of Professors continued on p. 12

A POOR EXCUSE FOR A RESOLUTIONBY MANDE FORMAN

Last Thursday an e-mail circulated to the second year division students titled "Legal Profession Resolution." I speak for a majority of students involved and uninvolved- when I say it was hardly a resolution. For those of you who may be unaware of the situation involving second year division students and the required course in lawyers' ethics called Legal Profession, here is a brief course of events.

During the final exam period last December each of the second year sections were given an exam for Legal Profession. Each exam was scheduled for these two hour and each exam was formatted at the discretion of the professor. Some sections received a combination of multiple choice and essay. One section, Section C, received an examine consisting of multiple choice questions taken directly from the text book.

After the exam, disgruntled students from Sections A and B upset by the fact that Section C had received an easier exam went to the Dean and complained that it was "unfair." The Dean promised sections A and B that he would look into it.

No one denies that Section A and B should not have been troubled by the fact that Section C stood to receive a higher proportion of good grades (A's and B's) than either of their sections had received. As they saw it, if the majority of Section C received A's in Legal Profession, then students in Sections A and B class rank might be jeopardized if that one grade- in that one course- allowed a Section C student to achieve a higher GPA. But the bottom line here is that sections A and B took their exam, written by their respective professors, and received the grades they earned. In turn they argue that Section C did not work as hard for their grades because they knew what the exam was going to be when they worked in to take it.

Here is Section C's story. They state that from the first day of their Legal Profession course the professor told them that he was going to give a 25 multiple choice exam. The students, in disbelief, continued to ask Professor Cone throughout the semester whether he was really the format he was going to give. Many students did not believe his good fortune, in fact many went so far as to make outlines and other study aids because they just did not believe him. However there was a portion of the students who thought "well why would he misrepresent the exam to us" and thus their preparation for the exam consisted of substantially less. Then they went in, took the exam, and the next thing they knew the Dean was telling them in a last minute private meeting that they could not receive their grades (which at that point remained raw scores).

As it turned out when the Dean asked for the results of Section C's exam he discovered that approximately 80% of the students who took Professor Cone's Section C exam got either 24/25 or 25/25 questions right. Professor Cone was supposedly asked to explain the overwhelming amount of good scores. Section C was told in the meeting with the Dean that Professor Cone sold something along the lines of he had no idea why there were so many good scores. He did not anticipate that the 25 question exam would do so well. When the Dean then asked him if there was no way for him to distinguish between the top and the bottom of the curve, he replied that there was no way.

So here lies the crux of the NYLS's argument as they take away Section C's right to their grades. The faculty states it cannot give out grades to a class when those grades do not reflect the quality of work. As a result, Section C students are guaranteed their curve. In other words, since most students in Section C received A's
AND LIFE GOES ON AT NYLS

So it's the Spring semester and lucky for some of us it's our last semester in law school. But where do I begin? So much seemed to have happened since our last issue. First I heard on the news that NYLS is being sued for a whopping 18M dollars. One blush and think that a law school with all its 'legal resources/talent' could not possibly have put itself in such a situation.

So what are the charges? Wongful deletion or is it a violation of the First Amendment? Who knows? If you do, you can let me know. These things are kept under wraps. Where is the L?

practical classes. Don't just be a sponge, soak up the best practitioner you possibly can. Even intelligent and not everyone who was not a D.

I made a promise to myself that would not get hung up on grades. I would not even repeat a semester almost three years ago, then decide. As Valentine's Day approaches, I decided to do some research...this is what I found. There are different stories that explain the origins of Valentine's Day, but the most famous story is that of Saint Valentine, the Roman Christian martyr.

The legend goes that Emperor Claudius II of Rome was involved in a very violent and unpopular campaign. Claudius II believed that Roman men did not join the military forces because they did not want to leave their loved ones behind. In response he called off all marriages and engagements in Rome. Saint Valentine, a Roman priest, secretly married the lovers of Rome's loyal couples. He was then brought before the Emperor to be killed. It is said that he was beheaded on February 14th. And whilst watching a goodbye letter to the jailer's daughter signed "Your Valentine." This started the tradition of sending Valentine's cards on February 14th. Saint Valentine became the patron saint of lovers.

Valentines Day lore

The day comes from the Middle Ages. Young men and women would draw a name from a bowl to designate their Valentine (now that's fate). They would wear the name of their Valentine on their sleeve for one week (that's what Saint Valentine was going for). In some countries a bunch with very powerful meanings: flowers, with very powerful meanings:

Good-morning to you, Valentine. Is it a violation of the First Amendment? Who knows? These things are kept under wraps. Where is the L?

A woman said a goldfinch 

A popular view holds Goldfinch...I don't think I've ever seen a goldfinch!!

I have nothing to say, but not only because our word 'pointless' in it. They have sole authority for the questions we're asking them. These are not groundbreaking issues. Maybe as an alternative perspective a bit we can look at the effects of things not just thinking, but not just thinking, but not just thinking. Dwight said, you know. These things are kept under wraps. Where is the L?

I am a human being, sometimes seemingly blame everything for all of its. Sometimes passion, Yellow-friendship, Pink-shyness, Red-admiration. Sometimes I was not a D.

I was not a D. But thanks for a whopping 15M dollars.

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OUR THOUGHTS AND PRAYERS GO OUT TO THE FAMILIES OF THE 7 INDIVIDUALS ON BOARD THE COLUMBIA, WHO GAVE THE ULTIMATE SACRIFICE TO SERVE THEIR COUNTRIES. THEY ARE TRUE HEROES, AND THEY WILL NOT BE FORGOTTEN.
disproportionate, are we going to petition and argue each and every semester? That's what this situation is basically indicating. The school, in effect, is saying that if an exam does not result in a wide differentiation of scores, it must have been unfair. So after much aggravation, agitation and several meetings, the faculty came up with a resolution offering the students in section C three options and permitting the other two sections to take an "F" if they chose to. The options the faculty presented to section C were the following:

(1) A "P" for the Legal Profession class.
(2) A Legal Profession grade equivalent to the student's cumulative GPA (based on cumulative GPA after spring 2002); or
(3) A take-home "make-up" exam during the final week of February.

If the problem was that the rankings would be inaccurate as a result of a higher concentration of A's and B's among section C than the other two sections, then the problem still exists. Surely anyone in the other two sections who scored below a B could (and probably will) elect to use a "P." This would leave the same situation in which all the other sections would have strictly A's and B's and the students in those sections who may have done poorly basically get a "permission slip" from the law school. They still retain, however, the option of keeping any letter grade that measured their performance in that particular class.

Section C has an option of using a "P" which is perhaps the most favorable choice for many of the students. The third option, to take a different exam, is ludicrous. It basically says that in order to receive a grade that reflects the work done in a particular class, a student must now (long after the fact) have to produce notes, books, outlines and refresh all the information a second time around. Only this time there will be no indication of what particular area of the broad "Legal Profession" course will be tested. Would this mean each student must reread the entire book? Should the students withdraw from their full course load to prepare for this exam? Is this really the only way a student can get a grade in a course that should have been completed a month ago? Well apparently there is option number two, the most ridiculous one of the three. Option two will allow each section C student to take a grade that is completely unrelated to the class. It is based solely on their performance from their first year of law school. Example, your cumulative GPA after your first year of law school was a 3.0, your grade in Legal Profession will be a B. Does this make sense to anyone? Based on principle alone, this is an asinine option. It basically says that someone who walked away from their first year of school with a 3.8 GPA (no matter how poorly they may have done in one of those two classes) will be presenting employers a transcript that shows an A in Legal Profession. That employer will be under the impression that the student worked hard in that class and earned an A, knowing the material. Is that fair? Are we to assume that every student that had an A-average would continue to get A's in every class they take from that point forth or is this academic elitism? What about a student who walked away from their first year with a 3.0, worked extremely hard in this class, earned an A, but is not allowed to receive it? They have to forgo a grade of A or simply take a new exam. Option two is a disgrace to a school that is desperately trying to regain its recent lost credibility among the law school community. It seems that none of these options is fair. At least none of these options is any fairer than simply allowing the students of section C to receive grades that measured their performance on the exam. How about giving consideration to factoring in class attendance and participation? If the exam was too easy, is it not the fault of the students but rather the instructor who taught the class and drafted the exam? It may be the fault of the administration for not adopting better procedures to monitor the exams before they are given. Didn't the students do everything asked of them? Didn't section C still spend a semester working and (like all classes) show up and pass their final exam? Is it fair to punish them for not only doing what was asked of them but also for doing it well? But this is not a blame game because at this point, we just have to find an equitable remedy, one that seems to have escaped the decision-makers who crafted this sub-par excuse for a resolution.

And for the students who dedicated a semester of time and effort to attending class, doing readings and preparing for an exam, they are taking the fall...the receiving end of a $79,962 joke on us.

It's Finally here
Our Interactive Website
Visit us online WWW.DENOVOPAPER.COM
it's where the NYLS community interact online.
Forums, Chatroom, free e-mail, Up to date news, candid pics, and much more.

HOW TO RAISE YOUR SCORE ON THE MULTISTATE PERFORMANCE TEST (MPT)
On the New York Bar Exam

1. Manage your time. At the beginning of the afternoon session, write down the time you will begin the MPT. Set aside the full 90 minutes you will need for the MPT, last, at the end of the day. Finish the essays first, and then do the MPT. Keep the MPT from harming your scores on the essays. Make sure that you allow the full 90 minutes for the MPT.

2. Outline completely and carefully. Read the partner memo with exquisite care, as though your life depended on it. Notice what the partner is asking you to do. Construct your outline from the partner's directions. Make sure you sort out all of the tasks you must perform. Some of those tasks have two or three parts. If you miss something in the partner memo, it will adversely affect your grade.

3. Follow the format required. The MPT task is always an ordinary law office task, a brief or a memo or an outline of questions for a deposition, and so on. Somewhere in your file are directions for correct format for the task. Follow those directions to the letter. You will lose points if you do not follow the directions regarding format.

MULTISTATE PERFORMANCE TEST (MPT)
SCHOOL
February 15-16, 2003
Systems to increase your score on the MPT
Details at www.BarWrite.com

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Law Students Drowning in Debt

A recent survey found that two-thirds of today's law school graduates must go into private practice because they cannot afford to take lower-paying public interest jobs. The survey was conducted by the Partnership for Public Service. Equal Justice Works and the National Association for Law Placement. The survey also found that 94 percent of law students borrow money for tuition and it takes, on the average, ten years for them to repay student loans. Part of the problem, the study found, is that law school tuitions have increased by 76 percent at private law schools during the last decade.
FULL AND OVERFLOWING – THE STATE OF THE PRESIDENTS PLATE

BY MS. P

Every evening I watch the news in utter disbelief. I listened to part of the President's State of the Union address and I was certainly not impressed. I still believe that war with Iraq is not in our country's best interest. I know that the President of the United States does not have to listen or even acknowledge the opinion of other countries and peoples on this little planet we call earth. It must be due to an act of God that we have not yet gone to war. As recently as last week, even British Prime Minister Tony Blair; America's most faithful ally, was calling President Bush for a showdown.

Why is our president so bent on war? I am beginning to think that it just can't be all about getting rid of Saddam's weapon of mass destruction. The more I think about it, the more I am beginning to be convinced that it's all about oil. I think it is just not the President protecting us.

"One power with a president who has no foretaste, who cannot think properly, is now working to plunge the world into a holocaust," said former South African President Nelson Mandela. Speaking at the International Women's Forum, Mandela said "if there is a country that has committed unspeakable atrocities in the world, it is the United States of America." (Mr. Mandela, Americans do not like to hear this – Please tone it down.) Mandela said U.S. President George W. Bush covets the oil in Iraq "because Iraq produces 64 percent of the oil in the world. What Bush wants, is to get hold of that oil." In fact, Iraq contributes to only 5 percent of world oil exports.

Is there any truth to this? Only time will tell. And only President Bush knows. We can't get in his mind. But when our president can stand at a podium and on national TV say "He tried to kill my father," another reason seems to pop up.

I know there might be nay sayers, but can any of us imagine another government not liking our government and deciding to topple it to go to war with us? because they feel regime change? They would be smacked senseless.

And, does international law mean anything to this president? President Bush and British Prime Minister Tony Blair are undermining the past work of the United Nations.

While I will agree with Mandela's statement "They do not care," I certainly will not go as far as Mandela and ask, "Is it because the Secretary-General of the United Nations is now a black man?" I will just not go down that road. The truth is the U.S. government sees itself outside of the sphere of the United Nations unless it's in the U.S.'s best interest. So had it been a Caucasian, an Asian or Latino or any other race, the result would have been the same.

Still, how can you go to bed at night and not pray for our President? He surely has a lot on his mind. Love is powerful. Healthy love needs mutuality and can not survive with only one giver. So, yes I can imagine myself dying for the one I love. And who else loves me back.

TAMARA ROIGE, SL Day
Would I die for love? Well, I guess it all depends on the circumstances of the situation. For instance if my fiancé decided to break up with me, I would kill myself because of it. However, if my fiancé were to demand of me to give him a life to save his. Love is powerful. Healthy love needs mutuality and can not survive with only one giver. So, yes I can imagine myself dying for the one I love and who else loves me back.

YUAN CHIEH ALLEN, SL Rivero
If I was possessed by such an all-consuming love, I would throw myself for that person. But considering how the opposite sex are today and that I would be able to find redemption, God's son had it easy, as his place beside the creator was assured, as was his ability to rise from death. Man, on the other hand has no such assurance after death and for this reason his death for the sake of love is that much more precious. I would say yes, I would die for someone I love, and also for family, for my beliefs, and for nation.

Marcus Allister, SL, Rivero
The Good Book tells us that God's son was so consumed with Man, that he died so as to ensure us the ability to seek redemption. God's son had it easy, as his place beside the creator was assured, as was his ability to rise from death. Man, on the other hand has no such assurance after death and for this reason his death for the sake of love is that much more precious. I would say yes, I would die for someone I love, and also for family, for my beliefs, and for nation.

Carolyn Walter Dalbo
I believe that love is the essence of why we are here. Therefore, it is love that will win God's son's battle for the soul. Love is what brings about the thoughts, movements, and emotions. Whether it is love for fame or fortune or love for your family. So, what would I do for love? I would do whatever it takes to obtain it and retain it – and have faith that love will never fail.
A SNIP HERE AND A TUCK THERE...

THE LAW REVIEW MAKEOVER

PROPOSED LAW REVIEW STRUCTURE FOR 2003-2004 AND BEYOND

This memo proposes specific elements of: (1) the transition from three journals to one journal scheduled to occur in Academic Year 2003-2004; and (2) permanent changes to the journal's organizational structure. It supersedes the plan already approved by the faculty.

Management Structure. There will be one Editor in Chief and one Managing Editor who will be responsible, with the Publisher, for supervision over and assignments for five issues of the law review. In addition to these positions, there will also be one "Executive Editor," three "Executive Articles Editors," three "Symposia Editors," three "Executive Case Comment Editors," three "Executive Notes Editors," and one "On-Line Editor." These positions will all be part of the law review's "Executive Board." In addition, there will be eighteen "Case Comment" editors and twelve "Articles Editors." The "Executive Editor" will have responsibility, with the EIC, for determining the thematic and editorial quality of the review. The "Executive Editor" will also have responsibility for administrative responsibilities of the law review such as assisting with production schedules, coordinating the writing competition (with assistance from other members of the Executive Board and the Publisher), and organizing the law review budget. All "Executive Editors," with the assistance of the "Executive Editor," will have responsibility for the supervision of published Notes (but excluding published Articles and Case Comments) for the law review. In addition, the "Executive Editors" will be responsible for editorial oversight for student written Case Comments, including Court of Appeals comments, and faculty written Articles. The Notes Editors will have responsibility for the supervision of published Notes (but will not supervise Notes as they are being written). The "Symposia" editors will be responsible, with faculty and staff, for organizing symposium activities (see below).

Credit. All 3rd year Executive Board members will receive 2 credits per semester. All other second and third year journal members will receive 1 credit per semester, except that in academic year 2003-2004 third year law review members will receive 2 credits per semester. All members writing a Note (see below) will receive writing credit for successful completion of their Note. It is anticipated that the Editor in Chief and Managing Editor will receive one-half tuition scholarships, and the other members of the Executive Board will receive $1000 stipends.

Third Year Responsibilities. All third year law review members who are not members of the Executive Board will have the title "Associate Editor." They will have editing and related responsibilities for all issues, to be assigned by the Managing Editor in consultation with the Executive Board. They will also be required to keep regular office hours to assist second year members with questions and concerns, to assist the Symposia Editors with symposia planning, and to assist the On-Line editor with web content.

Second Year Responsibilities. All second year law review members will continue to have the same responsibilities they currently have, with the exception of their writing requirements (see below).

Write-On Competition. There will continue to be a write-on competition. The competition will be organized by current journal members, with supervision by the Publisher. Any student whose GPA (4.0 is the higher cutoff) is higher than the cut-off for the Comprehensive Curriculum Program (which is reserved for students in the bottom 25% of the class) is eligible to write on to the law review. The competition will take place the week before Advance week, and will be graded by the Publisher, and all decisions about which students will be asked to join the law review based on the competition will be made by the Publisher. Upon successful completion of the write-on competition, new second-year journal members whose GPA is 3.0 or higher will also become Harlan scholars. Second year students whose GPA is lower than 3.0, but who successfully complete the write-on competition will become law review members, but not Harlan scholars. Third year students who successfully complete the write-on competition will become law review members with the responsibility of second-year members (all 3rd year grade-ons, see below), but will not be Harlan scholars.

Third Year Grade-Ons. A limited number of third year students will also be invited to join the law review based on a combined first and second year academic record. This number will be determined by the Executive Board and the Publisher, and will take into account the GPA, grades, and career plans of these members. Each member writing a Case Comment on a recent New York Court of Appeals case for publication in an "Executive Board" Note will receive $1000 stipends.

Selection of Officers. In 2003, any member of an existing journal who wishes to be considered for an editorial position (above Associate Editor) on the 2003 law review must be a member of the second-year law review membership program. The selections of the Executive Board will be based on the initial interview, the personal statement, and the writing sample. The personal statement must reflect a genuine interest in the law review, and the writing sample must be the best work of the student applicant. The personal statement is due on the first day of class in the fall semester for second year students whose GPA is 3.0, and on the first day of class in the spring for second year students whose GPA is lower than 3.0. If he/she is selected he/she will be interviewed by a panel comprised of at least three Executive Board members of each existing journal, and that panel will then recommend no more than five persons for a subsequent second interview in which the Publisher will also participate. Upon completion of the second interview, the Publisher, in consultation with the panel, will select the editors for the 2003-2004 law review. Preference for editorial positions (above Associate Editor) will go to current law review members and other journal members whose GPA places them in the top 15% of their class at the end of their first year of law school; however, all law review members are eligible for any editorial position on the law review. Other criteria to be considered in selecting editors include: excellence of written work product; demonstrated leadership ability; demonstrated commitment; ability to work well and get along with others; oral communication skills.

In 2004, the above procedures will be retained, except that the panel will be comprised of the law review's Executive Board, and the panel will select the third year grade-ons in consultation with the Publisher.

Writing Requirement. The current system whereby all third year law review members are required to write a Case Comment on a recent New York Court of Appeals case for publication in a "Court of Appeals" issue will be retained. The will be required of all third year members, including current JHR and ILJ members.

Role of the Centers. There is a general expectation that each Center will play an important role in developing and supporting the law review. At its option, each Center will generate articles, symposium papers, and/or lectures for publication in the law review. In the absence of prior agreement between the Center and the law review that particular materials will be published, the law review will decide whether to publish the materials thus generated. As requested by the Center, the law review will also assist in organizing and administering symposia.

Role of the Faculty. The law review will continue to publish articles received from outside authors when appropriate. The law review will also encourage individual faculty to generate written materials for law review issues. The law review anticipates, however, that symposia will be a central part of the law review experience.

Haran Capstones Experience. At its option, each Center may use the Note as part of the program for Harlan Scholars affiliated with the Center and, in so doing, may award additional credits for the Note and coordinate its writing with tutorial study, a workshop, or some other educational experience.

Legal Scholarship Class. The structure of the Legal Scholarship class will be changed. The class will meet for only 6 - 7 sessions in the Fall semester to introduce student writing. Subsequent journal writing/editing will be discussed in a "Writing Review" meeting. The class meets every week. The College of Arts and Sciences will teach the remaining classes in the Spring, and only to those students writing Notes, with a focus specifically on Note writing.

It is also anticipated that the Publisher will review all final edited Articles before they are returned to faculty authors.

Meeting Web @ 7:20
Stierel Room
All students are invited!
Dear Kryslia,

My sister's best friend was engaged to be married to a man she was dating for several years. Their wedding was planned for November. They already bought a house together as well as a dog. Everything was in her name. Recently, however, he ended the engagement and broke up with her. He told her that he never wanted to get married and that he didn't want to marry her and hurt her more in the future. She is devastated and stuck with huge expenses. Your question to me is: why do men fear marriage?

Sincerely,
Bird-not-to-be

Dear Kryslia,

I am a 1st year who just finished my first semester. I did not do as well as I had hoped I would. What should I do to improve my GPA this semester?

Sincerely,

Knoxville Royal

Dear Kryslia,

I can't figure out where to take my girlfriend for Valentine's Day, any suggestions?

Sincerely,

Clueless Cupid

Dear Cupid,

It's great that V-Day is on Friday. There are so many possibilities for romance. Here are some suggestions:

1. Go to a nice dinner. What would you suggest?

2. A weekend "romance" package: a NYC hotel (I like this one)

3. Cook her a candlelit dinner and give her a nice massage afterwards.

There are so many great places to go, although staying in and making candles is a good idea as well. Find something that she would enjoy - something that is special to her. Maybe take her on a stroll down memory lane and reminisce about the past.

Sincerely,

Knoxville Royal

heat

Feminist

The idea of menstruation as a hothouse for new life and growth is one of the most profound concepts in feminist thought. Menstruation is seen as a natural process that connects women to the cycles of nature and the earth. It is also seen as an empowering experience that celebrates the body and its abilities.

However, the idea of menstruation as a hothouse for new life and growth is not universally accepted. Some people view menstruation as a time of weakness and vulnerability, and others see it as a time of rejuvenation and renewal.

In the feminist movement, menstruation is often associated with the idea of the body as a vessel for new life. This idea is reflected in the use of terms like "mother," "motherhood," and "maternal" to describe menstruation.

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Indeed.

(Music News, Rumors, and Releases)

by Joseph S. Hadala

Linkin Park, whose new album "Meteora" is due out March 25, is planning to tour with a who's who of bands that used to rock, namely Metallica and Limp Bizkit. Metallica will be the band's first tour album since their debut "Hybrid Theory" (should we really count a remix album?). Bizkit will also be issuing a new cd on April 1 (no fooling), with no-so high expectations from the release. Bizkit frontman Durst finds himself among the producers for the next Britney Spears release (the two have been romantically linked)... Metallica's next album looks to be a spring or summer release, and will be the first since bassist Newsted has left the band... Newsted recently joined Canadian metal band Voivod, who will release their own album in March... Rapper Tpearis Gray, better known as Juvenile, was booked in New Orleans for possession of marijuana and cocaine, along with three others in his vehicle. A strange Phil Collins cover album, "Urban Renewal", released last year in Germany, is set for release on Feb 11, the album will feature such hip-hop artists as Lil' Kim, Of Dirty Bastard, and Brandy... Following Sipely's lead, the soundtrack to Ben Affleck's Daredevil flick, will feature such modern-rock chart toppers as Nickelback, Saliva, Chaviele, Hoobastanck, and Moby... DMX and Eminem will collaborate on a track for the Grav 2 the Grave soundtrack... Soon you will be able to "be" DMX, no I don't mean you can make tons of cash and rack up bench warrants. "Def Jam Vendetta" a video game for PS2 and Gamecube, slated for release next year, allows players to fight as Method Man, Redman, N.O.R.E., Ludacris, and more (Def Jam artists will provide the soundtrack)... After several attempts to have something different separate my statements in this column. I've decided "Rolling Stone" does not have a monopoly on editorials... February is notoriously a big month for the music industry... as you will see by the following New Releases...

Feb 4: LL Cool J, The All American Rejects (check them out, really), Lionel Richie, (apprectly this is the "definitive collection")... Sisler Hazel, Jars of Clay, Blake Shelton, Pat Shop Boys, Frukan, DJ Spinn, More, Savoy Brown (old blues band, good stuff), Nada Surf, Everclear, Choppa, and the Daredevil Soundtrack.

Feb 11: Paciels, Ozzy Osborne (just another best-of), John Mayer (dove matthews lite), Nick Cave and the Bad Seeds, Hall & Oates (yes you read that right), Jeffrey Gains, Socialbumb, New Order, Daniel Rodriguez, DJ Krush, Hard Knox, Tech 99Rne, Yannil (my prayers have been answered), Grade 8 and a star studded Ramones tribute album.

Feb 18: Don't even bother leaving the house) Jennifer Hanson, Bancio De Gaia, T-Rock, Braid, Embalmer, Lufly Fritzel, Pitchfork, and some Sting Cheese Incident live cds... these are the highlights people!

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Canal Street - Chicken with homemade roasted peppers, mozzarella, drizzled with balsamic vinaigrette on semolina bread 6.75
Soho - Chicken with spinach, melty brie cheese on a baguette 6.75
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Church Street Special - Roast beef, sauteed portabella mushrooms, with blue cheese and mushroom sauce on a Kaiser roll 6.75
Grand Central Station - Roast beef with sauteed spinach, melted gruyere, and honey mustard on a rosemary ciabatta 6.75
The Garden - Roast beef with carmelized onions, au jus on a ciabatta 6.25
Central Park - Loin of pork au jus on a Kaiser roll 5.75
Tricosa - Pork loin, crisp green apple, with melted brie and honey mustard on a baguette 6.75
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The FDR - Pork loin smothered with barbecue sauce on a Kaiser roll 5.75
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Greenwich Village - Turkey with goat cheese and basil-walnut pesto on rosemary ciabatta 6.75
Amsterdam Ave - Turkey Ruben, melted gruyere, sauerkraut, and Bert's homemade russian dressing on a Kaiser roll 6.75
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Madison Ave - Ham, crisp green apple, melted gruyere on a ciabatta roll 6.75
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Spinach, and Halloumi 6.75
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Cranberry, Pickles, Cranberry Sauce, Red Onion, Sauerkraut, Tomato .50 ea.

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Small Salad - select lettuce and any four accompaniments 5.25
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Lettuces: Arugula, Mesclun, Romaine

Accompaniments: Tomato, Cucumber, Red Onion, Bell Pepper, Carrots, Beets, Sliced Mushrooms, Niciise Olives, Avocado, Green Apples, Sunflower Seeds, Toasted Walnuts, Homemade Croutons, Crushed Blue Cheese, Creamed Goat cheese, Sliced Chicken, Roast Beef, Ham, or Turkey

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All soups served with fresh Brick Oven Breads

M O S T P E O P L E B U T T O N T H I E R SHIRT UPWARDS
...and now a poetic interlude

**Episode 2: What happened then, HWL?**

THEN the little Hiawatha, sought advice from old Nokomis:
Get a different poetaster, that one’s law is a disaster.
Sure a promise must be paid for, that is unless you’re Katie Scothorn,
Or you’re Allegheny College. And logic chopping is not knowledge,
Long brown hair and soft brown eyes are not the key to getting A’s.
So spake his grandma old and wise, but he couldn’t leave those deep
brown eyes,
With whom he scheduled hours of study, and stayed away from the
Knitting Factory.
Two hours revision of torts a day, two for contracts, none for play,
Weekends for the unique torture of trying to master civ procedure.
What, there is no time for leisure? Ah, Sunday evening for force
MAJURI!

Thenceforth this dynamic duo, crammed with might and main and brio,
Read study guides and underlined ‘em, questioned profs when they
could find ‘em;
All the rules of the richoldwhitemen, fell beneath the felt tipped pen,
Reason, principle, and argument, received the yellow integument;
They crammed this intellectual rubble, ’til their eyes could see quadruple.

(December, coming to the wire, looking for a brain to hire,
What on finals will transpire? This scribbler’s wit has lost its fire,
Get another poetaster, or go back to that first disaster,
So to learn our hero’s fate, and his lovely study mate.)

P.S.: How are criminal conversation and whales related?

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**BRAIN FEED**

1. What is the longest word in the English language without any vowels?

2. What was the name of Moses’ wife?

3. What is Donald Duck’s middle name?

4. What is the white part of the egg called?

5. What is the only metal that is liquid at room temperature?

---

**ANSWERS**

4. Mercury

2. Flaminia

3. Imitans

---

**ACROSS**

7. Opinion or doctrine contrary to church dogma. (6)

6. The state of being behind in the payment of a debt or the discharge of
   an obligation. (6)

11. The act of substituting for an old obligation a new one that either
    replaces an existing obligation with a new obligation or replaces an
    original party with a new party. (8)

14. To assert one’s own claim regarding property or an issue already before the court. (10)

15. To contain as a part of something. (7)

16. Small points of practice that, though seemingly unimportant, must be observed to achieve a particular legal result. (11)

20. A feudal estate, usu. granted by the king to a bar or other high
   person and cultivated as a unit. (5)

22. To pawn or pledge; to give as security for. (4)

23. A professional who studies economics and the economy. (7)

25. Abbreviation for the General Agreement on Triffs and tariffs. (4)

26. To accuse a person of criminal conduct. (6)

28. A person who manufactures, transports, or sells something illegal. (10)

29. A measure of distance equal to 5,280 feet. (4)

31. The introductory part of a court paper stating the names of the parties, the name of the court, the
docket or file number, and the title of the action. (7)

33. Liberation from an obligation, duty or demand. (7)

34. A designation or apportionment for a specific purpose. (10)

---

**DOW**

1. A man holding land directly from the Crown in exchange for military
   service. (5)

2. (Latin) To be made; to be done. (5)

3. Excessively burdensome or troublesome; causing hardship. (7)

4. A person who assists a lawyer in duties related to the practice of law
   but who is not a licensed attorney. (9)

5. To covertly receive or listen to a wiretap. (4)

6. An item of personal property deposited as security for a debt. (4)

9. To perform or complete a contract or duty. (7)

10. An attempt to commit common law assault. (5)

12. A mutual understanding between two or more persons about their relative rights and duties regarding past or future performances. (9)

13. Used in a legal citation to refer to the authority cited immediately before. (2)

16. A professional athlete’s ability to negotiate an employment contract with any team in the league, rather than being confined to the league’s collective system. (4)

17. A portion of land large enough to maintain one family. (5)

18. The condition of a person who, from birth, has never had any glimmering of reasoning or intellectual faculties. (5)

19. In sports the Commissioner’s obsession is to uphold the ___ of the game. (9)

21. An addictive drug, esp. an opiate, that dulls the senses and induces sleep. (5)

23. Validation of a security interest as against other creditors, usu. by filing a statement with some public of filing or by taking possession of the collateral. (10)

24. A group of persons who go about together or act in concert, esp. for antisocial or criminal purposes. (4)

27. Occurring in the regular course of events, normal, usual. (8)

28. A fundamental principle or an underlying condition. (5)

30. A proceeding undertaken to have a decision reconsidered by bringing it to a higher authority. (6)

32. Abbreviation for the National Association of Securities Dealers. (4)
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"An Affair to Forget"

(part 4) by Frank Raphael

I am a bit confused as to why law professors have such a high sense of style; how can someone so intelligent have such a complete inability to match colors? It's really not all that difficult, and even if you can't match then just wear an outfit that just randomly doesn't go together. But some of these professors are ridiculous— they must spend hours picking different colors that have nothing to do with each other.

Take my date. He decided to wear a green jacket with an apron. I have nothing to do with each other.

This is a nice place or not doesn't he realize that this is where he thinks he's going to put up with it now?

ELEVATOR ETIQUETTE: WITH MORE STUDENTS GOING

Everyone is aware of the overcrowded elevator situation here at NYU. While the administration has sought to ameliorate the problem by providing an express service at certain times during the day, the physical reality is that there simply aren't enough elevators to take students to class comfortably, conveniently and without waiting in line. As is often the case, more people have meant more problems and a general decline of good manners around our campus. It seems that people in our community are ignoring the essentials of good behavior. Specifically, people are cutting the elevator lines with increasing regularity. Students who choose not to brave the elevator lines are quick to remind rude and unruly students go for lunch?

Maybe I'm being too hard on him; maybe his stock portfolio took a bigger dip than most.

He looked at me and said without irony, "I figure any restaurant with 'French' in the title would be somewhat ritzy." Okay, he's not broke, he's just a jerk.

"Great," I said, "let's just in and eat." Why didn't he just take me to McDonald's?

I was going to take you to McDonald's, but I figured that would be a bit too inappropriate for a first date," he said. Oh my God! So the love of my life and I went to the buffet, grabbed a plastic container, and filled it with various assortment of foods. I like the "sushi" even though I shouldn't be eating raw fish that has been sitting outside for twelve hours, but at least if I get food poisoning I can get out of this date. After we pay for the food, my lovely date and I walk to the eating area and sit down for a chat.

"Do you go on many dates Rupert?" I asked. Usually this would be described as 'forward' questioning, but I figured I had to make the date interesting.

"Uh," was all Rupert could muster probably not sure if he should answer the question truthfully.

"No, not really," he said, "after my wife died I stopped dating for a long time."

"Oh, I'm sorry," I said in a rare moment of genuine sympathy. "I didn't know, how long ago did she die?"

"About five years ago," he said.

I giggled uneasily at first, not sure if he was just sarcastically responding to my bold questions or if he really meant it. When his face broke out in a smile, I knew he was just kidding. I'm just so surprised to find that he has a sense of humor. "I can relate to that," I said as I dug into my old fish. "I went through a divorce as well, and I never see my husband again it will be the greatest gift ever."

"Yeah marriage is good for some people, but not for others," he added.

Suddenly his awful clothes didn't seem so bad; it's funny how one stupid joke can change the outlook I have toward one person. Maybe there's something here after all.

Elevator Etiquette: With More Students Going Up, Manners Are On The Decline

Scientists believe that bananas are in danger of becoming extinct within the next ten years. Until now I have only heard of animals could becoming extinct, now food groups are in danger? The news did not sit so well with me because frankly I love bananas!! But I didn't think of the impact it could have on the world. Not only would this cause a huge economic problem for the countries that export bananas, but 140 million people in Africa and Asia depend on bananas and plantains as a staple in their daily diets.

The highly popular fruit is in danger of extinction due to a fungus called black sigatoka. It has already killed a large portion of the banana crop in South America and Africa. The problem is that most bananas are sterile mutants and cannot breed; this makes it impossible for them to develop immunities to fungal diseases. Some scientists are trying to coerce banana growers to invest in a genetically modified banana that can resist disease. As of yet no producer is willing to do so, because of high costs, and the fear that banana consumers will not buy a genetically modified banana. Some scientists suggest that although there is always the possibility of extinction, if banana trees are nurtured and cared for properly the threat is not imminent. The disease can start by attacking the leaves which then can be treated before damaging the entire tree. But if the disease attacks the roots of the tree first, it is impossible to stop the disease from killing the entire tree. These diseases, black sigatoka and other types of technology that are believed to effectively kill the disease that puts bananas on the risk of extinction, but not all banana farmers have bought into that idea as of yet.

For now the future for banana lovers around the world looks grim and hopeless, but only time can tell where and how their plight will end.

PETITION

I, , hereby vote in favor of a Readjustment of the Grading System if one is deemed to be appropriate. I lend my support in an effort to change the Grading System at New York Law School because I feel that the current Grading System puts New York Law Students at a disadvantage that may be remedied by administrative action taken by our school.

Attention

Please submit all completed Petitions to the DE NOVO mailbox located on the bottom floor of the C building we will then forward them to the Office of Academic Affairs. Thank you for your participation.

THE WORLD RECORD FOR SPITTING A WATERMELON SEED IS 65 FEET 4 INCHES.
there is no way to distinguish the top students from the bottom students. However, it is interesting to note that this so-called school guideline concerning grading does not appear anywhere in the School Handbook. Not once in the Handbook does it state that large section required classes must follow the curve. Nor does it delineate any guidelines for situations when the grades do not meet this intended result. When students questioned what rules the school follows in grading exams, the answer appeared to be some kind of untested, unwritten practice whereby the professors hand in their grades, and then the administration determines a final grade and the students are notified (high or low). An oral interpretation of the rules is made by the professor to the students;

Last week, in an open forum with a faculty committee chosen to communicate with students from Sections A, B, and C, the students had an opportunity to voice their opinions about what had occurred, and how they would like to see it resolved. Among the first to speak were students from Sections B and C who repeatedly stated the guidelines should not be penalized for a mistake made by their Legal Profession Teacher. The majority of the students from Sections B and C felt that because of the wrong done to Section C, they should be able to keep their grades. They advocated for alternative adjustments such as giving their sections an option to pass/fail so that no one who did not receive an A or B could just pass. This would allow Sections A and B the ability to offset the fact that Section C stood to receive all A's and B's.

Here are the main comments from each of the Sections:

"If Section C is made to pass/fail then all the sections should have to pass/fail because if this is a day division problem then you cannot reward one section at the cost of another".

"...The fact that none of these supposed guidelines are in the Handbook presents the school with the chance to reform. The school should admit that indeed a mistake was made: take the opportunity to ensure that something like this does not happen again and then move on:"

"...We are setting a dangerous precedent here... that every time a certain segment of people is upset by their grades, or even someone else's, that they can petition the Dean and get them thrown out..."

"...Exams are given at the discretion of the professor. He is paid to teach the course how he chooses, and give the exam he chooses to write. Section C did nothing wrong. They studied, took time away from other courses to study for that exam, took that exam, and they should receive the grades they would have gotten.

"...We are never going to have each section receive an exam that is equally as challenging... Some exams will be harder, some will be open book where others in the same course are not. Some exams are given with the accompanying statutes and rules, and some are not..."

"...This is not middle school anymore. There is no such thing as 'fair' and 'unfair' in the real world. Some people get breaks where others do not. If adjustment be made every time someone gets an unexpected benefit..."

This week Section C was given three options in the form of a resolution that looks like an exploding offer. If a student in Section C does not designate which of these options they are taking by Friday of this week the offer will expire and they will receive a default Pass. The options (also appearing in David Freyrellas's article) are as follows:

Option 1: Section C students can take a pass/fail

Option 2: Section C students can re-take another exam in late February, receive a grade on it and then elect to pass/fail.

Option 3: Section C students can take a grade that is equivalent their cumulative GPA at the end of last year's spring semester.

The Resolution seems to reflect that the faculty was not truly listening to the students who spoke in the forum, and if they did listen, they simply do not care.

"...Then you may ask well where is Sections A and B in all of this? Well obviously the faculty must have decided that they were the ones really wronged here because not only can they keep their grades if they choose but they are also being given a pass/fail option. Sections A and B supposedly really "earned" their grades because they took "real" exams. So why are they being given a pass/fail? If Section C is not receiving 80% A's, exactly what is the "right" passing grade? Is Sections A and B a pass/fail option they are allowing students who received something lower than an A or B to erase it from their transcript? I mean let's be honest here, no student is going to take a pass unless they get a C or B. So the end result here is that Sections A and B will get all A's and B's or else they will just pass.

An Equitable Solution

An alternative given during the open forum urged that Section C should keep their A's and B's, but that the other sections should be given an upward adjustment so that the grades would be "more fair" across the board. This alternative is a better resolution because it would give the student in Section C a grade that is at least based upon some sort of performance in this class. Basing a grade on a GPA that is totally unrelated to the course goes against the very fundamental notions of what faculty and students aim to achieve in law school.

Another alternative that was offered was that Section C keep their grades, and Sections C and B get an optional Pass/Fail. This is in opposition to what was offered in the resolution where Sections A and B still get a Pass/Fail option and Section C does not get their grades.

Dean Matarac made the comment that "Shit happens" in response to the upset among Section C students. With a resolution like the one offered, the "shit" is still happening as far as Section C is concerned. Section A and B are benefiting and Section C is continuing to suffer. If a student in Section C does not want to receive a grade, and does not want a grade that reflects a performance totally unrelated to Legal Profession, then they will have to take a new exam two months after the class has ended. No one has set forth what book is being used, who’s writing it, or who’s grading it. Does this seem "fair" to you?

The LEGAL PROFESSION WAR

CONT. FROM P. 1

Brook, Benson, Meyer and Schoenhorn articulated several of the options being considered. The first was a choice between a pass/fail or make-up exam for Section C. Understandably, this choice was not favored for several reasons. Many of the Section C students felt they earned their grades and had a right to keep them. Secondly, many voiced concerns over a make-up since they threw out their notes or returned their books.

Another move was suggested from Section C but was overwhelmingly favored by other sections was the institution of a universal pass/fail. Some students felt this would provide equality in treatment throughout. Others wanted to keep the grades they received and felt this would be the equivalent of a penalty both in respect to their GPA's and with regard to prospective employers. There was also concern about how this option would affect the professor's promotion and student rankings as a whole.

A third option was in the form of a compromise which would allow those students who wanted to keep their grades to do so and the others the option to pass/fail. However, the idea that received the most applause was from Section B Senator Brian Kasuba, who recommended that Section C be allowed to keep their grades. As a way of balancing out the equation, he suggested that all other Legal Profession sections receive a 1/3 bump up on their exam grades -- thereby eliminating a possible penalty to them. There were students who also suggested limiting the consequences to Section C alone and others who protested against any action being taken at all.

The situation continues to remain unresolved pending an upcoming faculty vote. In the interim, there are some odd-students whose grades hang in the balance. No matter what the outcome, it's certain that not every student will be satisfied. Moreover, it appears inevitable that some will be made to suffer consequences from a harm that was not of their doing. Most disturbing, is that the damage done cannot be undone, no matter what morsels the faculty throws our way. This incident has left a bad taste in all our mouths and is not likely to be forgotten soon.

And lastly, and hope that the school we attend does it's best to provide a level playing ground for us. We put our faith in the faculty and administration. The rules they promulgate and decisions they make affect our futures and our action or lack thereof on important issues are integral to our law school experience. One thing that many students learned at this meeting is how little we actually know about faculty guidelines that essentially govern our day-to-day existence. Perhaps one of our demands should be to receive updated Student Handbooks which not only detail the conduct we are expected to live up to, but some of the rules to which the faculty must adhere to as well. If we had a better idea of how exams are supposed to be administered, and the procedures that govern any potential failures in the process, we would become more knowledgeable and better equipped to handle certain eventuations?

One would hope that this chapter in NYLS history would be closed soon -- and permanently. It has not been one of the school's most shining moments. At the end of this ordeal, the only thing we as students and faculty can do is learn from the experience. If we fail to do that, this situation may arise again and affect not only us but also those who come behind us. For their sakes and our own, that should never come to pass.
U.S. ORDERED TO STAY 3 EXECUTIONS

WILL THE U.S. OBEY INTERNATIONAL LAW WHILE IT EXPECTS OTHERS TO DO SO?

De Novo Staff Writer

The World Court, officially known as the International Court of Justice, ruled Wednesday that the United States must temporarily stay the execution of three Mexican citizens on death row in Texas and Oklahoma. The World Court, is the U.N.'s court for resolving disputes between nations. It has no power to enforce its decisions, and the United States has disregarded them in the past.

So isn't it the United States Super Power which is about to put us into World War III because of another country's refusal to adhere to U.N. resolution is itself not adhering to the same. Maybe it's just a double standard. And maybe one has to lift his hat to the North Koreans who are saying "Bring It on. If it's war you want, we are waiting."

In essence, the unanimous decision of the 15-judge panel said that the delay was needed while the U.N. court investigates in full whether the men - and 48 other Mexicans on death row in the United States - were given their right to legal help from the Mexican government.

It is the third World Court case five years ago in which the United States deals with the death penalty. In a nearly identical high-profile case in 2001 it found that the United States had violated international law by not informing a German citizen of his right to consular assistance.

With growing concern, professionals nationwide are growing increasingly long catalogs of cases that go against the law. The latest was an order to let 51 Mexicans on death row in the United States argued that granting Mexico's request for a stay of executions would be an unwarranted intrusion on the U.S. criminal justice system and U.S. sovereignty. Elhu Lauterpacht, a lawyer for Mexico, labeled the Mexican case a publicity stunt, and said that this time around the court that his confession was probably coerced, he was not granted a retrial. Let us see if the U.S. will obey the World Court's order this time around. If it doesn't shan't on us.

FROM BREAST IMPANTS TO CREMATED ASHES, AMERICAN TAXPAYERS TRY ANYTHING TO SCORE NEW DEDUCTIONS

De Novo Staff Researcher

Oh so you want to claim your late spouse's cremated ashes as a write-off? How is that possible you may ask? Imagine that the funeral director lost the ashes and so you are thinking hmmm!! Maybe I can take a casualty loss deduction. Brilliant!! No, Ingenious!! However while one can understand that the remaining spouse is aggrieved that his wife's remains had been lost, he just can't write them off because the IRC has no such provision. Casualty losses are for loss of personal belongings, etc. So things like furs or fire. Besides, how would someone be able to place a value on something like that? So what is the aggrieved spouse supposed to do? The best bet is to ask the funeral director to give some sort of discount, or to just sue him.

Annuities of tax history rich with tall tales

Welcome to the world of creative tax planning, where no good savings scheme goes untried. Indeed, since the Boston Tea Party of 1773, the annals of American tax history are filled with accounts of individuals who've gone to great lengths to keep their money from the hands of the government. Some attempts have worked, while others have, as far as the patience of the IRS and its auditors. The most commonly abused gimmick? Testing the boundaries of tax-related expenses. Normally, there would include such items as professional dues and fees for tax planning services. Tax cheats, however, have tried uneffectively to deduct everything from horseback riding (for an actor who needed them so he could speak without having to dog-boarding costs (as a business travel expense for an on-the-road employee) to various articles of clothing including mink coats - for employees who said they needed them to look their best to do their job.

Breast implants

However, none can top the deduction of Chesty Morgan, an enterprising stripper from Detroit, who sought to claim her breast implants as a medical expense. A tax court judge blasted Chesty on that one, but he did her a bigger favor by allowing her to write off the operation as an unreimbursed business expense. (As a medical deduction, Chesty would have only been allowed to write off the operation if her costs exceeded a whopping 7.5 percent of her income. Business write-offs can be claimed if they top just 2 percent of her pay, so they're more valuable.) The ruling quickly caught the attention of tax professionals nationwide.

No free lunch

Take the case of the two Minnesota state troopers who want to court in the late 1970's to argue they should be allowed to deduct the cost of their lunch, the court agreed because the troopers were required to eat their midday meal at a specific time of day at a specific restaurant. In other words, because they couldn't brown bag it, they could claim the deduction. The ruling was an exception, however, not a precedent-setting case. Nevertheless, the case is familiar to many law enforcement types. Now, there's an urban legend where police officers think they can deduct $7.50 a day for lunch. And tax practitioners have last clients (police officers), because the practitioner refused to let them claim the $7.50 a day.

Fluffy doesn't count

One can't blame taxpayers for being disappointed when pros steer them to the straight and narrow. Not so long ago, opportunities to blink the IRS presented themselves like low-hanging fruit. Consider this pesky rule: Parents and legal guardians must now provide a Social Security number for their children in order to claim them as dependents. It wasn't until the mid-1980's that the IRS started requiring that number on the 1040 form, and the effect on taxpayers has been sobering to say the least. Indeed, the State Social Security number was required, the number of dependents claimed by taxpayers plummeted by something like 7 million. It turned out that people who had been deducting for their pets. That's not to say Fido can't be a windfall. There was one case where the IRS allowed a flier to claim the cost of transporting a pet to a new home as a legitimate moving expense. And one entrepreneur was able to deduct cost food a his college dorm (to attract wild cats in order to deter pests from a scrap yard. Another was able to deduct the cost of breeding earth-moving worms. But hey that one is from the tax code itself. An animal that is used in business, in breeding, can be depreciated. It also has to be an animal you purchased. So, how do you depreciate an earth worm? Hmmm!! Very carefully, you would not do them individually. You'd probably depreciate them as a group asset.
A MOST UNCOOPERATIVE WITNESS:

The following transcript speaks for itself. It is from an English court where Arnold Chrysler was on trial for stealing 40,000 coat hangers at hotels around the world.

Counsel: What is your name?
Chrysler: Chrysler. Arnold Chrysler.

Counsel: Is that your own name?
Chrysler: Whose name do you think it is?

Counsel: I am just asking if it is your name.
Chrysler: And I have just told you it is. Why do you doubt it?

Counsel: It is not unknown for people to give a false name in court.
Chrysler: Which court?

Counsel: This court.
Chrysler: What is the name of this court?

Counsel: This is No 5 Court.
Chrysler: No, that is the number of this court. What is the name of this court?

Counsel: It is quite immaterial what the name of this court is!
Chrysler: Then perhaps it is immaterial if Chrysler is really my name.

Judge: I think Mr. Chrysler is running rings round you already. I would try a new line of attack if I were you.

Counsel: Thank you, m'lud.
Chrysler: And thank you from ME, m'lud. It's nice to be appreciated.

Judge: Shut up, witness.
Chrysler: Willingly, m'lud. It is a pleasure to be told to shut up by you. For you, I would...

Judge: Shut up, witness.

Counsel: Now, Mr. Chrysler - for let us assume that that is your name - you are accused of purloining in excess of 40,000 hotel coat hangers.
Chrysler: I am.

Counsel: Can you explain how this came about?
Chrysler: Yes. I had 40,000 coats which I needed to hang up.

Counsel: Is that true?
Chrysler: No.

Counsel: Then why did you say it?
Chrysler: To attempt to throw you off balance.

Counsel: Off balance?
Chrysler: Certainly. As you know, all barristers seek to undermine the confidence of any hostile witness, or defendant. Therefore it must be equally open to the witness, or defendant, to try to shake the confidence of a hostile barrister.

Counsel: On the contrary, you are not here to indulge in cut and thrust with me. You are only here to answer my questions.
Chrysler: Was that a question?

Counsel: No.
Chrysler: Then I can't answer it.

Counsel: Mr. Chrysler, perhaps you will describe what reason you had to steal 40,000 coat hangers?
Chrysler: Is that a question?

Counsel: Yes.
Chrysler: It doesn't sound like one. It sounds like a proposition which doesn't believe in itself. You know - "Perhaps I will describe the reason I had to steal 40,000 coat hangers... Perhaps I won't... Perhaps I'll sing a little song instead..."

Counsel: Mr. Chrysler, why did you steal 40,000 hotel coat hangers, knowing as you must have that hotel coat hangers are designed to be useless outside hotel wardrobes?
Chrysler: Because I build and sell wardrobes which are specially designed to take nothing but hotel coat hangers.

Source: Out of Court

Napoleon suffered from ailurophobia; fear of cats
SEC RELEASES FINAL ATTORNEY CONDUCT RULE

COMMENT PERIOD ON NOISY WITHDRAWAL EXTENDED

BY De Novo Staff Writer

This is a perfect example of rule making for students in Professor Benson's or Botstein’s Administrative Law course. Maybe it might even be of interest to Professor Estricher’s students taking Security Exchange Act of 1934, or even students in Corporation.

The Sarbanes-Oxley Act of 2002 not only made many corporate attorneys in particular but the entire legal profession uneasy. The profession had never had to be governed by anyone. After all we are Esquires and as such we have the privilege of regulating ourselves.

The SEC’s draft attorney conduct rule, which had been released for comment on Nov. 21, sparked intense debate within the legal community. One of the most contested provisions was the noisy withdrawal requirement.

This provision was intended to be the final stage of an up-the-ladder reporting process that a lawyer was to follow if faced with material evidence of a securities violation. If a company failed to correct the violation, its lawyers were required to disaffirm any SEC submissions they believed could be tainted.

Outside lawyers were also required to resign from their client companies. Lawyers argued that this proposed process could endanger attorney-client privilege by requiring them to violate client confidences.

Well, corporate attorneys are breathing a bit easier now since the Securities and Exchange Commission recently released its final rule regarding attorney conduct under the Sarbanes-Oxley Act of 2002. The SEC acknowledged that the final rule was not as harsh as many lawyers feared it would be.

In a statement issued by the commission, it recognized "the thoughtful and constructive suggestions" from those who commented on an early draft proposal, resulting in a final rule which has been significantly modified in light of the comments and suggestions.

To the further relief of corporate lawyers, the SEC announced that it is extending the comment period on a controversial proposal that would require attorneys representing a company to make “noisy withdrawals” when confronted with corporate wrongdoings.

Under the final rule, lawyers are still required to report evidence of material violations up the corporate ladder, but the requirement to withdraw and report to the SEC has been tabled, at least for now. Instead, the SEC extended the comment period on that issue an additional 60 days.

The SEC also proposed an alternative to the noisy withdrawal requirement: Allow the company rather than the lawyer to notify the SEC of the lawyer’s withdrawal.

For more information on the rule which implements section 307 of Sarbanes-Oxley, visit the SEC’s website at http://www.sec.gov/rules/final/33-8185.htm

THIS FOR A SMART WOMAN WHO NEEDS A LAUGH AND FOR THE SMART GUYS WHO CAN HANDLE IT.

ROMANCE MATHEMATICS
Smart man + smart woman = romance
Smart man + dumb woman = affair
Dumb man + smart woman = marriage
Dumb man + dumb woman = pregnancy

OFFICE ARITHMETIC
Smart boss + smart employee = profit
Smart boss + dumb employee = production
Dumb boss + smart employee = promotion
Dumb boss + dumb employee = overtime

SHOPPING MATH
A man will pay $2 for a $1 item he needs.
A woman will pay $1 for a $2 item that she doesn’t need.

GENERAL EQUATIONS & STATISTICS
A woman worries about the future until she gets a husband.
A man never worries about the future until he gets a wife.

HAPPINESS
To be happy with a man, you must understand him a lot and love him a little.
To be happy with a woman, you must love her a lot and not try to understand her at all.

LONGEVITY
Married men live longer than single men do, but married men are a lot more willing to die.

PROPENSITY TO CHANGE
A woman marries a man expecting he will change, but he doesn’t.
A man marries a woman expecting that she won’t change, and she does.

DISCUSSION TECHNIQUE
A woman has the last word in any argument.
Anything a man says after that is the beginning of a new argument, and my personal favorite, ...........

HOW TO STOP PEOPLE FROM BUGGING YOU ABOUT GETTING MARRIED
Old aunts used to come up to me at weddings, poking me in the ribs and cackling, telling me, “You’re next.”
They stopped after I started doing the same thing to them at funerals.

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