Mona Lisa, Mama Mia

By Rhonda Bassat '95

"This painting was censored at the request of some students of New York Law School," reads the sign next to the controversial work, the Mona Lisa. This sign was written by Cristina Vergano, the artist of the work. Dean Wellington officially had "no comment" to the uproar over this painting. What on earth moved the generally apathetic New York Law School students to vociferously debate their opinions on the painting?

On Sunday, October 16, the Mona Lisa was hung in the cafeteria. The painting is a two-part work by Ms. Vergano. Part One attracts attention by extending Leonardo da Vinci's famous painting into a full-length portrait which exposes male genitals. Part Two is cast as an outline of the Mona Lisa, with handwritten words explaining different historical views about da Vinci. Historians variously believe that (1) the painter was homosexual; (2) the work is really a self-portrait because the superimposed image of the model's and da Vinci's faces are so similar; or (3) the model was a young lover of his, since he carried the painting with him for over 20 years until his death.

Helena Prigal, speaking on behalf of the NYLS Art Selection Committee, said that they had been alerted to the content of Mona Lisa and were "uncomfortable about having the painting up in the cafeteria." However, they were committed to keeping the painting up throughout the entire exhibit. The Art Selection Committee comprises Ms. Prigal, Maria del Bajno and Judith Bressler. Student members, who did not participate in the decision involving the current show, are Jeffrey Kimmel and Eileen McCrohan. Ms. Prigal, acting for the Committee, was informed...

Continued on page 18

A New Era of Higher Grades

By Anjali Singhal '95

The decade-long reign of the previous grading curve has quietly ended. A new grading curve has taken the throne without fanfare or trumpets.

The Administration announced its new grading policy in a memo to students dated August 24, 1994. This new policy took effect as of the summer session of 1994, and has no retroactive effect. For third-year or fourth-year students, this change will have a minimal effect on their cumulative grade point averages. The memo states that the changes in grade point averages are expected to be "modest and gradual." So, "C" students will not miraculously become "B" students overnight, nor will "B" students suddenly become "A" students.

Over the last few years disgruntled students, alumni, and some faculty members have voiced their dissatisfaction with New York Law School's grading policy. Concerned about the growing sentiment regarding the grading curve, Dean Wellington formed an Ad Hoc Grading Committee (the "Committee") to assess NYLS's grading curve. Professor Edward Samuels was appointed the Chairperson of this Committee. Other faculty members of the Committee were Arthur Leonard and Stephen Newman; student members were Dominic Esposito and Erin O'Leary. After receiving comments and suggestions from students and faculty alike, the Committee made its recommendations at a faculty meeting, at which Dean Wellington and the Associate Deans were present. Extensive discussions followed the Committee's presentations. A vote was taken and a new grading policy with four different grading curves was ratified. However "obvious" such a change may have appeared to students, this was not a cut and dry issue with the faculty. According to Professor Samuels, there was strong dissent against changing the curve. Although the recommendations...

Continued on page 11
Professor Kahn--NYLS Corporate Asset

By Cal Azzouni '96

Professor Faith Stevelman Kahn joined the New York Law School faculty in the Fall of 1993. She was an associate for four years at Fried, Frank, Harris, Shriver & Jacobson before joining academia. Professor Kahn's background is interesting because, though teaching always appealed to her, she prepared herself for a career in literature. She made the switch just before she wrote her dissertation at Yale. She earned her Master of Philosophy in literature, but stopped short of her Ph.D. because "something was not right." Professor Kahn then earned her J.D. at New York University. Professor Kahn is both personable and engaging, especially when she speaks about corporate law for her "most rebellious student," her 18-month-old daughter Zoe Hannah.

Law appeals to Professor Kahn because of its "twin nature." It has the intellectual challenge she enjoys as well as the practical significance of affecting peoples' lives. She was concerned that in a career devoted to literature, she would be missing the latter part. At NYU law school she initially wanted to be a litigator. In her first summer she worked as an intern for the U.S. Attorney's Office during the administration of Rudolph Giuliani. During her second summer, she worked at a small litigation firm where she spent the entire summer working on one brief. She didn't like that very much, and as a career as a litigator started to look less appealing. What finally convinced her to change from litigation to corporate law was the corporate law classes she took and the professors that taught them. During her second year at NYU, when she took corporate law with Professor Jeffrey N. Gordon, things started to change. Initially she was terrified by the class because she did not know much about business or corporate law. However, she soon became fascinated with the topic and decided that corporate law is the "key to where the action is." Professor Gordon had such a profound influence on Kahn that when she decided to go into academia she consulted Gordon, who encouraged her to pursue her interests. Her second corporate law class was Securities Regulation with Professor Helen Scott. Eventually Professor Scott became a role model for Professor Kahn not only because she was brilliant, but also because she was a woman. Up to that point, Kahn had virtually no experience in corporate law and still thought of that arena as a man's world. She was comforted and encouraged by studying under an accomplished female professor. Once she got in the field, she discovered that there were many accomplished women in business and law.

After law school, in the Fall 1989, she joined the corporate law firm of Fried, Frank, Harris, Striver, & Jacobson. There she worked on various kinds of deals, which is not uncommon at Fried Frank, because they do not specialize by department. Her work included public offerings, financings, bank loans, private placement of debt and equity, and negotiated mergers and acquisitions. It was mostly learn as you go, she recalls, which partly explains why she is excited to be teaching her new seminar, "Corporate Law: Perspectives of the Practicing Attorney."

The seminar covers areas the traditional course does not. It closes the gap between academic training and the real world, something Kahn did not learn in school. "We overestimate how much mentoring goes on in a large law firm," she explains. "A firm is a business that its primary goal is getting the job done for the client. So when associates join a firm, they have to sink or swim on their own, perhaps having never had any preparation for an assignment. So the class helps students swim when they join the real world, by giving them a better understanding of what law practice in the corporate area is like." To help her do this, several of her former colleagues from Fried, Frank are coming to NYLS to participate in discussions about different topics such as leveraged buyouts, close corporations, negotiated acquisitions, disclosure issues in SEC filings, and corporate practice.

Kahn teaches "Corporate & Securities Law Advanced Topics: Issues in Corporate Theory." Her goal is to get past the building blocks of corporate law and into the broader scholarly debates. The class starts with a historical review, then goes into issues of corporate law as seen by the leading scholars on the topic.

Kahn prefers not to specialize in any particular area of corporate law. Her first year of teaching was good and ambitious in terms of coverage. Her courses encompass a lot of topics and she wishes she had more time for class discussion.

Kahn serves on two faculty committees: Health, Safety and Access Committee and the Adjuncts Committee. Among other things, the latter oversees the hiring of adjunct professors.

Outside NYLS Kahn is a mother and wife. Her husband, whom she met at Fried, Frank, currently works as general counsel at the Salant Corporation. The Salant Corporation is a holding company of various apparel manufacturers such as Perry Ellis. "This [her marriage] is great, because it keeps me in touch with the business world," says Kahn. Another source of great joy is her daughter Zoe Hannah.

When she was considering schools to teach at, part of her consideration was where the school is going as opposed to where it has been. She feels NYLS is improving fast under Dean Wellington's leadership. Another consideration was the faculty. "Academia is very competitive, much more than people realize. Professors feel that they are competing with one another for the few tenured spots that are available." Finding a comfortable environment with no deep ideological rifts affords her intellectual freedom. "The faculty here is not only supportive but they have incredible credentials," she says.

She enjoys teaching and considers this job a great opportunity to grow intellectually. She proclaims that "I feel that I am at the right place at the right time."

Announcements

Trial of the 19TH Century

United States v. John Wilkes Booth

John Wilkes Booth, the greatest celebrity of the 19th Century and the alleged assassin of President Abraham Lincoln, will be tried here at New York Law School. The trial will take place in the Steifel Reading Room in January 1995. Look for further announcements.

1994 Dinner Dance Gala

The NYLS Alumni Association and Board of Trustees will host the Annual NYLS Black Tie Dinner Dance Gala on Tuesday, November 15, 1994, at the Grand Hyatt Hotel, Park Avenue at 42nd Street. Student tickets, subsidized by alumni, are $50 each. Invitational flyers will be distributed by the Dinner Dance Student Committee: Dominic Esposito '95, Osvaldo Ramirez '95, and Cal Azzouni '96. For more information, contact a member of the Committee or Steve Johansen in Alumni Affairs, 6th Floor, A building, ext. 808.
Dear Student Body:

Party Update
The Social Committee has decided to continue with our small get-togethers every couple of weeks. However, due to the SBA’s slate start this semester, we decided to forgo this semester’s REALLY BIG PARTY and have two medium-sized ones. The first medium-sized party is set for Thursday, October 29, 8 p.m. to midnight. This November 17, we will have a small get-together with a few kegs and some munchies. Then, on the last Thursday of the semester, December 1, we hope to have another medium-sized party. This party’s size and cost depends on the success of the Halloween party. Both events are pending funding approval by the SBA Budget Committee.

We are already looking into the various possibilities for a “Spring Fling” next semester. We will also try to have another wine and cheese event in the spring semester.

The Social Committee meets every Monday from 1 - 2 p.m. All students are welcome.

Barrister’s Ball
This year we hope to have the Barrister’s Ball in February. Many students have expressed an interest in attending the Barrister’s Ball. However, there is some question as to why we should have it due to last year’s low attendance. Please contact any member of the SBA Executive Board with your opinion as to what should be done.

AIDS Lecture Series
In the spring, the SBA, in conjunction with LGLSA, hopes to sponsor a series of speakers and panels on the issue of AIDS and AIDS-related legal topics. Anyone who is interested in helping to put this event together, please contact Mia Dell.

Please don’t forget that all students are welcome at every SBA meeting. The decisions we make effect you. We appreciate and encourage your participation.

Sincerely,
Mia Dell, Vice President

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So now they put this number after my name. It bugs me. I have accidentially put that number after my name on my checks. The bank is not amused. To be perfectly honest, this '97 stuff puts an awful lot of pressure on me. I still think chicken soup is an appropriate remedy and that I can get torts at the bake shop two blocks from my apartment on Hudson Street. Hey, I am checking on my lovely refinished roll top desk in my lovely apartment writing another article for this paper instead of doing Civil Procedure. What are the odds that I will graduate in 1997? I think pretty slim. In fact, it's probably the only thing thin about me.

I wrote this article under the influence of the Bluebook, A Uniform System of Citation (15th Ed. 1992). Our professor is describing how to shorten a cite in text (breath) when the citation involves a primary cite of a case with an English railroad (breath) in a North Ireland reporter with a needed parallel cite in the All Idaho Reporter (breath) and the case occurred before 1924. Did I mention the seven lords a- leaping and that the dreidel is made out of clay while Jupiter aligns with Mars? Now, rather than paying attention, I started my Reporter article for November. Don't worry, I won't get in trouble. Professors do not read the Reporter. It's been two weeks and I have yet to get a comment about politely punishing dead English judges who break promises to prostitutes.

This month I chose to write (rather than just blather on) because I have a "Cause": I am crusading against mood altering drugs. Mood altering drugs are bad. Some of my favorite mood altering drugs like crack and PCP can make you goonzoo alone.

So does the Bluebook. Therefore, I am passing around a petition to ban the Bluebook. After I first used the Bluebook to cite Neff v. Lasso, my stuffed Teddy Bear debated the wisdom of Pennoyer v. Neff with my Lego pirate captain and the walls started to bleed orange juice. After my first rewrite, I will need two proofs of ID and a urine test before anyone lets me operate heavy machinery, such as a microwave oven. And I'll never be allowed to testify in court. If we can get this thing listed on the federal government's Controlled Substances Schedules, all first years will be happy and will send me donations of some of my favorite mood altering drugs.

So here's a list. You can send your donations to: Me, c/o NYLS Reporter.

My favorite mood altering drug is coffee. The mighty fiend tempts me to pump the nickel bank devoted to the member of the opposite sex. I feel it blends in my mouth, the mixture converts to a three dimensional being. Right editors?

My second favorite drug is booze. Booze comes in many forms. Just check out the 'restaurant review.' Now there's a job I would have loved. I mean this guy gets to uncork his dinner and write about it. Now that's a job.

Editors: Stop complaining 1L and get back to work. This article is really not that funny. Hey, what's this drink?

Now, the ultimate form of booze is the margarita. The margarita mixes many different types of alcohol into nectar. I prefer a high octave, unadulterated, .45 caliber shot-through-the-head kind of margarita. The way I make them could require you to seriously reconsider your position as a three dimensional being. Right editors?

Editors: You know it, 1L. >Hioc. Can you please stop the clocks from talking?

I am not as fond of beer as I am of margaritas. You see, beer is wheat. Wheat makes bread. Bread is food. Food is good. Therefore, beer is good food. Just ask the bartender at Stan's. Gamsy v. Wings, 11 Dives 3 (Tri. Bk Ch. Bar. 1994). For the few years who do not know where Stan's is located, just walk down West Broadway until you see a big sign for another classy hangout, 'New York Dolls.' The bartender assures me that beer is good food. Especially the bigger mugs. Drinking those bigger glasses gives my center of gravity a good, strong, whack upside the head. I do not know how "good food is a bed of nails." But the bartender assures me. And then there is wine. Wine has its own problems. It's fairly immature to wine. It makes people go away. This reason alone has made me actively engage in the prevention of my wining tendencies. Besides, since I am not involved with someone as of the writing of this article, wining does not help. So Barkeep, pass on the boat drinks. (Boat Drinks v. Waitress I Need Two More..., 4 Bar Drinks 93 (Songs You Should Know 1992).)

My third favorite mood altering drug is members of the opposite sex. Why, you ask, are they third? Must be all that accounting I had in undergrad. Sucked the hormones right out of me. I find that the opposite sex is a great deal more unpredictable than coffee and marginally more expensive than a night of margaritas. You see, it only costs me 75 cents for a cup of coffee. I can get it wherever I can and it does not require an armful of flowers. I've even gone that extra mile and purchased the coffeemaker. For $100, I control the production of coffee for a good three months (filters, coffeemaker, water, and coffee included). Now granted, it's not great coffee, but it's not that I think I could get a better deal with a member of the opposite sex. Not unless that person was very kinkyd. Another benefit of coffee is that after the third or fourth time you drink it, it starts to vacate the premises. You can't say that about members of the opposite sex. Coffee is dependable. Members of the opposite sex are not.

The opposite sex also rates just below margaritas. They are, however, quite comparable. Both are bad, expensive habits. If you take in too much of either, they will both make you sick. After a right of either, I usually wake up with a severe headache. If you employ margaritas for a good nine years, you will eventually end up in a twelve step rehab program.

If you employ the opposite sex for that long you may end up in an eight week Lamaze program.
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NOVEMBER 1994
Fear and Loathing...1994 Style

By Timothy Wedeen '95

Hunter S. Thompson, the 1970's iconoclastic author of Hell's Angels and Fear and Loathing in Las Vegas, is back again with his new book, Better Than Sex (Confessions of a Political Junkie Trapped Like a Rat in Mr. Bill's Neighborhood). This is his first major work in several years, and also his best since the late 70's.

Better Than Sex is Thompson's return to his original, self-titled style of "gonzo" journalism. Twenty years ago, Thompson took a lot of drugs (usually LSD), drank a lot of liquor (Wild Turkey was his favorite), and wrote. What he produced were surprisingly insightful, very clever, and extremely readable works on any number of subjects, from the Hells Angels of the late 1960's to a national police convention in Las Vegas to the presidential campaign trail in 1972. In addition, Thompson was a staff writer at Rolling Stone and a regular contributor to Playboy.

Thompson's later works, however, were of a much lower quality, and generally were not that well received. Painting a less than flattering picture of him, several recent unauthorized biographers blame this fall on severe alcoholism. In fact, Thompson was involved in several infamous incidents in which he was scheduled to appear but showed up drunk. He was also charged with drunk that he was incoherent. On one occasion, he submitted a manuscript about his adventures in Hawaii, The Curse of Lono, but it was so short that the publisher had to fill up the pages with pictures and cartoons.

The "washed up" Hunter S. Thompson of the 1980's is now gone, and the 1960's Gonzo has returned. Better Than Sex is a chronicle of Thompson's trials and travails on the presidential campaign trail in 1992; he goes after all of the major players with both guns. Thompson, right wing commentator P. J. O'Rourke, and Rolling Stone founder Jann Wenner had lunch one day in Little Rock with then-Governor Clinton. Thompson writes that during the meal, Clinton "grasped the basket of french fries with both hands and buried his face in it, making soft snorting sounds as he rooted around in the basket trying vainly to finish it off." While there is no doubt that this luncheon took place or that President Clinton has an affinity for french fries, Thompson's description may be exaggerated. It is doubtful that Clinton would do such a thing, at least before he offered his guests some fries.

George Bush is another recipient of Thompson's wrath as well, but in a much less humorous fashion. Of Bush he says, "[h]e is a monster and a fraud and a failure ... He is a mean spirited wimp ... and has arguably committed more high crimes and misdemeanors in and around the Oval Office than Richard Nixon ... ." True to form, Thompson makes no excuses for his utter hatred and contempt for the former President, which he reiterates throughout Better Than Sex.

The final chapter of Better Than Sex is an obituary of Richard M. Nixon. Thompson saves his most savage prose for his old nemesis whom he refers to as "Evil Dick." This chapter is much less of a summary of Nixon's foibles as it is a ghoulishly clever effort to attack the former head statesman. Thompson says of Nixon, "[h]e was a cheap crook and a merciless war criminal who bombed more people to death in Laos and Cambodia than the US army did in both World War II, and he denied it to the day of his death." In addition, Thompson recalls the Nixon funeral, in which all of the living presidents as well as Nixon's former associates came to praise him. Thompson says that if the right people were in charge of the burial, "[Nixon's] casket would have been launched into one of those open-sewage canals that empty into the ocean ... [h]is body should have been burned in a trash bin." Although many people may be turned off by such utterances and dismiss them as the ramblings of a bitter old drunk, Thompson is one of the few writers today who has opinions and is not afraid to express them in this era of political correctness.

Better Than Sex is a very enjoyable account of Hunter S. Thompson's adventures and personal observations of the 1992 campaign trail. It is a return to his former style of "take-no-prisoners" writing; anyone who has enjoyed his earlier works will certainly find it up to par. If this is a sample of his future works, then the 1996 presidential candidates had better take cover.

Movie Critic's Corner

By Rhonda Bassat '95

Pulp Fiction. Somehow I think the name speaks for itself. It didn't evoke an immediate emotional response from me. Was I supposed to like the film? Did I? Even now, as I write this review, I am left wondering.

Three different yet interconnected plots comprise the movie. Each plot is divided into segments, which are presented out of chronological order but somehow make sense (in a stream-of-consciousness sort of way.) This bold move by Quentin Tarantino kept my interest up during the film's two-and-one-half-hours. Pulp Fiction begins with two would-be restaurant robbers (Tim Roth and Amanda Plummer) calmly discussing the risks of robbing liquor stores and banks. In the very next segment, John Travolta and Samuel L. Jackson appear as a lecturer, but showed up so incoherent. On one occasion, he submitted a manuscript about his adventures in Hawaii, The Curse of Lono, but it was so short that the publisher had to fill up the pages with pictures and cartoons.

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The male characters of Pulp Fiction are not supposed to be likeable. John Travolta put on weight, grew his hair, and developed the "thug swagger." When he "accidentally" shoots someone, he doesn't show remorse, just worries about how to clean up the mess. His partner, Samuel L. Jackson, is a bible-quoting hit man who develops a conscience, yet proves that in order to be peaceful, one must be willing to be hard. Surprisingly, they treat their work as a job and are quite cocky about supporting themselves. However, they maintain a sense of humor and I found myself actually laughing right before a hit was executed. As for Bruce Willis, he certainly brings a Die Hard feel to the film but was also a down-home type of guy with a sense of loyalty to his father's memory and his girlfriend, as well as to the crime boss that he crosses.

Pulp Fiction's female characters are just along for the ride — literally and figuratively. They are mere decorations; objects who belong to the very next segment, John Travolta and Samuel L. Jackson appear as a lecturer, but showed up so incoherent. On one occasion, he submitted a manuscript about his adventures in Hawaii, The Curse of Lono, but it was so short that the publisher had to fill up the pages with pictures and cartoons.

I saw The Specialist on its explosive opening weekend. Sharon Stone and Sylvester Stallone certainly did a lot of work on their bodies for this film. Too bad the same can't be said about the writers. Basically, the movie centers around Stallone's getting revenge on the mobsters who killed her parents in front of her when she was a child. In doing so, she gets hooked up with "The Specialist" Sly Stallone, a bomb expert. James Woods lurks in the shadows hunting down his old nemesis, Stallone. Stallone and Stone create absolutely no chemistry; he acts like a god to be worshipped while she looks bedraggled and comes across flat. In all, the special effects make The Specialist worth a look on cable. My rating: [2 gavels]

Video Detour: The Nightmare Before Christmas, Tim Burton's animated story about the "birth" of holidays, was a surprising delight. I didn't want to see it but was convinced to rent it and then extremely surprised that I actually liked it. The story centers around Jack, a dead "Halloween" villager who wants the joy and wonder that Christmas and Santa Claus brought to his village. He has Santa kidnapped from Christmas town and the whole Halloween village prepare toys — horrific presents — which he delivers to the world as Jack Claus. Needless to say, the real Santa is restored, and the Halloween villagers continue to celebrate their holiday, but they are now enriched with other holidays they didn't know existed. In The Nightmare Before Christmas, the music was Broadway-esque, the characters were well-developed, and the animation was ghoulishly clever. My rating: [3 gavels]

Rating Key:
[1 gavel] Don't be home when this movie comes on TV
[2 gavels] Be sure to catch it on HBO
[3 gavels] Definitely rent it
[4 gavels] See it at a matinee or discount movie theater
[5 gavels] Shell out the $8.00 for a first-rate movie
On the Town

By E. David Gourian '97

Smack in the middle of the most stylish part of SoHo, one might pass right by the small storefront of the West Broadway Restaurant and not even know it. From even a short distance away, West Broadway appears to be a standard yuppie bar, just another of the many along the street with which it shares its name. This is, I suppose, a relic of the buildings in the area and the neighborhood's history. This area on the west side, south of Houston Street gained favor in the early eighties. Its previously residential and industrial persona was transformed, much to the ire of its previous residents, into a chic neighborhood of expensive clothiers, galleries, and, yes, restaurants. One has to walk literally through the kitchen to reach the seating in the back of the restaurant. The recent renovation is as ostensible as the chef's utensils.

West Broadway first came to my attention when I heard of their coup. Alfred Portale's under-chef at Gotham Bar and Grill, John Schenck, had defected, and brought with him the eccentric, adventurous, nouveau style of his mentor. (Read about Portale's seafood magnum opus known as "One Fifth" in an upcoming article.)

But before we get to the food, I must tell you of the legend of the two "window" tables. In the very front of the restaurant, in the bar area, there are two round tables. Fine tables they are, but their use I shall never have, as they are apparently reserved for gay women only. On the three separate occasions that I have been to West Broadway, I have wound up sharing the gaze and conversation of my dates with the occupants of those tables. And what's worse, despite my acknowledged acquiescence, I've still no stories to submit to Penthouse Forum.

Career Services

Announcement

The Office of Career Services is pleased to announce that it will once again offer the workshop entitled "The Step by Step Job Search Skill Series." This is a five-part workshop series scheduled to start in mid-October, and is designed to provide students with job search skills they need to conduct a successful job search. All students are invited and are encouraged to participate.

Please stop by Career Services if you have not received information on the program in your mail folder, or if you wish to sign up for the workshop.

ATTENTION STUDENTS

Deadline!

The BAR/BRI fall semester discount ends on Tuesday, November 9

Last chance to secure your lowest tuition!

We are looking for reporters and editors. If interested, stop by the Reporter office.

New York Law School Reporter
Vladimir on Music

By Vladimir Vizner '97

Club Appearances
On September 21st, the legendary rock guitarist, Dick Dale, played at Tramps in Manhattan. Dick Dale is one of the founding fathers of the genre known as "surf music." His music appears on many compilations of that era, as well as on his current CD. His music can also be heard in the new movie Pulp Fiction. Playing with only a minimal back-up band, Dick Dale wooed the crowd with his many hits, such as "Nitro" and "Misirlou." These hits contain no vocals, just fast, catchy riffs. It is no wonder that so many of today's heavy metal bands have taken elements of this high-energy rock-n-roll for their own music. For those of you that are interested, Dick Dale will be playing at Irving Plaza on Saturday, November 5. More information, you can call Irving Plaza at 777-6800.

The well-established home of New York's underground rock-n-roll scene, CBGBs, showcased a band called Chemical Wedding. This six piece band of able musicians was fronted by a female vocalist who really belted out their tunes. They played a thirty-five minute set of straight rock-n-roll with a mellow sound, often reminiscent of Fleetwood Mac. The band has been around for eight years and can be seen frequently in the area. Those who can't wait that long can pick up their latest CD entitled Reform to Zero. Although all of the music is good, don't expect to hear genuine air-play hits.

Notice to concert goers: Although CBGBs is a landmark and a worthy musical experience, take heed to park your car only on well-lit avenues in the area.

...the legendary rock guitarist, Dick Dale, played at Tramps in Manhattan. His music can...be heard in the new movie Pulp Fiction.

Look for an acoustical show by Box of Crayons in the near future. This duo, and occasional trio, can easily put MTV's Unplugged series to shame. Box of Crayons will appear at Sine on St. Mark's Place on November 7 at 8 p.m. (this is a free show). Also look for them at the Ludlow Street Cafe and the Sidewalk Bar on Avenue A. Also watch for future shows by Sea Monster, a hard rock band with punk roots, at The Continental on Third Avenue near St. Mark's Place. Dates and times for these shows are listed in local papers such as The Village Voice and The New York Press.

New Releases
Reverend Horton Heat has recently started getting some air-play, and it's about time because this band can really play. While sticking to rockabilly may not seem a wise marketing move in today's music scene, this three piece group did just that and succeeded. What results is Liquor in the Front. This album adds an interesting modern sound to the dated rockabilly period with five or six great songs.

On the heavy metal scene, Sepultura released Chaos A.D., by far their best effort to date. Abandoning pure mayhem, this album has enough melody, spiked with pure energy, to preach to the unconverted. Also highly recommended is Cathedral's new LP, Cosmic Requiem. The first track, Cosmic Funeral, is a masterpiece.

A new release by Big Blue, the up-and-coming Austrian band, should have an incredible impact on the American scene. For now, their music, which is reminiscent of the Scorpions and Rainbow, is hard to come by, but look for them in the near future.

A Response to my Educated, Clueless, and Lost Friend of Class '97

Commentary Kathleen O. Akeju '95

My dear young sir of class '97, I must admit that when I first noticed the year '97, I felt much better. I had just graduated and was ready to move on with my life. However, I soon realized that the world was not as simple as I had thought. I had to face the reality of working in a law office and dealing with the complexities of the legal system. It was then that I realized the importance of your work.

The well-established home of New York's underground rock-n-roll scene, CBGBs, showcased a band called Chemical Wedding. This six piece band of able musicians was fronted by a female vocalist who really belted out their tunes. They played a thirty-five minute set of straight rock-n-roll with a mellow sound, often reminiscent of Fleetwood Mac. The band has been around for eight years and can be seen frequently in the area. Those who cannot wait that long can pick up their latest CD entitled Reform to Zero. Although all of the music is good, don't expect to hear genuine air-play hits.

Look for an acoustical show by Box of Crayons in the near future. This duo, and occasional trio, can easily put MTV's Unplugged series to shame. Box of Crayons will appear at Sine on St. Mark's Place on November 7 at 8 p.m. (this is a free show). Also look for them at the Ludlow Street Cafe and the Sidewalk Bar on Avenue A. Also watch for future shows by Sea Monster, a hard rock band with punk roots, at The Continental on Third Avenue near St. Mark's Place. Dates and times for these shows are listed in local papers such as The Village Voice and The New York Press.

New Releases
Reverend Horton Heat has recently started getting some air-play, and it's about time because this band can really play. While sticking to rockabilly may not seem a wise marketing move in today's music scene, this three piece group did just that and succeeded. What results is Liquor in the Front. This album adds an interesting modern sound to the dated rockabilly period with five or six great songs.

On the heavy metal scene, Sepultura released Chaos A.D., by far their best effort to date. Abandoning pure mayhem, this album has enough melody, spiked with pure energy, to preach to the unconverted. Also highly recommended is Cathedral's new LP, Cosmic Requiem. The first track, Cosmic Funeral, is a masterpiece.

A new release by Big Blue, the up-and-coming Austrian band, should have an incredible impact on the American scene. For now, their music, which is reminiscent of the Scorpions and Rainbow, is hard to come by, but look for them in the near future.

The Village Voice
The PASSWORD: BAR BRI

NOVEMBER 1994
Spring of 1995.

ing a smoking room stated that the administration does not care about the health of students who smoke by subjecting them to the risk of colds and flu by forcing them to smoke outside during cold weather. Senators speaking against a smoking room stated that people who choose to smoke must accept the consequences of their choice; that smoking is a serious health hazard that far exceeds the health hazards posed by colds and flu; that it would be very costly to build a smoking room that would comply with New York law; and that nonsmokers should not have to bear the cost of constructing a smoking room so that smokers can more comfortably participate in their unhealthy habit.

Confirmation of Judicial Board nominees was delayed when a first-year senator objected to the proceeding because no first-year students were nominated to the committee and because the duty of the SBA is to help students and this can be done by helping students get jobs. Senators speaking against the proposal stated that: (1) there is no need for a standing committee, a liaison will do just as well; (2) the time and resources of the SBA are too limited to effectively deal with Career Services; (3) it's tough for students to deal with people in Career Services because Career Services is not receptive to student suggestions; and (4) the SBA should bypass Career Services and work on the problem with the Dean's Office. A vote is scheduled for the next meeting.

Stating that over thirty clubs exist in name only—holding no meetings or activities—the Senate announced that clubs will be evaluated each semester to determine whether they are active. If a club is inactive for one semester, it will be granted a one semester probationary period. If a club remains inactive for two semesters, its charter will be subject to revocation upon a vote by the Senate.

A proposal for a loan forgiveness program (to pay the loans of students who work for the public interest) is expected to be completed by January 1995. The effort to rewrite the SBA Constitution is continuing and is expected to be ready for ratification in the Spring of 1995.

A proposal to establish an ad hoc committee to investigate the possibility of constructing a smoking room was postponed until the next meeting.

By Ron Gregorio '95

Highlights of the Student Bar Association Meeting, September 30, 1994.

Beginning with the Executive Board election in 1995, the proctors who oversee NYLS exams will administer all SBA elections in order to avoid the problems that have occurred during past SBA elections. The most recent problem occurred during the Fall 1994 Senatorial election, in which the voting table was unattended during scheduled voting times.

A proposal to establish a Career Services Committee was raised and debated. Senators speaking in favor of establishing the committee stated that: (1) better jobs will result in a better reputation for NYLS; (2) Career Services is not aggressive enough; and (3) the duty of the SBA is to help students and this can be done by helping students get jobs. Senators speaking against the proposal stated that: (1) there is no need for a standing committee, a liaison will do just as well; (2) the time and resources of the SBA are too limited to effectively deal with Career Services; (3) it's tough for students to deal with people in Career Services because Career Services is not receptive to student suggestions; and (4) the SBA should bypass Career Services and work on the problem with the Dean's Office. A vote is scheduled for the next meeting.

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All SBA meetings are open to the NYLS community. If you wish to address the meeting, please notify an Executive Officer 24 hours before the scheduled meeting.

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New York Law School Reporter 9
Dear Ombudsman,

As a first year student, I was appalled at the school's grading curve policy—alas C+! However, the memo sent out by the Dean's office is her name. (Don't call her the phantom Dean because no one knows who she is—hmm... on second thought, that could refer to her name, but I digress.) The grading curve has changed and is now higher. (Please excuse my verbosity!)

Anyway, my question is this: was Dean what's her name's actions a subsequent remedial measure (see F.R.E. 407) to the Reporter's expose on the grading policy—especially compared to other schools?

Signed,
Your biggest fan!

Dear faithful follower,
since you're only a naive first year and my biggest fan, I hate to burst your bubble but I'm the Ombudsman, so of course, I'll do it anyway. The New York Law School Reporter is not The New York Times. To think that an article written by a law student in a newspaper run by law students could inspire Dean Anybody is asinine. Do you really think that Dean (she may not be around but she has a name) Ryerson had trouble sleeping at night reading the Reporter article, knowing that the top New York Law students on law review are considered dimwits by job employers because their grade point averages are much lower than that of law review students from other law schools? So, I don't think the article kept her up at night or had any thing to do with the change in the grading policy. Whatever it was that possessed someone on the administration to sympathize with the plight of the New York Law student, just rejoice in the fact that the administration wants us to believe that the grading policy has changed. Get back to me in March, when this semester's grades are finally posted and we'll see if there has been a change.

Signed,
Starving in the Library

Dear Study Break Snacker,
The reason you can't eat in the library is because the library is not the cafeteria. When you need to go to the bathroom, do you go to the Dean's office? Besides, do you go to the library to eat or study? I'm sure you've heard of the "Freshman Fifteen," but do you know about the "Law School Load?" Have you ever heard of Slim Fast? You know, "a shake for breakfast, a shake for lunch, and something sensible for dinner." Regardless of your personal eating habits, I must point out to you that "we" are not all adults here. "We" can't even clean up after ourselves in the cafeteria, "we" can't even throw our cigarette butts away when "we" are smoking outside. I shudder to think what would happen to the beautiful Mendik Library if cookie monsters like yourself were permitted to bring your refrigerator into the library just for your own good. Our over-eating tuition is going towards the salaries of guards who will keep you and your greasy snacks out.

As for the "Food Cop," as you so eloquently put it, he's a "graduate of the New York City Police Academy but of yours truly, New York Law School. As you probably noticed, he's rather bitter about not getting a job where he could actually use his $60,000 J.D. degree. As a result, he gets some perverse pleasure in yanking students like yourself who get the munchies when they study.

Signed,
Dear Mona's Father,
You want to get rid of the painting of Mona Lisa with her leaning tower of Pisa and replace her with what, a topless Grandma Moses with her sawed off shotgun? While I do sympathize with you if the embarrassment of seeing your son as the Mona Lisa, I do not think the administration shares your views on do-nothing pricks. Ever since Mona was "hung" in the cafeteria, the school has been buzzing with controversy. For the first time since the scandal involving the SBA elections, students other than Dominick Esposito are engaged in heated verbal intercourse. Mona's got everyone's panties in a bunch. Hopefully, Mona will stay "up" for some time. You have to admit, it gives you something to look at while you're eating.

Signed,
Dear Ombudsman,
My parents visited from Kansas last week. It was their first time in NYC. They really liked the city and were impressed by NYLS. The only problem is that ever since my mom saw the painting of the Mona Lisa with a penis, she's been having nightmares about it. Can she sue the school for negligent infliction of emotional harm?

Signed,
Dear Mona's Father,
You have mistakenly confused the all-knowing Ombudsman with the all-powerful Oz. Regardless, you've got some strange problems, like a mother who dreams about Mona's male genitalia and parents who were impressed with NYLS. Obviously, you didn't take them to the Office of Career Services where they really would be negligently inflicted with emotional harm when they learned how high the percentage of NYLS graduates without jobs is. Tell ma and pa to forget their lawsuit and follow some other am­bush down the yellow brick road to wealth.

Signed,
Dear Toto Breath,
You have mistakenly confused the all-knowing Ombudsman with the all-powerful Oz. Regardless, you've got some strange problems, like a mother who dreams about Mona's male genitalia and parents who were impressed with NYLS. Obviously, you didn't take them to the Office of Career Services where they really would be negligently inflicted with emotional harm when they learned how high the percentage of NYLS graduates without jobs is. Tell ma and pa to forget their lawsuit and follow some other am­bush down the yellow brick road to wealth.

Signed,
Dear Male and Misunderstood,
While you may feel that this fascination is a problem, much of the NYLS community can attest to staring at the Mona Lisa, pointing at the Mona Lisa, talking incessantly about the Mona Lisa, writing incessantly about the Mona Lisa, mentioning Mona Lisa's name more than five times a day. I can go on. In fact, this is a problem that everyone at NYLS shares. Maybe Dean Wellington should hold a special rap session where we can all sit around and voice our feelings about the Mona Lisa. Or, we can just be patient until the next scandal hits, like the cafeteria raising the price of Snapple to $1.50. Then you and the rest of NYLS will find iced tea made from the best stuff on earth compelling.

Signed,

The Ombudsman invites all comments, "beef's" or questions for publication in this column. Letters will be selected, published and addressed as the editor sees fit. Send all submissions to the Ombudsman, c/o the New York Law School Reporter, 57 Worth Street, NY, 10013, or drop off your submission at the Reporter office located in the student center—the basement of the "C" building.
Grading Curve

Continued from page 1

as put forth by the Committee were essentially adopted except for some minor changes, Dean Ryerson, Associate Dean for Academic Affairs, said that the evidence for and against changing the existing policy was "not overwhelming either way." Dean Wellington commented that "the changes are beneficial," especially from the point of view of fairness to the students.

The curve was voluntary. This language has been included in the new guidelines, making the new grading policy neither voluntary nor mandatory, as per the Committee's findings. The policy is a "faculty expression of intent" and each member of the faculty should "keep the policy in mind in assigning grades for courses." The new curve is about ranges, giving the faculty some discretion when grading. It is not about rigidity. Professor Samuels is optimistic that the new grading curve will probably result in more uniform grading and greater adherence to the grading policy. These discussions led to an awareness by some professors that they were grading off the applicable curve.

The continued need for changes in the grading policy was the fact that some area law schools comparable to NYLS had more lenient grading policies. There was the perceived need to bring NYLS in line with the grading policy of other schools. Professor Samuels emphasizes that while the NYLS grading curve was lower than some schools, it was not lower than all schools. The Committee nevertheless found that perhaps this small discrepancy was having a negative effect on NYLS students in the dog-eat-dog mentality of the class generally do not do well. The new policy is fair yet still enables professors to identify problem students.

O.J. Simpson Official Case Transcripts and Commentary on WESTLAW®!

West Publishing announces the availability of the O.J. Trial Transcripts and Documents database (OJ-TRANS) and the O.J. Commentary database (OJ-COMMENT) on WESTLAW®, West's computer-assisted legal research service. These databases join the more than 5,000 databases already available on WESTLAW.

The OJ-TRANS database contains the official trial and pre-trial transcripts of the case The People of the State of California v. O.J. Simpson, as received from the Superior Court of Los Angeles County. In addition to official transcripts, the OJ-TRANS database will ultimately include the full text of pre-trial and trial motions. Information in this database will be updated daily.

The OJ-COMMENT database contains ongoing commentary written expressly for West Publishing by noted legal experts, including Laurie Levenson, Robert Hirschhorn, Wayne LaFave, David Faigman, and David Kaye. These and other experts will provide valuable insights throughout the duration of the trial.

In addition to the OJ-TRANS and the OJ-COMMENT databases, there are many other databases available on WESTLAW to research the issues involved in the O.J. Simpson case... For more information about the content of the OJ-TRANS and OJ-COMMENT databases, call the West Reference Attorneys at 1-800-REF-ATTY (1-800-733-2889). For technical assistance, call West Customer Service at 1-800-WESTLAW (1-800-927-8529).

Continued on page 17
On October 3, 1994, the nation joined together to draw attention to and give recognition to those who had chosen to practice in the area of public interest law.

The program was coordinated and sponsored by the Alliance for Justice, the American Civil Liberties Union, the Center for Constitutional Rights, the Children's Defense Fund, the National Lawyers' Guild, the National Association for Public Interest Law and the National Conference of Black Lawyers.

The Public Interest Coalition, a student organization, sponsored the program at New York Law School. They presented several fantastic speakers, whose combined years in public interest totaled over fifty years. The speakers were: Clyde Murphy, from the National Organization for the Advancement of Colored People Legal Defense and Educational Fund; Susan Kraham, from the National Organization for Women Legal Defense and Education Fund; Reginauld Boddie, from the Center for Law and Social Justice; Olga Perez, from the Organization for the Advancement of Colored People Legal Defense and Education Fund; Susan Kraham, from the National Organization for Women Legal Defense and Education Fund; Olga Perez, a staff attorney, has been with the Puerto Rican Legal Defense and Education Fund for four years, and in public interest for sixteen years. Through advocacy and litigation, the organization addresses issues in education, employment, discrimination, representation and housing discrimination. They seek to change policy for the benefit of society. Their landmark cases included one which doubled the number of Latino representatives in government, and another which increased the amount of housing available to Latino's in Williamsburg, where housing discrimination had been widely prevalent.

Ilieane Spinner, Manhattan Family Court Borough Chief, has been with the Corporation Counsel for fourteen years. As a prosecutor of juvenile crimes in Family Court, she has tried such cases as escalating from a boy stealing an animal from the zoo, or small shoplifting, to drug arrests, assaults and rapes. She noted that the emergence of crack cocaine in the eighties precipitated the changes. The organization seeks to help the victims of crimes by assisting in changes in schools, contacting Victims Services, or contacting courts in other states in order to get child support.

As indicated, the speakers were very informative, and intensely dedicated to the interests of our society and its betterment. The Public Interest Coalition should be commended for one of the most gratifying forums brought on campus this year.

PIC urges everyone in the NYLS community to contribute to their annual auction in the spring semester. This auction raises money to provide funding for students working in public interest jobs over the summer. If you want to make a contribution or help out in any way, please contact Bonnie Erdheim or Elaine Aver.

The author would like to thank Bonnie Erdheim for her contribution to this article.

CLEARY GOTTLIEB PARTNER NAMED TO NYLS BOARD

Sandra S. Weiksner, a partner at Cleary, Gottlieb, Steen & Hamilton, has been appointed to the New York Law School Board of Trustees. The appointment was announced by Board Chairman Lawrence S. Huntington '64. Based in the firm's New York office, Ms. Weiksner's practice focuses on individual clients, closely held businesses and charitable organizations, including the tax and property law components of estate planning and international estate planning, trust and estate administration, matrimonial law and tax planning through the use of charitable gifts. Ms. Weiksner joined Cleary Gottlieb Steen & Hamilton in 1978 and has been a partner in the firm since.

"We are extremely fortunate to have Ms. Weiksner on the Law School's Board," said Board Chairman Lawrence Huntington. "She has had and continues to have an extraordinary legal career while at the same time expending enormous energy to voluntary and public service efforts. Our students will benefit from her stellar example as both a career attorney who is raising a family and generous volunteer of her legal talents."

Mr. Huntington noted that Ms. Weiksner is a charter member of the New York Women's Foundation and has served as a director of a number of other non-profit organizations, including the Robert Sterling Clark Foundation.

Ms. Weiksner received a J.D. degree from Stanford Law School in 1969, where she was a member of the Order of the Coif, and an undergraduate degree from Stanford University, where she was elected to Phi Beta Kappa in her junior year. She was a teaching fellow at Stanford Law School (1969-1970), a visiting lecturer at the Yale Law School (1990-1992), and a member of the Board of Visitors at the Stanford Law School (1988-1993).

Admitted to the Bar in New York and Connecticut, and a member of the American Bar Association, the Connecticut Bar Association, the New York State Bar Association and the Association of the Bar of the City of New York, she has served on several bar association committees including the Committee on Trusts, Estates and Surrogates Courts, the Committee on Non-Profit Organizations, the Committee on the Second Century and the Committee on Matrimonial Law of the Association of the Bar of the City of New York. Ms. Weiksner is also a fellow of the American College of Trusts and Estates Counsel and an academician of the International Academy of Estate and Trust Law.

She resides in New York City and Greenwich, Connecticut with her husband, George, and their two children.
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NOVEMBER 1994
A Needless Havana Headache

Commentary by
Thomas D. Shanahan ’95

Lately, Cuba has been in the news and on the minds of many of us here in the United States. We sit in the comfort of our living rooms watching television as desperate people risk life and limb to escape Castro’s Cuba on inner-tubes or anything that will float. For over thirty years, the United States-imposed embargo has diminished Cuba’s capacity to provide the basic necessities for its citizens. During the cold war, subsidies by the Socialist bloc trading cartel allowed the Island to maintain a certain degree of economic stability. Now with its trading partners gone, the cold war over, and a recently tightened embargo which prohibits even food and medicine, Cuba is near chaos. It’s time to end the needless “Havana Headache.”

This summer, as the Cuban Rafting Crisis unfolded, CNN’s coverage wasn’t limited to the crisis, but also to the extreme repression of political expression in Cuban society. Upon visiting Cuba, however, such reporting seems contrary to the truth. On the streets of Havana, companions openly state their disdain for the current government and their affection for the United States and our way of life. When cautioned of a police officer or military agent nearby, they defiantly say, “What can they do to us? We have no food, no jobs, no future; there is nothing they can take away.”

Whether Castro likes it or not, Cuban society will inevitably open up. A good example is the field of popular entertainment. Carlos Varela is a musician who has appeared here on MTV. His recent album, “Robinson Caruso,” is a song about “Robinson Caruso” who is alone on his island and refuses to open his eyes and admit he’s alone. Robinson symbolizes Castro and the message is clear: open your eyes to the suffering of your people. The last verse of the song ends “so say remember the revolution then, I say, REVOLUTION NOW.” Young Cubans sing this with intensity not seen in the United States since the 1960’s. The Cuban police standing around the park could do little, so they watched as a generation expressed themselves in open repudiation of the Castro government.

Like music, art is also opening lines of political expression within Cuba. Michael Lebron, a Cuban artist, creates artistic works with strong political messages. One example is his recent work inspired by the Coors Company’s “Silver Bullet” ad campaign. Instead of people on a beach enjoying a “Silver Bullet,” the painting depicts bullets piercing bodies and falling like bombs over third world villages. Listed at the bottom are right-wing groups, which conduct paramilitary operations in Central and South America. The work criticizes Adolf Coors, a large contributor to these groups, and the patron saint of the national government destabilization industry. In supposedly “closed and repressive” Cuba, the artwork has been displayed for some time in the entrance way to the Cuban Museum of Art.

Although Lebron’s art is displayed in Cuba, quite ironically, he has faced difficulty in displaying his work in the United States. In fact, a First Amendment case involving Lebron’s “Silver Bullet” painting has recently been granted certiorari and will be argued before the Supreme Court this term. The case between Lebron and Amtrak involves the train company’s refusal to exhibit his paintings. Originally, Lebron agreed to pay for the space and Amtrak agreed to rent space. After consideration, the exhibition was denied. Amtrak argues that, as a private institution, it should be free to choose the art that it wishes to display. However, Penn Station is a public place, the Board of Directors of Amtrak are appointed either directly or indirectly by the President and Amtrak is funded to the tune of billions of dollars by the Federal Government. Here, the First Amendment isn’t the issue; the issue is the liberties of the Federal Government. Amtrak involves the train company’s refusal to display the work of a Cuban artist, creates artistic works with strong political messages with strong political messages with strong political messages with strong political messages with strong political messages. The case between Lebron and Amtrak involves the train company’s refusal to exhibit his paintings. Originally, Lebron agreed to pay for the space and Amtrak agreed to rent space. After consideration, the exhibition was denied. Amtrak argues that, as a private institution, it should be free to choose the art that it wishes to display. However, Penn Station is a public place, the Board of Directors of Amtrak are appointed either directly or indirectly by the President and Amtrak is funded to the tune of billions of dollars by the Federal Government. Here, the First Amendment isn’t the issue; the issue is the liberties of the Federal Government. Amtrak involves the train company’s refusal to display the work of a Cuban artist, creates artistic works with strong political messages.
I am writing this article to discuss the growing problem of older professors who refuse to retire from the teaching ranks here at NYLS. I believe that tenure, pride, egotism and fear are all factors that have contributed to this problem. I have discussed this problem with other students, but I would like to limit my statements to those facts of which I have first-hand knowledge. I would like to preface this article by stating that I have received satisfactory grades and that I have had no personal confrontations with the professors discussed in this article. I do not want to make it appear as though this is a personal attack by a student with a hidden agenda or an ax to grind.

The role of all professors here at NYLS is to provide the student body with the most up to date education that is possible. The legal profession today is controlled by rules and laws that change on an almost daily basis. That is why it is so imperative that the professors stay well-versed with these changes as they occur. This dedication by the professors will allow them to add and discuss new case law and articles with the students, and tailor the curriculum accordingly.

I do not doubt the intelligence of Prof. X, and I am quite impressed with his lengthy and diverse resume. However, I feel that this style of teaching can only act as a hindrance to all students that are looking for the best legal education. We pay enough money, we deserve the best that this school has to offer. We are the future of the legal profession, but we are being held back by the past. An argument can be made that there is no replacing experience, but I am willing to give youth, knowledge and exuberance a chance. It is these traits that grow into valuable experience over time, but they need to be given a chance. I feel that it has come to the point where our rights as students are in direct conflict with some of the older faculty members who are hiding under the umbrella of tenure.

I would like to sum up with this statement to all of the older faculty members: you know who you are; thank you all for your dedication over the years that has helped bring NYLS the success that it now enjoys. However, it is now time to step aside and allow us all to move forward in the hope that we can pave a new path for those who will follow us.

Respectfully,
The Crittiller '95

P.S. I cannot sign my real name to this article for fear of retribution from other professors that might take offense to this article, or those who might want to someday ascend to the present position that I have described. (No, I do not believe that exam numbers shield you from a spiteful teacher, but that is another editorial for another day.)

Ed. note: This article has been edited to omit specific references to any NYLS professors. Since the author of the letter has submitted it anonymously, it is only fair that the professors remain anonymous as well.

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Gun Panel Symposium

I attended the informative panel "Guns at Home, Guns on the Street: An International Perspective." What the panelists said, what a number of people in the audience said, and audience reactions in the form of nods, shakes, sighs, eye rolling, body language, side comments, etc., all told me that my experience was probably a unique one shared by no one else at the Symposium. For this reason I would like to make a comment which I was not given the chance to present during the audience's question and answer period.

I was brought up in a home where guns were secured in a locked case. Our family, which suffered from the disadvantages of minimal education and social class stigma, nonetheless managed to endow children with a solid foundation of individual responsibility, self-discipline, and good judgement. Because of these values, we never misused guns, even though we were taught how to use them quite well. This same good and good judgement. Because of these values, we never misused guns, even though we were taught how to use them quite well. This same good and good judgement.

Instead of treating symptoms by eliminating handguns or censoring gangster rap, let's cure some of their causes: lack of education and social class stigma, nonetheless managed to endow children with a solid foundation of individual responsibility, self-discipline, and good judgement. Because of these values, we never misused guns, even though we were taught how to use them quite well. This same good and good judgement. Because of these values, we never misused guns, even though we were taught how to use them quite well. This same good and good judgement.

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Letters to the Editor

Nothing is Forever (except tenure)

I am writing this article to discuss the growing problem of older professors who refuse to retire from the teaching ranks here at NYLS. I believe that tenure, pride, egotism and fear are all factors that have contributed to this problem. I have discussed this problem with other students, but I would like to limit my statements to those facts of which I have first-hand knowledge. I would like to preface this article by stating that I have received satisfactory grades and that I have had no personal confrontations with the professors discussed in this article. I do not want to make it appear as though this is a personal attack by a student with a hidden agenda or an ax to grind.

The role of all professors here at NYLS is to provide the student body with the most up to date education that is possible. The legal profession today is controlled by rules and laws that change on an almost daily basis. That is why it is so imperative that the professors stay well-versed with these changes as they occur. This dedication by the professors will allow them to add and discuss new case law and articles with the students, and tailor the curriculum accordingly.

I do not doubt the intelligence of Prof. X, and I am quite impressed with his lengthy and diverse resume. However, I feel that this style of teaching can only act as a hindrance to all students that are looking for the best legal education. We pay enough money, we deserve the best that this school has to offer. We are the future of the legal profession, but we are being held back by the past. An argument can be made that there is no replacing experience, but I am willing to give youth, knowledge and exuberance a chance. It is these traits that grow into valuable experience over time, but they need to be given a chance. I feel that it has come to the point where our rights as students are in direct conflict with some of the older faculty members who are hiding under the umbrella of tenure.

I would like to sum up with this statement to all of the older faculty members: you know who you are; thank you all for your dedication over the years that has helped bring NYLS the success that it now enjoys. However, it is now time to step aside and allow us all to move forward in the hope that we can pave a new path for those who will follow us.

Respectfully,
The Crittiller '95

P.S. I cannot sign my real name to this article for fear of retribution from other professors that might take offense to this article, or those who might want to someday ascend to the present position that I have described. (No, I do not believe that exam numbers shield you from a spiteful teacher, but that is another editorial for another day.)

Ed. note: This article has been edited to omit specific references to any NYLS professors. Since the author of the letter has submitted it anonymously, it is only fair that the professors remain anonymous as well.

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Gun Panel Symposium

I attended the informative panel "Guns at Home, Guns on the Street: An International Perspective." What the panelists said, what a number of people in the audience said, and audience reactions in the form of nods, shakes, sighs, eye rolling, body language, side comments, etc., all told me that my experience was probably a unique one shared by no one else at the Symposium. For this reason I would like to make a comment which I was not given the chance to present during the audience's question and answer period.

I was brought up in a home where guns were secured in a locked case. Our family, which suffered from the disadvantages of minimal education and social class stigma, nonetheless managed to endow children with a solid foundation of individual responsibility, self-discipline, and good judgement. Because of these values, we never misused guns, even though we were taught how to use them quite well. This same good and good judgement.

Instead of treating symptoms by eliminating handguns or censoring gangster rap, let's cure some of their causes: lack of education and social class stigma, nonetheless managed to endow children with a solid foundation of individual responsibility, self-discipline, and good judgement. Because of these values, we never misused guns, even though we were taught how to use them quite well. This same good and good judgement.

Letters to the Editor

Nothing is Forever (except tenure)

I am writing this article to discuss the growing problem of older professors who refuse to retire from the teaching ranks here at NYLS. I believe that tenure, pride, egotism and fear are all factors that have contributed to this problem. I have discussed this problem with other students, but I would like to limit my statements to those facts of which I have first-hand knowledge. I would like to preface this article by stating that I have received satisfactory grades and that I have had no personal confrontations with the professors discussed in this article. I do not want to make it appear as though this is a personal attack by a student with a hidden agenda or an ax to grind.

The role of all professors here at NYLS is to provide the student body with the most up to date education that is possible. The legal profession today is controlled by rules and laws that change on an almost daily basis. That is why it is so imperative that the professors stay well-versed with these changes as they occur. This dedication by the professors will allow them to add and discuss new case law and articles with the students, and tailor the curriculum accordingly.

I do not doubt the intelligence of Prof. X, and I am quite impressed with his lengthy and diverse resume. However, I feel that this style of teaching can only act as a hindrance to all students that are looking for the best legal education. We pay enough money, we deserve the best that this school has to offer. We are the future of the legal profession, but we are being held back by the past. An argument can be made that there is no replacing experience, but I am willing to give youth, knowledge and exuberance a chance. It is these traits that grow into valuable experience over time, but they need to be given a chance. I feel that it has come to the point where our rights as students are in direct conflict with some of the older faculty members who are hiding under the umbrella of tenure.
Executive Speaker Series

By Kathleen O. Akeju '95

The New York Law School administration has made a laudable attempt, through the Executive Speakers Series luncheon, to bring successful alumni in non-traditional professions to address the student body on their field of expertise. The program, which started six years ago, has brought students in contact with business people in an informal setting, giving advice, and educates students about the availability of employment outside mainstream legal professions. Credit for the organization of the series belongs to Harriet Inselbuck, Assistant Dean of the Office of Development and Public Affairs and her staff.

Professor Hogan, coordinator of the school's externship program, praises the luncheon series as "a great opportunity for students to meet and receive information from successful alumni who hold law degrees and who have gone on beyond the law profession and have achieved great deeds."

The first of the luncheon series for the fall semester opened in the faculty dining room on October 4. It featured NYLS alumni Daniel Rappaport, class of '79 and Vincent Viola class of '83, chairman and vice-chairman, respectively, of the New York Mercantile Exchange (NYMEX), the world's largest oil and energy futures market. Mr. Rappaport is an independent trader, while Mr. Viola owns his own trading company.

Mr. Rappaport holds a B.S. degree in Public Accounting from Syracuse University. He also holds a joint M.B.A./J.D. in taxation from Baruch College. Before joining NYMEX, Mr. Rappaport practiced general corporate law. Mr. Viola holds a B.S. degree from the United States Military Academy at West Point, and is also a graduate of the U.S. Army Airborne Ranger and Jungle School Council. He joined NYMEX in December 1982 and created Pioneer Futures, Inc. (a NYMEX clearing house) in 1986. He was elected to the NYMEX Board of Directors in 1987 and became Vice-Chairman in 1993.

Over lunch, Mr. Rappaport and Mr. Viola shared their experiences in the futures and commodities markets, as well as how they began their careers. Both men started at NYMEX as floor traders before moving on to executive positions. Both speakers highlighted the fact that non-traditional positions are available for lawyers in the futures and commodities world. Law students would do well to cast their eyes in the direction of in-house counsel. Since NYMEX is a self-regulating organization, lawyers with an innate sense of ethics and fair-play would certainly realize a feeling of self-fulfillment and deep satisfaction in the field.

Mr. Rappaport also spoke of the recent merger that he and Mr. Viola orchestrated between NYMEX and the Commodity Exchange (COMEX). While NYMEX is best known for its energy futures contracts-crude oil, heating oil, unleaded gasoline and natural gas, Comex has been primarily a precious metals futures exchange. According to Mr. Rappaport, the combined institution will be in a unique position as the world's largest physical commodity exchange, to offer members and customers greater cost efficiency, improved product development, and a trading facility. After the merger, NYMEX will take COMEX's name. NYMEX is building a new trading floor in Battery Park City.

The speech lasted approximately one hour and a brief question-and-answer period followed. A student asked whether financial degrees are a prerequisite in the futures and commodities markets. Mr. Viola, who does not hold any formal degree in finance, stated that a deep sense of intuition in financial matters was of the essence. Another student asked whether the Commodity Futures Trading Commission (CFTC) failed to detect fraud committed by unscrupulous traders such as Mr. Thomas Collins, who made off with his client's money (a story featured in the October 4, 1994 issue of Wall Street Journal). Because the case is still ongoing, Mr. Viola was unable to comment.

Those present also learned that NYMEX's legal department accepts applications for internship positions each semester. Students interested in gaining experience in this area might also consider contacting other exchanges such as the Cotton Exchange and the Coffee Cocoa and Sugar Exchange.

The author highly recommends students to participate at these luncheons to educate themselves as to possibilities for future employment and enables them to freely sample the school's haute cuisine, eaten from breakable plates, in congenial surroundings, and among highly-esteemed faculty members, and the august Dean Wellington himself.

Contact Professor Hogan for information on externship opportunities.

L.A.W. Plans Exciting Activities for this Fall

The Legal Association for Women (L.A.W.) has planned the following events for this semester:

1) October is National Breast Cancer Awareness Month. L.A.W. will host tables hanging out pink ribbons and information sheets. This disease affects approximately one out of every nine women.

2) In November, L.A.W. will host the Second Annual NYLS Student/Faculty Reception.

Last year's event was very successful and we hope that this year's event will be as well attended. Please check the Counselor for the date and time.

3) In December, we plan to hold a Stress Management Seminar before finals. Any help with these activities would be greatly appreciated. Please contact Michele Claudio or Noelle Kurtin via the student mailfolders.

We will be holding another General Meeting soon — look for flyers near the student mailfolders. All are welcome to attend! L.A.W. will be holding board elections in January so that the new board can take charge of the spring events. Letters of intent should be turned in the first week of classes of spring semester. Start thinking about running!!

STAR MORPHS*

*From the book STAR MORPHS published by Contemporary Books

NOVEMBER 1994
Grading Curve

Continued from page 11

dog struggle for summer and permanent jobs. (When the Committee compared NYLS’s grading curve to that of other law schools, the comparison was done based on the other schools’ published curves, not on the actual practices at the schools, since data of actual practices was not available to the Committee. In reality, grades at other law schools may be higher or lower than the grading policies officially espoused by those schools.)

The new policy consists of four different curves, according to the size and type of course: (1) large sections of first-year courses; (2) small sections of first-year courses; (3) legal writing, and research; and (4) elective courses with more than 20 students, Constitutional Law II, and Lawyers and the System of Justice. For the first category, 50% of the grades should be B and above. For the second, 50% of the grades should be B and above. For legal writing and research, 60% of the grades should be B- and above, and for the fourth category, 50% of the grades should be B and above. No curve was published for electives with fewer than 20 students but the professor is expected to grade students according to the grade they would have received had they submitted the same quality of work in a larger class. Professor Samuels noted that we can say in general that this school has a B curve.

Professor Samuels said that this new policy will have its greatest impact on first-year courses, and perhaps only a minimal effect on electives. First-year courses, taught by full-time professors, require a full range of grades so that students be adequately categorized according to performance. For electives, the new policy or less reflects the existing reality. Grades for electives tended to be a bit higher than the previous prescribed curve, especially when compared to grades for first-year courses. Increasing the ranges of grades that are B- and above for electives merely emulates the norm as it existed, and thus there may be little or no visible change in grades for most electives.

The new curve for large first-year courses calls for a cumulative norm of 70% B- or better and 50% B or better, as compared to the previous curve which called for a cumulative norm of 50% B- or better. As another example, elective courses with more than 20 students should have a cumulative norm of 70% B- or better, as compared to the 60% B- or better under the reign of the previous curve. While this new policy may bring smiles to some students, it may disappoint others. Under the new system, the lower end grades have been tightened so that students that are not performing at acceptable levels can be identified. For large first-year courses, the prior curve specified that anywhere from 0 - 12% of the grades should be C- and 0 - 12% for grades below C-. Now, 5 - 15% of the grades should be C- and 5 - 15% should be below C-

The new policy will have a positive effect on current first-year and future NYLS students and will, in the long run, help to improve the reputation of this school.

The grids presented show some, not all, of the changes in grading policy. The grids reflect the norm for each grading category. The August memo describing the changes in detail is available in the Dean’s Office on the second floor of the A building and a copy of the old guidelines is on reserve in the library in the Faculty Handbook.

### Grading Curve Table

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<th>B</th>
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<th>C</th>
<th>C-</th>
<th>D+ &amp; below</th>
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<td>20%</td>
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<td>21%</td>
<td>19%</td>
<td>11%</td>
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*excl. Legal Writing**incl. Con Law II & Ethics

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<th>D+ &amp; below</th>
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<td>18%</td>
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*large sections only**incl. Con Law II & Ethics

Answers for Crossword from Page 15

**CROSSWORD RDp Crossword**

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**REMEMBER**

Deadline for article submission for the next issue is November 11
Continued from page 1

by Art Initiatives that the artist intended to cover "it" up with a fig leaf. Located at 148 Duane Street in TrBeCa, Art Initiatives is the non-profit organization that sponsors most of the exhibits here at NYLS at no cost. It also sponsors exhibits at Trinity Church. When the painting went up on an juice fig leaf, Ms. Prigal called Gal Switchenbank at Art Initiatives to ask "what the artist's intentions" were as to this matter. Ms. Switchenbank recalls being asked if they would "do something" about the painting.

By Tuesday, October 18, students had taped pieces of notebook paper over the "offending" penis. At one point, a photocopy of SBA President Dominic Esposito's face was placed in front penis. His comment was that he was "happy to finally be a part of a controversy at NYLS." In addition, several students had complained to Student Services about the painting as being too revealing. On Wednesday, the day of the art show opening, Ms. Prigal became concerned with the possibility of damage to the painting. Once again she contacted Ms. Switchenbank and conveyed her concerns, wanting to know what the artist intended to do. Ms. Vergano soon arrived at NYLS to cover "it" up — boxes, magic marker, and wire in hand. By the end of the day, Ms. Vergano had strategically strung a wire around the entire artwork, clothespinned the boxes to it with the word "censored" on the boxes, and placed a note to the side telling her audience to "feel free to move the underwear as you please."

When asked about the controversy surrounding her work, Ms. Vergano stated, "frankly, I'm surprised at the objection." While she was here, several students approached her to lend their support. In a backhanded sort of way, Ms. Vergano, who is from Italy, is happy for the attention, but she hopes to be free of the boxes/censorship soon. "The work doesn't come through ... this controversy hides the work."

Ms. Switchenbank does not feel that the Mona Lisa is obscene. The depiction of a man's penis makes sense with the work; "it's rude but not obscene." She states that the faculty and staff here at NYLS are liberal and that it is the students who are doing the censoring. Students also voiced their support. Their reaction can be divided into two viewpoints. The first argument is that the setting, the student cafeteria, is an inappropriate place for displaying works containing male genitalia. The problem is not one of expression, but rather location. According to this argument, if a group like to view this type of art, they need only travel to a nearby Soho gallery. Ms. Iniguez, a 3L, spoke on behalf of this argument. "NYLS should be more responsible and aware of its image than to put unappetizing art up in the cafeteria. If the artwork is placed in any other part of the school, it would be okay ... I'm not advocating content-based censorship, but common sense as to where it should be hung." He adds that, "a lot of people think I'm imposing my values regarding tasteful art, but what about the Committee's imposing their values on the rest of us? Many people from many different backgrounds have found this picture offensive. Why should someone be made to feel uncomfortable in their school cafeteria?"

"For 'tasteful' art that is free to the public, Mr. Iniguez directs students to the Canal Street Post Office."

"The counter-argument is founded on the notions of free expression protected by the First Amendment. Supporters of the work believe that, as students of law, we should be open to various expressions within the vast marketplace of ideas. They argue that in a place that teaches constitutional rights, an environment of censorship is intolerable. Those in support also recognize an apparent double standard. Frontally nude women have been displayed in the student cafeteria without complaint since its beginnings as an art gallery. Others in the school note that the overwhelming majority of complaints about the Mona Lisa seem to be men. Jack Bobo, editor-in-chief of the New York Law School Law Review, finds it ironic that censorship is taking place here at NYLS while "the Law Review is in the midst of putting out a major issue on anti-censorship, featuring a feminist perspective that is both pro-art and supportive of every kind of creative expression."

Whatever the outcome, the painting will never be forgotten.
The State of the Game

Commentary by Chris Waldron '97

Let me just come right out and say it: "No one has sympathy for a million-dollar ball player."

Normally, during this time of year the average sports fan would be happy. This is supposed to be the time of year when sports fans experience "the Great Sports Overlap." Just about every major sport is going on at this time of year - football is in full swing, baseball just reached its climax with the World Series, hockey season has just started, and basketball season is here. However, this year is different as the baseball players went on strike in early August, the National Hockey League (NHL) has locked out their players in a labor dispute, and no one is truly sure what will happen with the National Basketball Association's (NBA) labor talks. The only major sport still operating is professional football.

In the past decade we have seen the salaries of professional sports players skyrocket. Now the owners have decided that it is time to put a stop to the crazy money spending on ballplayers that they themselves started so many years ago. What we have now is constant bickering between owners and players about who is worse off. The owners say that they are losing money every year, but they are reluctant to subject their books to public scrutiny. The players are saying that we deserve more money for the work we do and for the people we bring to the games. All this bickering has done is left the average sports fan with nothing but dreams and hopes of what could have been.

All this forces the fans to take a long hard look at what is really the point of sports in America today. Is it people going out everyday to play a game that they love? NO! Is it an owner having a team just because he loves the game and he wants to bring it to the people in his community? NO! Then what is this all about? It's all about money. Athletes play professional sports because they can make a lot of money from it and this is the same reason why people buy professional sports franchises. These days money is the bottom line in professional sports.

When you look at the history of sports, you tend to notice that money has always been an important issue for people who get into this business. Now this may not have been one of the biggest issues in the earliest days of professional sports, but it was always around.

The scandal of the 1919 Black Sox who threw the World Series was centered around money. Many baseball historians say that scandal could have been avoided if the players had been paid what they were worth. The legendary Babe Ruth, who was called the "savior of baseball" after the Black Sox scandal, was traded to the New York Yankees because the owner of the Boston Red Sox owed money.

This trend has continued throughout every major sport in the country and was most evident during the 1960's. In the 1960's, the NFL and the new professional football league called the AFL (American Football League) were in a bidding war for the top football players that were coming out of college. Not many people complained about all of the money that was being thrown around back then. Now that players' salaries have skyrocketed out of the atmosphere, everyone wants to cry that they are poor so that they can get more money.

The question is how do you put a stop to something that has been an integral part of the games from day one? It is only natural that players' salaries would increase from decade to decade just as the average working person's salary has increased.

Today, the owners feel that the only way they can put a stop to all of these huge salaries, and money they are losing is through the use of a salary cap. The first sport to use a salary cap was professional basketball. This happened in 1983 and the cap was invented because 16 of the 23 teams in the NBA were losing money. The head of the players union at the time, the late Larry Fleisher, agreed to the cap because the league needed a stopgap measure to buy time in order to work on a permanent solution. In a recent interview with the New York Daily News, Marc Fleisher, Larry's son, says that if his father were alive today he would be taking the same position as the union is taking about getting rid of the cap.

The one thing the NBA has going for it right now is that their cap is soft and it fluctuates.

It's not as hard and fast as the cap that is used in professional football. In the Daily News interview, Fleisher says that when the salary cap came it brought with it a partnership and a tremendous amount of guaranteed money. In professional baseball the players and owners don't trust each other. Previous bad faith dealings on both sides has brought this situation to where we are today. The owners have gotten together to make sure players can't move from one team to another and the players haven't always played their best when they get the salaries they demanded.

In professional football, players are being asked to take pay cuts and move around from team to team just to earn a living playing a game to which they have devoted their lives and bodies. In the end, many of these players get thrown away like yesterday's trash once they have outlived their usefulness. Look at what has happened to long time New York Giants quarterback Phil Simms who was unceremoniously released after coming off an injury earlier this year. How would Lawrence Taylor have been treated if the salary cap had been in place when he was in his prime and had problems with drugs? Professional baseball players look at everything that is happening in the NFL and they want a part of it. The public cries that million dollar ball players should not go on strike. In a recent article in Sports Illustrated it was pointed out that the average players salary is skewed by the high salaries of a small percentage of the players. The median salary for a baseball player is more along the lines of $50,000 last opening day which has dropped over the last two years.

All things considered there is plenty of blame to go around and it just can't be put on one group. In fact, we as a society can also share the blame. If the main focus was not how much money can I make or how can I get ahead of the next person, then maybe this would not have happened.

My suggestion to the fan who still believes in people playing for the love of the game is to go watch a high school, little league or pee wee game. Where kids play neither for money nor fame but because they love what they are doing.

"All things considered there is plenty of blame to go around and it just can't be put on one group. In fact, as a society can also share the blame. If the main focus was not how much money can I make or how can I get ahead of the next person, then maybe this would not have happened."
Only BAR/BRI!

Only BAR/BRI’s office was open the weekend before the New York bar exam, July 23rd and 24th. All other bar review courses in New York State were closed.

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Only BAR/BRI’s staff was available to assist in obtaining seat assignments for the hundreds of students who had not yet received them from the Bar Examiners.

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