Surviving Your First Year: Random Tips for 1L’s

-Aleksandra Sarosiek and David Plutko

♣ Get a locker - it will save you from making trips to and from your car. Especially when you show up at 5 past 10 a.m., and your car is stuck on the fifth floor (aka purgatory) all day.

♣ Don’t subject yourself to vending machine food - but if you do, David Plutko swears the frozen sliders are “utterly delicious.”

♣ Don’t lose your Chapman card. And more importantly, bring it with you on Saturdays so you’re not pounding on the door for 45 minutes until a janitor lets you in.

♣ Be careful walking around the parking structure. People tend to take those corners a little carelessly when they are highlighting, eating, smoking, texting and “driving” at the same time.

♣ Upload CD lessons (such as Sum & Substance) onto your Ipod and take your favorite subjects to the gym! Sweating to subject matter jurisdiction will make you feel so much cooler than the person next to you watching Dancing with the Stars.

♣ Start outlining right before mid-terms. Everything takes longer than you think it will. Especially Erie.

♣ If you’re nervous about getting called on - volunteer. Most professors appreciate you putting your neck out there and don’t mind if you volunteer the wrong answer.

♣ Invest in a Latin dictionary and a Black’s Law dictionary. Memorize both on your lunch break. Just kidding. In fact, don’t be “that guy.”

♣ Don’t rely on news reports for updates about cases. Don’t rely on your friends for anything about cases. Read the case yourself.

♣ If your professor recommends a book - buy it. “Recommended” is another word for “get it because I said so.”

♣ Take advantage of professors who put old exams on file in the library. They are not there to collect dust. Plus, it gives you a reason to familiarize yourself with the exceptional copy machines that eat pocket change.

♣ Collect as many LexisNexis and Westlaw points as you can. You can always use another Starbucks gift card. If you can’t, we can - on that note, our mailboxes are in the same place as yours.

♣ Take advantage of the highlighters and pens that companies often give out. It’s just an email address - and trust me, you will go through more highlighters in the next nine months than you ever thought possible.

♣ Mark your food container with some crazy disease to prevent people from stealing it. A classic “don’t touch - getting over mono” or “undetermined rash - awaiting test results” usually does the trick.

♣ Relax and enjoy the year. Read the Chapman Law Courier. Go have some fun once in a while. After all, it’s true what they say - law school is not a sprint… it’s a marathon.

Dicta

“If there was a guard, at that point I would bring in ninjas.” Caleb Strouse, Secured Transactions

“Well, you won’t get in a car accident in this class!” Keith Bishop, Corporate Governance

“I’m a victim of the Code.” Zeph Yowell, Secured Transactions
A Day in the Life of an Entertainment Lawyer

- Tamara Bal

Working on a daily basis with actors such as Steve Martin or Meryl Streep, or television producers like David Chase (The Sopranos) or Howard Gordon (24) is nothing unusual for entertainment lawyer Michael Gendler.

He enjoys working with actors, writers, producers, and directors and says that working with creative people makes each day at the office different.

He never knows if he can go into the office wearing jeans and a t-shirt, or if he needs to be sure to have his suit starched and pressed. However, Gendler’s employment was not always so flexible.

Michael Gendler graduated from UC Berkeley with a major in Philosophy. After college, he took a year off to travel.

When he returned, he pursued the entertainment industry for six months until he realized he wanted to pursue his interest further and actually make a living. Gendler says he went to law school “by default.”

While at UCLA School of Law, Gendler was a member of Law Review. After graduating in 1980, he clerked for a federal judge in the Ninth Circuit.

Thereafter, he worked at the Center for Law in Public Interest and enjoyed working on a political campaign for six months.

Gendler was interested in going into the Justice Department, but when Reagan was reelected, he decided to work at Irell & Manella instead.

Though Gendler made partner within four years of working at Irell & Manella, a typical day involved arriving at the office at 8:30 in the morning and leaving around 10 at night.

Additionally, it was common for him to work at least one day on the weekend. Gendler enjoyed being the head of the entertainment department and felt that his firm was of high quality with great ethical teachers.

However, the extensive hours were a major downside. Fortunately, he was single at the time and could manage the hours. Once he got married, Gendler was ready to start his own practice.

Those clients who had a strong relationship with Gendler followed him after he left Irell & Manella. Now Gendler is typically involved with making deals and advising clients.

Most of his time is spent either on the phone, internet (e-mail), or in meetings. Both Gendler and his clients have a casual relationship, however they will be sure to dress up for any outside negotiations.

Gendler truly enjoys working with people who are intelligent and are interested in more than just business. Gendler feels somewhat like general counsel because he is asked a variety of legal questions all of the time, ranging from divorce law to trespass issues.

As for advice for any potential entertainment lawyer, Gendler acknowledges that the entertainment industry is a crowded field and urges students to take the best job that is offered.

Gendler said, “Great careers start from different points.”

As for entertainment law, Gendler feels that it is a business of contacts and an “apprenticeship type where one learns by doing.”

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The Courier executive board maintains general editorial control over the content of its articles. We reserve the right to make changes, omissions, improvements, or other modifications in any of the information or materials at any time without notice.
Welcome back, football!

- Scott Ashby

It’s that time of year again when we gather in the traditional weekend huddle, crowded around the plasma, eyes glued to the ticker, perched in anticipation as our teams triumph or tumble. Carb after carb of beer, wings, burgers, and brats are consumed ritualistically in a frenzied feast not unlike jackals at the site of a kill. Money is won. Money is lost.

But more important than all of that is pride. Team pride. The kind of pride that swells the chest with fervor and vitriol while ill thoughts reserved only for the most bitter of personal enemies race around the mouth until they are finally spewed in haste at someone, who mere seconds before kickoff, was your best friend.

Friendship? Ha! For the next couple of hours friendship is overruled by some completely irrational internal force - a judge not even the most skilled litigator can persuade. And that judge rules with an iron fist and a gavel, not of justice, but of authority.

For a short period of time every weekend, we gloat in our “friends” faces without hesitation - at each movement of the sticks, at each turnover on downs, and, perhaps most inhumanely, especially after the coveted “blowout.” Yes, at that moment when we know our “friend” is at their most vulnerable; when their team is being handed a Chuck Liddel-esque beat-down; when we have looked into the eyes of the enemy and concluded that the candle of hope, once fully lit, is now nothing more than a smoking ball of wax - it is then that the insults fly most frequent, and the dagger digs deepest. Without the least bit of sympathy as to the tumult in the pit of the enemy, we “pile on.” And on. And on.

Why? Why do we revel in our team’s glory as if it’s our own, and shower our dearest of acquaintances with insults not fit for a Friars Club Roast? I’ll tell you why. Because we have come to expect nothing less than the same from our “friends.” For we shall not forget the history of this bitter rivalry as the gears of memory spring to life, recalling a catalog of grotesque victory celebrations from years past when our team - our brothers, our family - suffered an equally appalling beat-down at the hands of the rival and the predictable mockery that followed. We shall never forget that, nor shall they let us.

So don ye your team’s coat of arms and talk trash like trash has never been talked before. Eat, drink, cry and laugh entirely too much. Scream at the television. Argue with the enemy. Just remember that even the warriors of the gridiron shake hands after the battle and congratulate each other on a fight well fought.

The Law Counselor: Serving up the Truth with a Side of Sass

The Law Counselor answers your love, life, and law school questions in each edition of the Courier. If you are in need of wisdom and sage advice, email the Counselor at dearcounseloradvice@gmail.com. All question submissions will be posted anonymously.

Dear Law Counselor,

I sit next to a guy in my Civ Pro class whom I think is really cute. I don’t have enough self-confidence to ask him out, and I’m so busy I’m not sure I would have time to go out anyway. Is dating a fellow law student taboo? Should I ask him out, or should I flirt with him until he asks me out? I need advice!

Sincerely,

Pleading for Personal Jurisdiction

Dear Pleading for Personal Jurisdiction,

Boys are put off by a girl who speaks her mind, so it’s best to provide your classmate with a few subtle suggestions of your affection and wait for him to make the first move. Here are some discreet flirtatious hints that never fail:

1. Write, “Love you” on your eyelids and repeatedly blink at him.
2. Practice writing your first name and his last name on your notebook during class. If you are an independent woman, you may want to practice hyphenating.
3. Ask him to Barrister’s Ball while wearing a whip cream bikini.
4. Get completely drunk at the next Bar Review and make out with his best friend to make him jealous.
5. Stand outside of his house and when he asks, tell him that you were “just in the neighborhood.” As an added bonus, this may even help you in your Civil Procedure when you learn about Temporary Restraining Orders.

Sincerely,

The Law Counselor
On the Docket

On the Rise in 2007

- Mathew Holm

It’s been a noteworthy year for the US stock market. The Dow Jones Industrial Average (the Dow), is the most prominent indicator, and quite possibly the truest measure of economic growth in the United States today. Stuck in a range between 10,000 and 13,000 the Dow has moved sideways since early in 2004, leaving the bulls with nowhere to run.

But, stocks broke out in the second quarter of 2007. Unprecedented growth rates of Chinese GDP have powered a thriving world economy. That fact along with positive US reports about low unemployment rates, corporate earnings, and energy sector gains fueled the Dow and caused the average to see all time highs. July 19, 2007 officially quashed concerns about stagnant US markets when the Dow rose 0.6% and hit a record high of 14,000.

What was resistance above has now proved to be support below as the Dow, which includes US based companies such as Coca-Cola, HP, Intel, Caterpillar, and Boeing, has held strong above 13,000 for some time. Volatility and fluctuations are certainly in the Dow’s future with looming concerns of high bond prices and housing markets slowdowns. However, with continued gains coming from sectors like pharmaceuticals, aerospace & defense, and technology coupled with strong holiday retail sales, we may see another record before the calendar rolls over.

Editor’s Note: Matthew is president and founder of Chapman Law’s newest organization, the Investment Law Society. Look for future announcements about the organization’s meetings and speaker events.

-Dog gone it, Michael Vick’s done it now-

- Avi Phillips

The Premise

So you are (arguably) one of the hottest quarterbacks in the NFL. You have a contract worth millions and endorsements worth many more millions. You are the only quarterback in the history of the NFL to have rushed over a 1000 yards in a regular season.

What do you do with your spare time? Do you embark on a campaign to stamp out illiteracy in your hometown? Do you volunteer at the local food-bank? Do you go to Disneyland?!

The Facts

If you are Michael Vick, you buy a nice tract of land in rural Surry, Virginia and “trick it out” with all the latest in training equipment. Buried car axels with chains and purpose built “battle pits.” The latest in chain link dog runs.

Basically, everything you could want for your prized pit bull fighting dog (and your buddy’s dogs as well). If your pooch is not up to snuff, no problem, Vick and his associates can arrange to have your pedigree put to pasture as well.

Drowning, electrocution, or the time honored, death by body slam are all available for your underperforming canine. The name for this enterprise said it all; Bad Newz Kennels!

The Law

By now, just about anyone with a pulse knows about Michael Vick having plead guilty to charges of conspiracy in connection with his ownership and operation of an underground dog-fighting ring.

As it stands, Vick is due to have his sentencing hearing sometime in December, at which point United States Circuit Court Judge H. Hudson will decide how best to punish Vick.

Sentencing guidelines in the United States are designed to allow some discretion, based on a review of the totality of the circumstances.

In this instance, Judge Hudson will review sentencing recommendations from the Federal Government (12-18 months), the Virginia Probation Office acting as an independent advisor (unknown recommendation), as well as Vick’s lawyers (not worth mentioning).

In a rare move for a non-appellate level case, Judge Hudson has also accepted a recommendation from a consortium of animal rights groups (recommending 57 months and more money than you can shake a dog collar at).

Conclusion

While there are a range of opinions, it is important to note that while the wheels of justice may grind slowly, they are grinding nonetheless.

And while there may well be a sentencing disparity between the rich and famous and poor old Joe Schmoe, at the very least there are procedures in place to narrow those gaps.

Besides being in legal trouble, Michael Vick at this point has lost all his endorsement deals and is on an indefinite suspension by the NFL.

The final decision with regards to his playing future is being tabled until his sentencing hearing takes place. Justice takes on many different forms, but only time will tell what is in store for Michael Vick.
Above: Some of Courier staff are hard at work. Looks like Scott Ashby is enjoying the free lunch (front row, second from right).

Left: Happy Birthday, Courier!!! The paper hit the one-year milestone in September.

Below: The lovely ladies of the Entertainment Law Society.
MEDICAL ALERT:
This article is here to raise awareness of a serious syndrome common to law students. Specifically, the medical profession tends primarily to diagnose 3rd-year law students (3Ls). However, this unfortunate affliction has been discovered and diagnosed as early as during a student’s 2nd-year, usually in the second semester. What is the serious infliction you may ask? Brace yourselves Chapman Law, this wide spread epidemic is known as Grumpiliolawstudentioitis, or, in layman’s terms, Grumpy Law Student Syndrome (GLSS).

The symptoms of GLSS commonly include inflated stress levels, increased anxiety, and general apathy toward law-related material. Doctors all over the United States have spent countless hours searching for a cure, but have come up relatively empty-handed.

Therefore, I believe that my investigative reporting may help to assist others when encountering a law student with GLSS.

My intense research uncovered that GLSS slowly creeps into a law student’s life in the first year of studies. When first arriving at Chapman Law, students are filled with ambition and happiness. Students are given free law-related supplies, studying techniques, and scrumptious food and refreshments. With all of this newfound excitement, many 1st-year students (1Ls) cannot even fathom the evil that lurks ahead of them.

Two weeks into a 1L’s first semester, the horror begins: the hours spent contemplating why Professor Binder uses a binder instead of a textbook; the fear instilled in students by Professor Litwiller should one dare to show up late to her class.

Next, a student will start feeling there are not enough hours in the day to study and all of a sudden, finals have already arrived. Upon completion of the first law school finals, the student’s joy is overcome by the realization that the student will have to go through this process for five more semesters!

When second year rolls around, the student feels a sense of accomplishment knowing that they have made it through the hardest year of law school. Seconds later, the student receives the second year syllabi that doubles and sometimes triples the previous year’s workload (See Professor Hewitt’s Con Law syllabus). Nevertheless, the student survives the second year, just as they survived the first. Unfortunately, that is when GLSS may become full blown in law students.

Doctors universally believe that multiple issues cause GLSS. The biggest issue is certainly the bar exam. 3Ls become distraught knowing that with every passing day, the bar exam creeps closer. In addition, other triggers include another year of law school, two semesters of final exams, and the continuance of the Socratic Method. Students with GLSS become tense, show signs of erratic behavior, and may even become snooty in their responses to professors and fellow students.

Alleviation of the severity of GLSS is no small task. Recent discoveries indicate that exercise, eating healthy, and occasionally having fun may all contribute to the improvement of symptoms.

Moral support may also aid in recovery: if you see a grumpy 3L, or even a grumpy 2L, you will be doing them a favor if you simply walk up to them, give them a hug, and tell them that everything will be alright (Caution: side effects of hugs may cause grumpiness).
As law students, we are all well aware of the (First, Second and Third) Restatement of Torts. The Restatement of Torts is used as a guideline. While not actual law, the drafters of the Restatement “restate” the law and provide helpful commentary.

Just as the creators of the Restatement of Torts sought to help those in the legal field clarify the law of one of my favorite subjects, I seek to help those who both unknowingly and willfully commit social torts.

What is a social tort, you ask? A social tort is best defined as a social wrong or wrongful act, whether intentional or accidental, from which injury occurs to another.

The Restatement (First) of Social Torts seeks to give law students guidance about how to avoid committing social torts and faux pas. This first segment of the Restatement (First) of Social Torts deals with a tort that is most often committed by those who generally possess no social skills whatsoever: toolery.

1) TOOLERY
a) DEFINITION: Toolery is the act of being a tool to another person.

b) ELEMENTS:
i) Intent - no intent is required; the defendant can commit the tort of toolery without the intent to be a tool
   (1) Motive irrelevant - the fact the person does not intend to be a tool is immaterial.
   (a) SUB-RULE: Awareness of toolery unnecessary at the time.
   ii) Toolery (the actual toolery occurred)
      (1) Factors that are used to determine whether or not toolery has occurred:
         (a) Imposition of one’s self upon the social interactions of others
         (b) Frequent unsolicited invitations to others for social activity and/or intimacy
         (c) Crude and/or vulgar behavior exhibiting a lack of maturity, etiquette, hygiene, and/or respect, including, but not limited to, the following:
            (i) Public flatulence
            (ii) The picking of one’s nose and/or any other body parts in public
            (iii) Dragon breath
            (iv) Obnoxious laughter that is too late, too loud, and too long
            (v) A false sense of acceptance from persons in the defendant’s life
            (vi) An initiated and often undeserved sense of self-worth
         iii) Factors: No one factor of the tort of toolery is dispositive. Courts will generally find toolery if there is more than one factor present. However, if one factor is so overwhelmingly dominant, then toolery can be found even though only one factor is present.

iv) Any toolery, however slight, may constitute the tort of toolery.

It might not be quite as prestigious as everyone’s favorite books created by the American Law Institute, but it is definitely just as useful (in social settings at least). And remember, kids…

Friends don’t let friends date tools.

Thank you to the rest of the 2007 Advisory Committee for the Restatement (First) of Social Torts (i.e., Chapman’s 12) for your contributions to this article as well as everyone who inspired the Restatement’s creation (these persons shall remain nameless).