



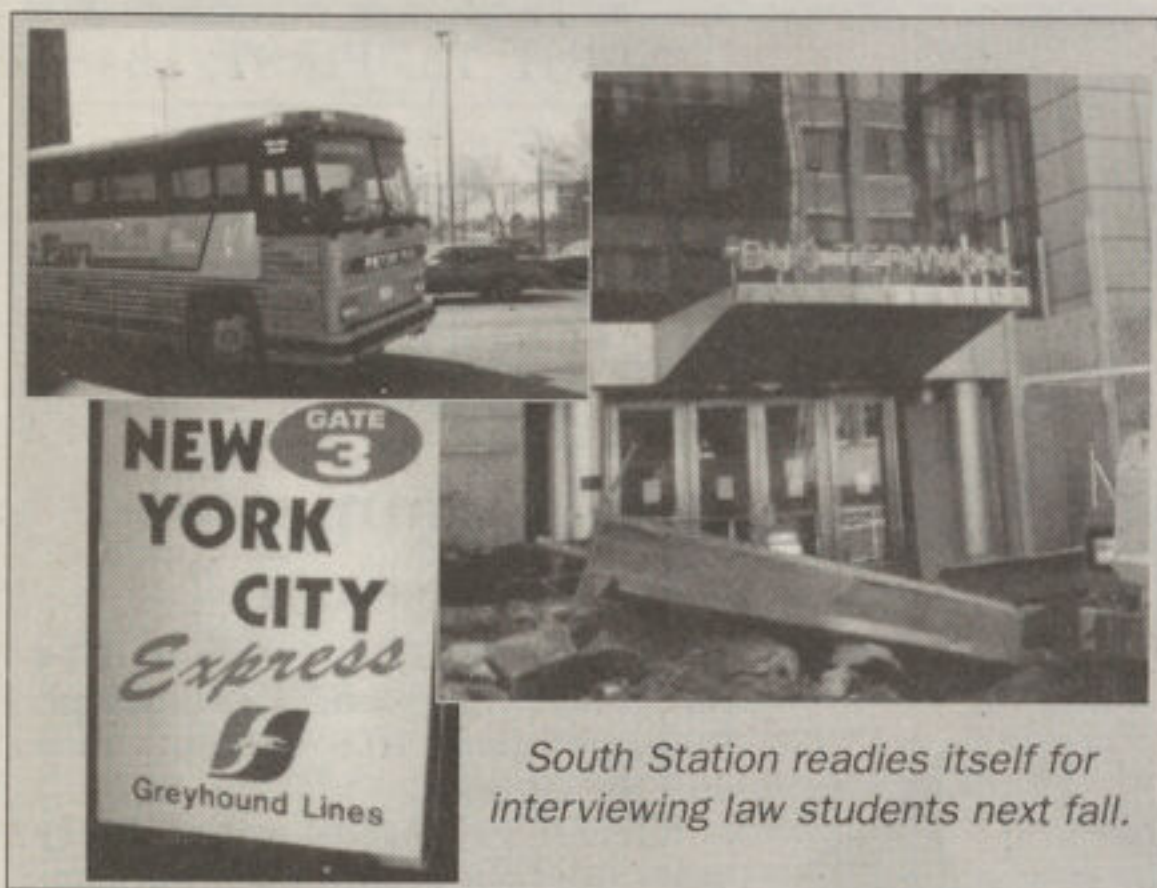
Harvard Law RECORD

America's Worst
Law School
Newspaper
TWO CENTS

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April 1, 1998



South Station readies itself for interviewing law students next fall.

Flyout Week Will Now Be "Greyhound Week"

Firms to Reimburse Only Bus Travel

By Tiny Kiester

In a move designed to cut law firm recruiting expenses, the National Association for Law Placement announced this week that its member firms will no longer pay for air travel related to interviewing. Beginning in the fall, firms will only reimburse prospective summer associates for bus travel.

"We think the new policy is a sound one, reflecting the economic realities as we enter the twenty-first century," stated a NALP press release.

The new policy, which applies to firms interviewing on campus at ABA-accredited law schools, promises to radically change the nature of fly-out week, the week when 2Ls and 3Ls interview at the offices of the firms where they hope to work.

"There is no question, you won't see students traveling on a whim, or to visit friends [in distant cities]," said Sally Donahue of OCS.

"Not that they do that now," she added.

In recent years, fly-out week

had acquired a reputation for excess and abuse, with reports of law students feigning interest in law firms located in warm-weather West Coast cities.

According to an anonymous LL.M., one of her classmates flew all the way to Dublin, Ireland — dressed as a woman — to interview for a firm in which he had no interest.

"I was distressed by his choice of shoes," noted the LL.M., who said she believed a culture had grown among LL.M.s that condoned and even encouraged cross-dressing.

Buses With Movies OK

Under the new system, which has quickly acquired the nickname "Greyhound Week," interviewing will be a much more arduous and spartan process. The travel time from Los Angeles to Boston on Greyhound, the nation's only national bus line, is approximately 60 hours one-way, compared to six hours by air.

"The legal profession has had to cut costs just like every other

Please see *FLY GUY*, p. 2

Harvard U. to Establish Law School

By Rico Suave

Harvard University has decided to lend its considerable prestige to the creation of a law school. Because Harvard is one of the nation's premier institutions of higher learning, President Neil Rudenstine said the absence of a law school has been conspicuous.

The new school will be called the Harvard University College of the Law. While the school will be temporarily housed in the basement of the Science Center, the university feels that by using the "Harvard" name, the school should quickly ascend to U.S. News and World Report's top-five list.

Harvard Law School — sitting on a parcel of land adjacent to Harvard University — is often mistaken as having some

kind of affiliation with the university.

"It's time for us to end this fiction," Rudenstine said in a telephone interview. "Despite some ancient connections the two schools may have had, everyone here knows that they have nothing to do with one another."

"The two schools have separate endowments, health services, registrars, and student unions," said Rudenstine. "We built the Harkness for them in 50s so they would stay out of Loker Commons."

While they are glad that their parents believe otherwise, Harvard Law School students say they are well aware of their school's non-association with the neighboring university.

"Harvard University? I've heard of it. It's pretty famous," Andy Hamilton '99 said. "It's a

good short-cut to the T."

"I think this is a great thing for our fine school," HLS's Dean Clark '72 said in an interview with the RECORD. "See, now I'm not going to be just a 'dean' anymore, I'll be president! Or maybe I'll go by 'chancellor.' Which sounds more impressive to you? For the newspaper article you could just call me President-Chancellor Clark. I like that."

Under the agreement currently being negotiated between Rudenstine and Clark, Harvard Law School would release all rights to the "Harvard" name and become known as the Massachusetts Avenue Law School.

Admissions office personnel, alarmed by the detrimental impact such a name change could have on application volume,

Please don't see *NAME*, p. 3.

LEC Proposal to Remove Chairs Approved by Faculty

LL.M.s Outraged

By Pavel Bezumov

Students were surprised to arrive at Prof. David Rosenberg's 6:00 a.m. Federal Litigation class Monday morning to find that all the chairs in Austin West had been removed.

At 2:00 that morning, the faculty had met to pass the Legal Education Committee's new Classroom Attentiveness Policy, removing all seats from regularly scheduled classes.

LEC Chair Richard Parker '70 led the unanimous 1-0 vote.

"I really see this as a pro-student measure," Parker said in an interview with the RECORD.

"With the new attentiveness policy in effect, students will no longer suffer the back problems associated with being hunched over casebooks with small print," Parker said, noting that he believed incidences of carpal tunnel syndrome and the clap would decline exponentially.

Prof. Charles Nesson '63, who

earlier in the week had advocated a mandatory desk-dancing policy, seemed pleased with the compromise.

When asked for a comment, Nesson smiled broadly and said, "That puppy's gonna blow. Smoke the moon kitty."

Student opinion was mixed. Ninety-eight percent of students were opposed to the new rule, with many claiming a right to sit down in class. Several students, preferring to remain anonymous, harshly criticized the LEC for the move.

"The chairs were the only things that kept me from just going crazy and bombing this place," one student remarked. "The school sucks. All we've got are the chairs."

LSC President Dina DeFalco '98 said she would immediately dispatch a survey to the student body.

Former LSC Vice-President Rob Jancu '98 said he would



Prof. Parker

move to execute student members of LEC in the next LSC meeting.

"Fool me once, shame on you," Jancu said. "Fool me twice, I'll kill you, you goddam bastards — don't think I won't do it!"

LEC student

member David Stringer '99 said he would resist death if Jancu attempted to kill him.

"The policy is justified for the reasons Professor Parker gave," Stringer said. "We must go ahead with implementation, and Rob's rhetoric about killing me will only bog the Committee down."

Dean Suzanne Richardson said the Law School will retain the chairs in the event they are needed for faculty meetings or alumni events.

"We are exploring other locations for the classroom chairs, like renting them to FAS for their new admissions office," Richardson said.

LEC Rep Gets Modeling Contract

LL.M.s Outraged

By Suzie Nader and Dooshie Nader

Bryan Flutzpitchrick '00, the most junior rep of the Legal Education Committee, signed a \$600,000 five-year modeling contract earlier this year with the prestigious Glamour Shots agency. The agency is headquartered in Cambridge's Galleria, an exclusive shopping center whose cornerstone used to be the now-defunct Lechmere department store.

Flutzpitchrick was first dis-

covered by Glamour Shots as a customer of the agency's photography studio in December 1996.

"I went to take some head shots for my law school applications," said Flutzpitchrick, "I guess the photographer who took my pictures really dug my look. He passed one of the shots on to a GS agent."

Flutzpitchrick modestly credits his choice of the "brushed sunset" background as the key to getting his picture noticed.

"The swirly stuff behind me really brought out my eyes and emphasized the line of my shoulders," he said, "And no, I don't use shoulder pads. I believe in going natural all the way."

The now legendary picture has been reproduced in the Law School's 1997-98 first year students face book.

Student Dedicated to LEC

Flutzpitchrick said that as time-consuming and strenuous as his modeling career may get, he remains faithful to his service in Prof. Richard Parker's [72] Legal Education Committee.

"I want to continue my important work on the LEC and still fulfill my dream to emerge as a fabulous supermodel," he said "I think my gig with the Harlequin romance covers is a big step forward."

Not all members of the Law School community, however,



This "brushed sunset" head shot introduced Flutzpitchrick to the high-stakes modeling scene.

were as enthused about Flutzpitchrick's newfound fortune.

"This is really outrageous," exclaimed Iritinka "Thelma" Kosh-trepenko LL.M. '98.

"This is really, really outrageous," echoed an LL.M. who wished

to remain anonymous.

"This is really, really, really outrageous," said a third

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Also: Centerfold, Horoscope, Law School Society Page, and, of course, Renée

150 Years Ago in the RECORD

The Harvard-Law RECORD.

CAMBRIDGE, MASSACHUSETTS.

APRIL The FIRST, 1848.

Rutherford B. Hayes Loses Election For LSC Presidency.

VOWS "NEVER AGAIN" TO RUN FOR OFFICE.



Rutherford B. Hayes, Class of 1845

The long list of HLS students considered "likely to be a success in the outside world" went down by one last Thursday, as Rutherford B. Hayes '45, considered the leading contender for Law School Council president, lost in a landslide.

Opposing candidate Bertram Cletus defeated Hayes 20 to three, in the highest turnout since the Law School

Council began. "I beat him once, and I'll beat the little loser next year, too."

Asked for comment, Hayes claimed the election was fraudulent. "He stole the election, and he stole my career. This was going to be my stepping-stone to big things! I could have made it to the mayor's office one of these days! I could've been a contender!"

Asked about his plans for the future, Hayes swore he would never re-enter politics. "Never again will I put myself through this. You won't have Rutherford to kick around anymore!"

The stunning loss is widely attributed to the black and white photographs Cletus circulated of Hayes with his arm around a woman to whom he was not married.

Cletus defended the photographs by appealing to the moral character needed for political leaders.

"We cannot loosen the strict moral standards we demand of our elected officials," Cletus said. "If we had let Rutherford get away with this, next thing you know we would have had a president having oral sex in the Oval Office."

Cletus is said to be planning to run for higher office in the future. Donations to support Bertram Cletus for the Tallahassee School Board can be placed in his mailbox.



Newly Hired Prof. Detlev Vagts '51

Vagts Hired As Professor.

Detlev Vagts '51 has been hired as an assistant professor, Dean Joseph Story announced last week.

"Vagts is the kind of young, dynamic professor we need to lead HLS into the second half of the nineteenth century," Story said.

Vagts is currently employed as a junior associate in the New York law firm of Cahill, Gordon, where he has worked for one month.

"My one month at Cahill, Gordon is the only real-life experience practicing law I'll ever have in my life, and so I plan to make references to it in class lectures for the next 150 years," Vagts said.

Dean Promises Renovations Of Hemenway Gymnasium Will Commence "Very Soon."

Hemenway Gymnasium will be renovated "very soon," Dean Joseph Story promised HLS students in a speech last week.

"Hemenway needs work," Story said. "We hope construction will commence within the next two years, at the latest."

Story said the delay was caused by negotiations between the Law School and the University's Faculty of Arts and Sciences (FAS).

FAS purchased Hemenway from the Law School six years ago in a deal brokered by FAS Dean Peter Minuit. The Law School sold the building to FAS for 24 dollars.

"We got a great deal on the Hemenway sale," Story was quoted in the RECORD as saying at the time of the sale. "Hemenway was worth ten bucks, tops."

Students have urged Story to resurface the floor of the basketball court, which some students have called "a lawsuit waiting to happen," but Story said that the basketball court will not be included in the repair project.

"James Naismith won't invent basketball until 1891," Story said. "Therefore, renovating the basketball court right now is simply ridiculous."

Story made no repairs prior to the sale. "Who cares if law students get hurt?" Story said proudly. "You guys break something, sue FAS."

Recruiters to Get Stingy

Continued from FLY GUY, p. 1

part of the American economy," said Samuel Butler '54, managing partner at Cravath, Swaine, and Moore in New York. "We simply can't afford these extravagant junkets anymore."

Butler, who spoke to a RECORD reporter via a pay phone in the Detroit Greyhound terminal, emphasized that the new rules allow alternative travel options.

"I am proud to announce that Cravath plans to offer students the option of taking Peter Pan — even the buses that show movies," Butler said.

Some professors felt the change was overdue.

"This was how it was when I interviewed [for law firm jobs]," said Prof. David Herwitz '49. The propeller plane was not made available for commercial flights until 1949.

"When I interviewed for law firm jobs, law firms didn't even exist," noted Prof. Archibald Cox '37.

"When I was interviewing, there wasn't even law yet," said Prof. Clark Byse. "We just sat around and ate broccoli quiche and engaged in small talk, mostly."

Jol Sliver-Smith Shoots Off His Mouth Yet Again

Continued from A SHRINK, p. 1

LL.M. who identified himself as a "test cheater with really, really, really original ideas."

Flutzpitchrick was disheartened by the foreign students' rage. "The policy of hiring me was passed in January, when we didn't anticipate the large outpouring of LL.M. opposition to it. I thought that we should reconsider the plan now that we know student opposition to it is so strong," Flutzpitchrick said. "But then I thought: nah ..."

Jol Sliver-Smith '98, the RECORD's last resort at getting a freakin' soundbite because he'll say everything violates his civil rights, opined, "This violates my God-given civil rights!"

"To have Bryan Flutzpitchrick undermine his responsibilities on the LEC for self-serving frivolity is an offense against all liberties, especially civil ones," said Sliver-Smith in a performance of the HLS Drama Society's parody.

Supermodel/Law Student Reframes Issue

Flutzpitchrick downplayed the wealth and fame certain to accompany his new vocation, declaring his new career "a victory over blood enemies" instead.

"What this really represents is a failure of Raj Goyle ['00]," said Flutzpitchrick.

Goyle, an LSC representative, co-presented the motion to "involuntarily re-

move" Flutzpitchrick from the LEC at a February Law School Council meeting.

"Raj has coveted my contract with world-renowned Glamour Shots since forever," said Flutzpitchrick. "All I hear is 'Raj this, Raj that, Raj gets invited to all the kewl parties, Raj gets a date for the Ames final competition.'"

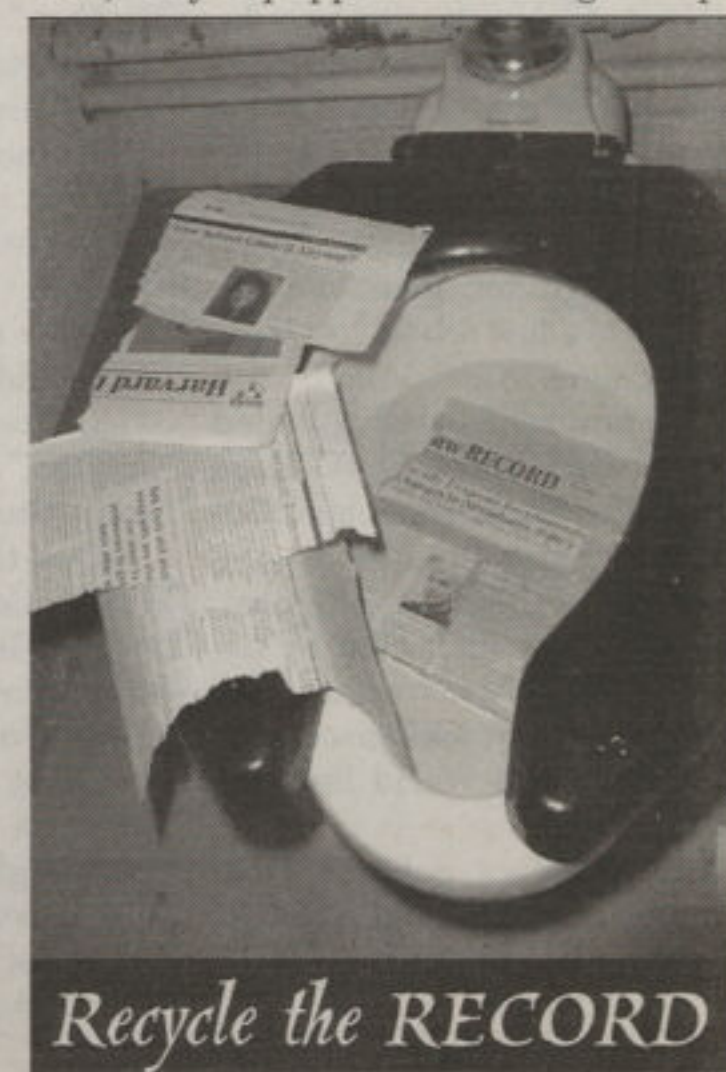
"What about my needs?" he lamented.

A perplexed Goyle responded, "I really have no idea what this man is talking about."

"I'm just keeping it real, and he can't deal," Goyle quipped with a fingersnap.



A ground squirrel goes about its violent and fear-filled life-and-death struggle for territory, mates, and acorns, during its nasty, brutish, and short existence at HLS, as uncaring, sheltered law students (background) go about their life of ease and bourgeois boredom at the Law School.



Recycle the RECORD

Briefs

Charles Fried, Citing Health Concerns, Changes Name to Charles Broiled

Vowing to become more health-conscious, Prof. Charles Fried has changed his name from Charles Fried to Charles Broiled.

"Back in 1902, when I first started teaching, we didn't have all your fancy cooking methods. It was fried or it was raw," said Fried.

The name change mirrors Broiled's switch to a more healthful, color-coded diet. "I only eat foods that are green and white: fish, asparagus, and environmentalists," he said. "Now begone, for it is time for my special meal: the succulent thigh of Tribe!"

The professor formerly known as Fried has also taken up a regime of jazzercise and deep knee bends in an effort to improve his health.

Profs Flim-Flammed in Dining Room

According to the Harvard University Police Department, three Law School professors reported that they gave \$1200 to an unknown man who said he would get them clean forks. The suspect never returned with the promised silverware forcing the profs. to sit at their tables and sip water.

"I wasn't hungry anyway," the police blotter quoted one professor as saying.

The professors, whose identities HUPD refused to disclose, were eating lunch at the time in the faculty dining room: a segregated area in Harkness cafeteria. Students who even inadvertently enter the faculty dining room may be summoned before the Administrative Board and sanctioned.

Heymann, Former Number Two Person at the Justice Dept., Prepares for Class

Prof. Phil Heymann '60, who formerly worked as the Number Two Person at the Justice Department, said he "spent at least 10 or 15 minutes" preparing for class last Tuesday.

"I glanced through some of the cases assigned for that day's class," Heymann said. "I haven't worked that hard since I was the Number Two Person at the Justice Department."

Heymann, who used to be the Number Two Person at the Justice Department, said he had no plans to repeat the experiment.

"I'm not necessarily opposed to preparing for class, but let's face it — teaching law isn't nearly as difficult as being the Number Two Person at the Justice Department," Heymann said.

Rosenberg Arrested for "Efficient Mugging"; Dersh Discusses Case on TV

Prof. David Rosenberg's burglary trial began yesterday. Rosenberg is accused of leading a group of economists in relieving an old woman of her diamonds at gunpoint. In an exclusive interview, he claimed a valid functional justification for the robbery. "I could obviously put the diamonds to a higher, better use than she could: she was old, and had one foot in the grave. How could she make long term investments?"

Prof. Alan Dershowitz, who volunteered to serve as Rosenberg's defense attorney after he spotted television satellite trucks parked outside the courthouse, claims Rosenberg could not "contract out" of the mugging by contracting to purchase the diamonds, because transaction costs were too high. "The old woman was hard of hearing, so he could not offer to negotiate for the diamonds," he told CNN yesterday.

When asked about her right to the diamonds, Rosenberg said, "Look, all that fairness and justice crap is irrelevant, dammit!"

Despite the fact that none of them have Rosenberg (since he said he wouldn't teach those "freaking foreigners" even if "Holmes's ghost" came down from purgatory and commanded him to), LL.M.s were all in a rage at Rosenberg's criminal activity.

Nesson, Minus Black Turtleneck, Tells Audience, "I Sold Out to The Man!"

Discarding his trademark black turtleneck and combat boots for a suave Armani suit, Ray-Bans, and a \$300,000 Rolex, Prof. Charles Nesson '63 proclaimed himself a "sellout."

"It's all about the Benjamins, boo! I sold out to The Man, yo, and I'm damn proud, too!" Nesson told an audience awaiting a Center for Internet and Society address on "Virtual Surrealism."

"Fleetwood Mac — they so whack!" exclaimed Nesson, trying out his new sell-out lexicon. "They ain't nothing but a bunch of junkie hos! Don't get me wrong. I'm down with that corporate sh*t! They doing their thang, putting out billions of CDs to washed-up boobies trying to recapture the summer of '78 by getting jiggy with the 'Landslide' joint," Nesson said.

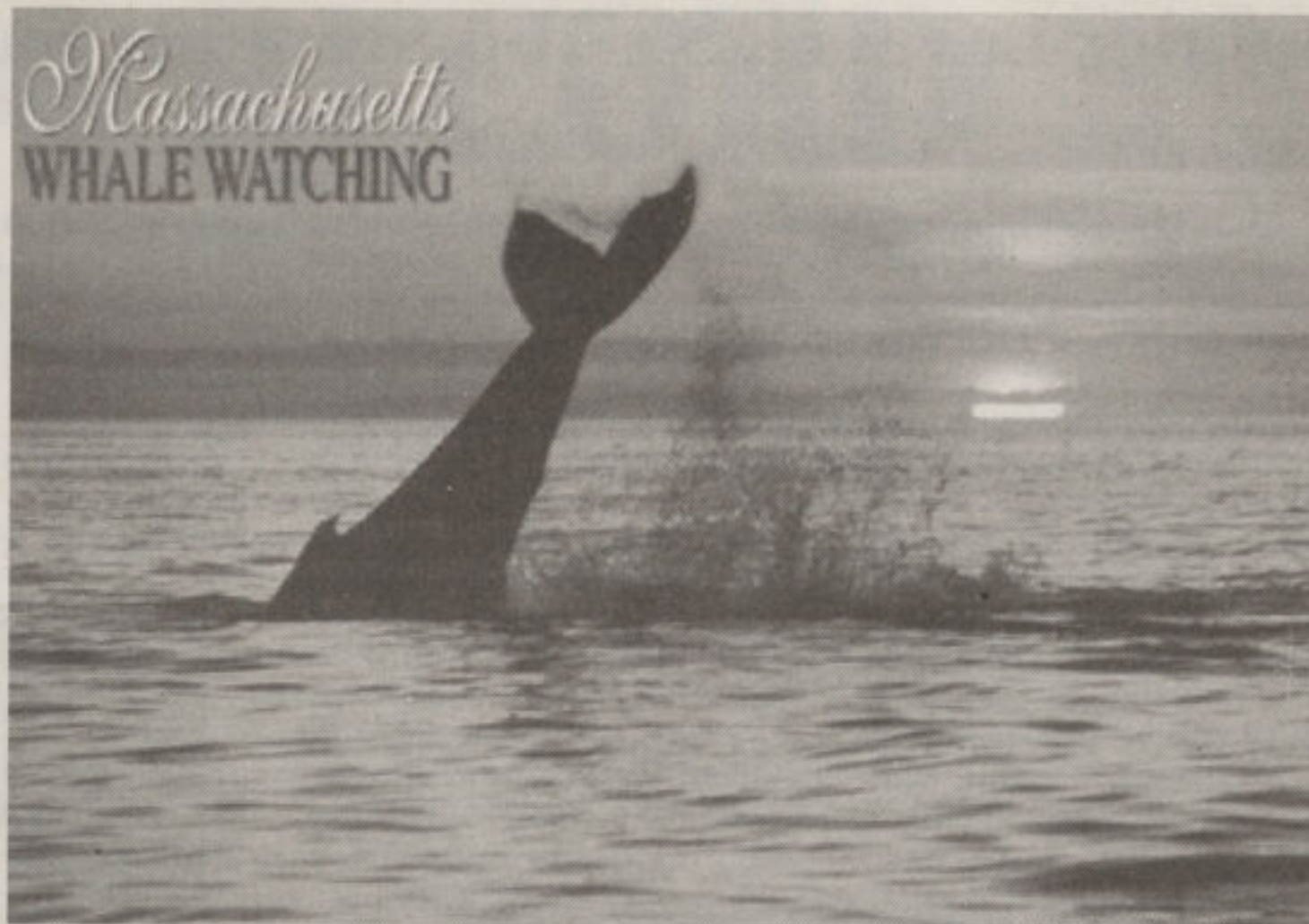
Nesson indicated he had found a newfound respect for Hanson.

"Mmmm-bop, that Tyler sure do have a nice ass! Gotta thank his mamma for back like that!" said Nesson.

Asked if he was talking about teen-idol Top-40 chartbusters Hanson, or the professor of the same name, Nesson said, "K-Mart polyester sweaters and that commie rap? That sh*t ain't phat."

Nesson told his shocked disciples in the audience that his inspiration for the new him was derived from the TV character Mr. Burns on the long-running FOX-television hit, "The Simpsons."

Nesson's co-lecturer, Jonathan Zittrain '94, was pleased with the transformation. "I've always regarded myself as something of a mythical Smithers figure," he said.



A postcard purchased at Harvard Square reprinted here in violation of applicable United States copyright law.

Lesley College Rebuffs Merger Proposal

Continued from NAME, p.1

were pushing instead for the following as HLS's new name:



When referred to in spoken communication, the symbol could be pronounced as "The Institution Formerly Known as Harvard Law School."

Attorneys for the Artist Formerly Known as Prince, however, have already filed a lawsuit for declaratory judgment in a U.S. District Court in Minneapolis to prevent the law school from making such a move.

In return for giving up the "Harvard" name, Clark said, the Law School would receive outright title to Hemenway Gymnasium.

"We said we would let them have Hemenway as a parting gift," Rudenstine said, beginning to laugh hysterically. "That thing must have \$10 million in liability attached to it. I can't believe they took it off our hands. We must have really psyched them out with that talk of turning it into the undergraduate admissions office."

Upon hearing of Harvard University's plans to reclaim the "Harvard" name, HLS officials discussed the possibility of a merger with Lesley College.

"Obviously the Law School would benefit tremendously from the nameplate of a premier institution like Lesley College," Clark said.

Yesterday, however, Lesley College president Margaret A. McKenna said in a statement, "We appreciate Dean Clark's overtures, but we've decided to decline the offer. Ultimately we were not

sure we could absorb the cost in terms of mental health services and gymnasium renovation."

"If we want to associate with law students, we will concentrate our efforts on building a positive working relationship with the Harvard University College of the Law right from the beginning," McKenna said.

Students at both Harvard University and Harvard Law School seemed to be positive about the pending changes.

"I think it would be great to have a law school on campus. I think it could add a lot to the university community," said Rebecca Blake, a first-year student at Harvard University. "There might be some cute girls too."

"Whatever," said Alex Sadkin '98 of Harvard Law School. "I already got my offer."

Unlike the rest of the Harvard Law student-body, LL.M. students were outraged. Shinichiro O'Shea-Czyrkuczka LL.M. '98 resigned his representative seat on Law School Council to protest the move.

"I am outraged. It is the very irresponsible of the administration, reckless, as well as reprehensible. It has ruined my year in America. I cannot believe the Law School would do this. What is it we are talking about again?"

O'Shea-Czyrkuczka was elected two weeks ago to replace an LL.M. student who had resigned in protest over the resignation of a student protesting the recurring non-representation of LL.M.s on the council because of resignations.

In addition to its endeavor to build a nationally prestigious law school, Rudenstine said Harvard University is also considering developing medical and business schools in coming years.

Deep Thoughts ...

Death By Abortion

By William F. Cantwell,
Somers Town Board
Supervisor



A soul is the spirit of life. A plant has a plant soul. An animal has an animal soul. The plant, the animal, the human are alive as long as the soul remains in the plant, the animal, the human. The big difference among these souls is that the human soul is immortal. When the soul is separated from the plant, animal, or human, the plant, animal, or human dies. This is called death. If a plant is pulled from the soil and placed in the sun, the roots dry out and the plant is no longer capable of sustaining life. The plant soul leaves the plant and the plant is dead. If an animal is shot through the heart, the animal body is no longer capable of sustaining life, the animal soul leaves the body and the animal is dead. When the human body is no longer capable of sustaining life, the human soul leaves the body and the person is dead.

Editor-in-Chief Janie Kim looks on as associate editors Eric Johnson and Suzanne Carter consult unnamed sources for a recent investigative piece about Ad Board proceedings.



Houston Memorial Team Wins Ames

Amanda Tyler '98 Wins \$1,500 Prize for Best Oralist



The Houston Memorial team shortly before oral arguments.

By Dusan Stojkovic

The Charles Hamilton Houston Memorial Team won the 86th annual Ames Moot Court Competition on March 18, with team member Amanda Tyler '98 taking the \$1,500 prize for best oralist. The second-place William J. Brennan Jr. Memorial Team prevailed in the best brief category.

"This was definitely the highlight of my law school career,"

said Kannon Shanmugam '98, who joined Tyler as oralist for the Houston team. The remaining team members are Rachel Clark '98, Russell Robinson '98, Guhan Subramanian '98, and George Wang '98. The opposing team's oralists were Daniel Pariser '98 and Lara Flint '98.

"This was the most educational experience I've had at this school," said Robinson, adding that the entire team put a great deal of time and hard work into the effort. "There were many all-

nights and every week this was the major activity we would do, apart from classes."

The winners' team name goes on a plaque in Langdell library and each member will receive \$450. The members of the opposing team will get \$400 each.

Presiding over the final oral arguments in Ames Courtroom were United States Supreme Court Justice David Souter LL.B. '66, Justice Phyllis Kravitch of the 11th and Justice Bruce Selya '58 of the First Circuit of the U.S. Court of Appeals.

The fictitious case, *Willard Beach Resort, Inc. v. Champions Greens, Inc.*, dealt with allegations of trade dress infringement ensuing after Champion Greens copied Willard Beach's 18-hole golf course.

"I thought the choice of topic was rather interesting," said audience member Sarah Concannon '00. Concannon said she could follow the argument even though she has not yet taken any intellectual property courses.

Please see AMES, p. 6

Investment Guru Addresses Closed Audience in Langdell

By Keith Johnson

With little fanfare, Warren Buffett walked into Langdell North, sat down and announced, "We're not doing anything until I get a Cherry Coke." Buffett addressed a joint meeting of Prof. Henry Hu's Corporations and Model Corporate Finance, Corporate Governance classes on March 18, speaking loosely on corporate governance and a variety of other topics.

At Buffett's request, only students enrolled in Hu's two courses were allowed to attend Buffett's speech. Attendees' I.D.s were checked against a name list at the door, as the event was closed to the public and the wider Law School community including faculty.

"Unfortunately, I had to let various faculty members — non-students — know that I couldn't let them in," said Hu.

Buffett asked for the restricted audience because he wanted to keep "the dialogue frank and meaningful," according to Hu.

"He wanted to be as comfortable as possible," said Hu, who met Buffett at a conference in 1996. "Buffett literally moves markets. When he bought 20 percent of the silver market recently, it made the cover of The New York Times. He was determined to keep this a non-media event, to do this for the benefit of the students."

Buffett, 67, who is chairman of Omaha-based Berkshire Hathaway, a long-term investment company, is widely regarded as the world's most successful investor. As of Wednesday, Buffett's net worth was valued at \$32.1 billion.

"If a person had invested \$10,000 with Buffett in 1956 when he was working out of his study in Omaha, that initial investment would have been worth roughly \$200 million by the end of 1997," said Hu.

Buffett fielded audience questions for over an hour and a half in an avuncular manner, lingering to sign autographs and take pictures with attendees at the end of his two-hour visit.

No question was off-limits, said Buffett. "[But] I prefer the hard balls to the soft balls," he said.

Commenting on his success, Buffett said that the goal in life was not to have a 400 hp motor and get 50 from it, but to have a 300 hp motor and get 300. Each of us has our circle of competence; it is "not how big your circle is," he said.

"I don't like debt and have never owed more than 25 percent of my net worth," said Buffett. "I don't operate in a way that could cause my family and those around me any loss. But I've had fun, that's what's important ... I'm having as much fun now as 45 years ago. I don't need a lot of money to be happy ... The only difference between you and me is that I travel better."

Predicting what events will occur is easy, said Buffett, the difficulty lies in timing when these events will occur. "I do the easy one," said Buffett. "I always knew I

would be rich, but not when."

"In general, always invest in what you understand," he advised, "invest in things where there will be very little change with a high degree of certainty, and don't pay too much."

Buffett then responded to questions on a range of topics.

On gold: "It gets dug out of the ground in Africa or someplace. Then we melt it down, dig another hole, bury it again and pay people to stand around guarding it. It has no utility. Anyone watching from Mars would be scratching their head."

On IPOs: "I've never bought an IPO. The controlling shareholder is timing the sale and a 6 percent commission is built in. The auction market gives better prices."

On poorly performing businesses: "We will not sell an under performing business as long as it is not draining cash. We won't ditch people because they happen to be in a non-optimal business."

On good management: "We want people who love running the business more than they love money."

Please see BUFFETT, p. 8.



Prof. Henry Hu and Warren Buffett

Hay '88 Receives Tenure

By RECORD staff

Bruce L. Hay '88, assistant professor at Harvard Law School since 1992, has been named Professor of Law. The tenure appointment begins July 1, 1998.

"Bruce Hay is a brilliant scholar and teacher who brings much to the Law School in the areas of civil procedure, the economics of litigation, environmental law, and tort law," said Dean Robert Clark.

"I've learned so much from the extraordinary students and faculty here," Hay said of the appointment. "I hope I can repay the debt in both my teaching and research in the years to come."

A specialist in the fields of legal procedure and the economics of litigation, Hay teaches the first-year course in Civil Procedure. He has written a series of articles on litigation and the legal process, using the tools of game theory and the economics of information to analyze such problems as the choice between litigation and settlement and the design of pretrial and trial procedures. He is the editor of *Litigation, Procedure, and Dispute Resolution Abstracts*, an Internet journal.

Hay is also active in the areas of environmental law and

tort law. He teaches the basic Environmental Law course, and has occasionally taught an advanced course on the enforcement process in that field. He is at work on several articles concerning different aspects of the regulatory and enforcement processes in environmental law.



Bruce Hay '88

Hay has also co-taught a course entitled *Mass Tort and Complex Litigation* with Prof. David Rosenberg, with whom he is at work on a series of papers examining problems of process design for mass torts and other large-scale disputes.

Another field of interest for Hay is problems of agency and economic organization. He has written a number of articles on the economics of the lawyer-client relation, including several topics on attorneys' fees and on principal-agent problems in class action and ordinary litigation settings. He taught the Legal Profession course this year, and next year will teach Corporations.

Hay received a B.A. from the University of Wisconsin-Madison in 1985. After graduating from HLS in 1988, Hay clerked for Judge William Norris of the U.S. Court of Appeals for the Ninth Circuit and for Justice Antonin Scalia '60 of the United States Supreme Court. Before joining the faculty, he practiced at Sidley & Austin in Washington, D.C.

APALSA Officers Resign Over Military Controversy

By Jane Ohgami

Two officers of the Asian Pacific American Law Students Association have resigned in protest after the organization's membership voted not to sign a petition opposing military recruitment on campus.

Lambda, an organization of gay, lesbian, and bisexual HLS students, has circulated the petition in response to recent legislation by Congress. The legislation will deny federal funding to universities that deny U.S. military recruiters access to campus. Lambda opposes allowing the military access to on-campus recruiting due to the military's policy of excluding lesbians and gay men, and is urging HLS to accept the loss of funding if necessary.

APALSA is the only group affiliated with the Coalition for Civil Rights that has publicly declined to sign the petition. CCR is a group of nine campus groups representing minority and women students. Of these groups, BLSA, La Alianza, Lambda, NALSA, the Women's Law Association, and the Student Public Interest Network have formally signed the petition, and CCR is waiting for responses from other groups.

Cathy Ahn '99, APALSA's delegate to the CCR, said that she learned of APALSA's deci-

sion before its general announcement, but chose to wait until after the close of the organization's spring conference to resign.

APALSA's political co-chair Truc Nguyen's '99 decision to renounce her position was forwarded to the general membership in an e-mail sent out March 15. In it, she stated that she was "personally offended" by APALSA's stance and could no longer serve as an officer.

"I understand that the 'diversity' of views within APALSA is large and I do not expect to share all my viewpoints in common with my fellow members," Nguyen wrote. "However, I cannot remain in an organization whose polity disrespects basic human values and lacks a common understanding for the dignity of ALL people."

In response to Nguyen's resignation, APALSA co-chairs Lydia Fan and George Wang issued a joint e-mail, expressing their sorrow over the "loss of a dedicated and influential board member" and explaining the outcome of an e-mail referendum of APALSA members in terms of the organization's formal endorsement policy.

"In terms of fairness, we sought to represent as best we could all APALSA viewpoints presented to us," the letter stated. "Efficiency was a con-

Please see APALSA, p. 9

Students Celebrate While Ames Oralists Sweat

By Timothy Kiefer

For the four student oralists and their eight teammates, the evening of the Ames Competition was one of tension and sophisticated legal arguments. But for hundreds of their classmates, the Ames competition was an unofficial holiday.

Approximately 150 students joined U.S. Supreme Court Justice David Souter '66, Dean Clark '72, alumni and faculty at an invite-only dinner and reception held before the arguments. The attendees sat at tables covered with crisp white tablecloths and topped with vases of fresh flowers while they enjoyed grilled swordfish and French wine.

Most of the students invited to the dinner were members of the Board of Student Advisers, the organization that runs the Ames Competition and allocates tickets to the various Ames events. The dinner attendees were allowed automatic entry to the Ames Courtroom. Other students had to compete for limited courtroom seats via a lottery.

After the dinner, Clark made a short speech about the judges and the case. After noting that this year's case related to a disputed golf course design, he presented Souter with a gold-colored putter.

"Exercise your swing vote," Clark joked as he presented the gift to Souter.

The Ames experience of Jonathan Perry '98, however, did not involve white tablecloths, imported wine, or face time with one of the Supremes. He watched the arguments on closed-circuit television in Austin North, where the speeches were broadcast for students unable to get tickets to the courtroom itself. Perry's

dinner was spartan — a sandwich from the Hark sealed in a plastic box and a bottle of Barq's root beer.

"I have to do work after this," Perry said in explaining his choice of beverage.

Post-Ames homework was apparently not a concern for many of the approximately 200 students in the Austin North overflow room. Josh Groban '98 and James Rhee '98 brought a six-pack of Bière Noire, which Groban described as a "Canadian oatmeal stout."

"A little heavy, if I must say," Groban said. Groban and Rhee also brought two chicken dinners from a Middle Eastern restaurant in the Square.

"You can have a slice if you want," Groban said, offering the dish to a RECORD reporter.

Groban said that he preferred watching the arguments from the overflow room.

"We don't think a six-pack would go over very well upstairs," Groban said.

Brian Sims '98 also said that he preferred the informal atmosphere of the overflow room.

"It seems to be stuffy up there," Sims said. "I think I might burst out in uncontrolled laughter if I were up there."

John Cranley '99 and three companions enjoyed Rolling Rock while they watched the arguments. After the arguments had ended and several cans had been emptied by the group, Cranley pronounced himself unimpressed.

"I thought it was a really boring case," Cranley said. "If I had been a judge, I would have said, 'who cares?'"

Kelly Cochran, who was attending with her law-student boyfriend, brought Rabbit Ridge wine and tuna sandwiches topped with roasted red peppers. Other students' menu choices included pizza and shrimp platters.



Dean Clark '72 presents Justice David Souter '66 with gold-colored putter at pre-Ames banquet.

One student, who would identify himself only as a 1L, brought his Property casebook to the overflow room and sipped Canada Dry ginger ale.

"I wasn't aware of the whole concept of bringing beer and food," the 1L said as his casebook lay open in front of him. "Next year I'm bringing vodka, cranberry juice, orange juice, and maybe a keg."

The overflow room was a tough crowd, with the students loudly reacting to the judges and students displayed on the gi-

ant video screen at the front of the lecture hall.

At one point the room exploded in laughter as the camera showed Souter rubbing his nostril. Judge Bruce M. Selya of the 1st U.S. Circuit Court of Appeals repeatedly drew laughs as the camera showed him rocking back and forth in his chair, his eyes closed and his hand on his face.

"I loved the stupid human tricks," Heidi Rosenberg '99 said after the arguments. "The judges rocking back and forth, picking their nose."

"It makes you realize why there's no cameras in the courtroom, because the justices don't come off that well," Deborah Gitin '99 said.

In his after-dinner speech, Clark had mentioned that Souter is known as an ardent opponent of televising Supreme Court proceedings.

The student oralists also drew reactions from the students. When Kannon Shanmugam '98 said in his rebuttal argument that he planned to "go for the jugular," he was booed by the audience.

Later, when Shanmugam used the phrase "dialectical relationship," apparently quoting an appeals-court opinion, both Souter and the overflow crowd reacted with disdain.

"What do you mean by 'dialectical relationship'? I didn't understand it then," Souter responded as a roar of laughter from the overflow crowd drowned out the rest of his sentence.

Ames Finalists Debate Golf Trade Dress Case

Continued from AMES, page 5.

During the initial stages of preparation, the members of the winning team were surprised by the fact pattern. "It was really different but proved to be challenging," said team member Robinson.

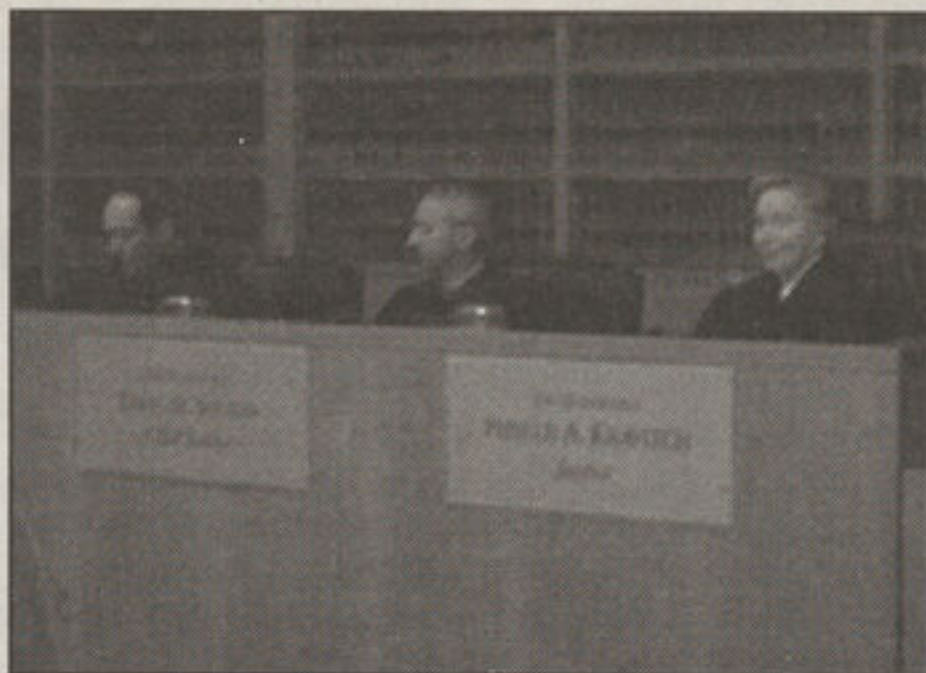
"We were puzzled because it involved statutes rather than the Constitution," Tyler said, maintaining that Ames finals in previous years had dealt with grand constitutional themes. "But as we got into it, the case became fascinating."

The questions presented in the case were rather technical and involved multiple balancing tests, forcing the justices to prepare for the mock oral arguments well in advance.

"I've had the opportunity to learn a lot about the law over the past week," said Souter after the final round. "We do not have a [trade dress] case coming up on the Court this term, but I wish we did, 'cause I would be a terror," he added in a heavier-

than-usual New England accent.

Kravitch also had a didactic experience. "I can truthfully say that I've learned all I ever wanted to know about golf," she said.



RECORD photo/Dusan Stojkovic

l to r: Justices Selya, Souter, and Kravitch presiding over the Ames final.

Despite the doctrinal complexity of the subject matter, the judges managed to throw in a fair portion of humor into their

questioning of the moot counsel. For instance, plays on redbud and dogwood, the plants used in the contested golf course design were a running gag throughout the arguments.

But some members of the audience were less impressed by the panel of judges. "I thought Souter cut off the oralists way too much and kept doing his own thing," said a student who preferred to remain anonymous. "Plus I didn't think Amanda [Tyler] should have won."

Following the announcement of the winners, all three judges commented on the competition.

The clearest consensus reached by the panel was that the ultimate ranking of who was best in each category was what Kravitch termed a "very, very difficult decision."

Souter stressed that the justices' praise was genuine, and not merely a sign of politeness. "I hope to see you all on the other side of a slightly differently configured bench," he said.

The admiration was reciprocated by the contestants. "The judges were really

great," said Tyler emphasizing how well they had prepared for the oral arguments.

"They were hard, but fair. They found all the holes on both sides," Shanmugam said.

"All of you were just superb and I know you will have excellent careers ahead," Kravitch lauded.

Next year, Tyler will clerk for Justice Guido Calabresi on the 2nd Circuit and the following year for Supreme Court Justice Ruth Ginsburg '56-'58. In total, five team members will be clerking while the sixth will be working for a consulting company in New York City.

The sextet has pursued extracurricular activities in addition to the Ames competition. All are members of the Law Review. Tyler will be running her third consecutive Boston marathon later this spring.

"The arguments were uniformly exceptional," said Selya, reminiscing on his own moot court performance at the Law School "more years ago than I'd care to admit." Selya and his partners, including Ginsburg, were eliminated in the semi-final round. "HLS has come a long way."

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Asia Law Society Visits Korea Over Break

By Alyssa Caples

Fifteen members of the Harvard Asia Law Society spent their spring breaks in Seoul studying Korea's recent economic crisis and change in government.

"Every year we try to pick a destination where there are important changes going on. Two years ago, we went to Taiwan during the first direct presidential election. Last year, we went to Hong Kong and Beijing to study the handover. This year we decided to go to Korea to study the import transformation of the Korean economy," said HLS president, James Lin '98.

"The caliber of meetings that we had set up with government and business leaders and members of the legal profession makes this quite a unique experience," he noted.

On the legal front, the group met with Lee Yong-Hun, a Justice of the Korean Supreme Court, and Kim Yong-Joon, President of the Constitutional Court. The South Korean dual-court system, formed 11 years ago, offered students an

interesting comparison to the U.S. system.

According to Justices Lee and Kim, the two courts are experiencing a kind of power struggle over who will retain the final word on legal questions. The Supreme Court has exclusive jurisdiction over the cases themselves, while the Constitutional Court has exclusive jurisdiction over all constitutional questions. When the two courts do not work in harmony, there can be stalemates.

The delegation also met with several opposition leaders, including presidential candidate Lee Hoi-Chang, Speaker of the National Assembly Kim Soo-Han, and Lee Hong-Koo, a standing advisor of the Grand National Party who was recently appointed ambassador to the United States.

Lee Hong-Koo was an HLS fellow in 1974.

Because of the recent switch in power, Kim said that it is often difficult to manage internal political issues within the GNP-controlled National Assembly, such as the approval of the newly appointed prime minister.

Kim pointed out, however, that when it comes to the fundamentals of running the country — such as approving an emergency budget plan to assist those adversely affected by the economic crisis — the nation's leaders "are mature enough and can harmonize."

On the business front, many noted that times were tough in Korea because of the low value of the Korean won and the high price of borrowing money. Still, Hong In-Kie, chairman of the Korea Stock Exchange, suggested that the IMF crisis — as it is commonly referred to in Korea — may be a blessing in disguise that will force Korean businesses to "adopt open-market principles."

In Korea, many firms have very high debt-equity ratios that will undoubtedly be forced to fall in the near future because of high interest rates, Hong said. Because of this, many firms are expected to start issuing equity shares in an effort to raise capital. According to Hong, there is also a push to allow increased foreign investment.

Also included in the many official stops on the trip were an afternoon at the Supreme Public Prosecutor's Office and a visit to the People's Solidarity for Participatory Democracy, a public interest non-governmental organization.

Prosecutors in Korea have much more control over criminal cases than do their counterparts in the United States. Korean prosecutors directly investigate criminal cases, with police officers serving as their assistants.

Organizations such as the People's Solidarity for Participatory Democracy are not widespread in South Korea, but ac-

cording to General Secretary Park Won-Soon, interest in them is growing. Park hopes that as the number of lawyers in the country increases, more will choose the public interest route and fight industry abuses of minority shareholders and consumers.

After nine days of meetings and visits in Seoul, the delegation, many of whom had never before visited Korea, seemed to have a much better appreciation for Korean society.

"I think this was a great chance not only for the delegation members, but also the entire HLS community to gain a heightened understanding of Korean culture as well as the legal, social and economic systems," said trip organizer Chris Cho, '98.

"The entire delegation showed much better interaction and communication with the people and places that we visited than I expected. At the same time, we also received much better treatment than I expected," Cho said.

Cho said that while visiting at the Constitutional Court, Justice Kim spent extra time with the group.

"He opened up a copy of the constitution and cited parts of the code. Our conversation lasted twice as long as I had expected," said Cho.



Photo provided by Alyssa Caples
Lee Hong-Koo, Korea's new appointment for ambassador to the United States, and Kim Soo-Han, speaker of the Korean National Assembly, pose with members of HLS.

Wrenn Luxuriates in Gropius With Number One Lottery Pick

"Much Better" than the Barracks at VMI

By Suzanne Carter

When Ames Hall resident James Wrenn '00 found himself in the number one position in the dorm lottery, he was thinking dollars. Specifically, the fewer he'd have to pay for housing next year, the better.

Wrenn, who as the winner of the number one spot in the housing lottery had his pick of any room on campus, chose Story Hall's room 112.

"It was a nine-by-12 room, and that was important, because I didn't want to pay any more rent than I had to," Wrenn said.

A Type 1 room in the Gropius Complex, Story 112 is the least expensive type of residence in the law school dorms. The 1998-99 price tag for room and board is \$3,190.

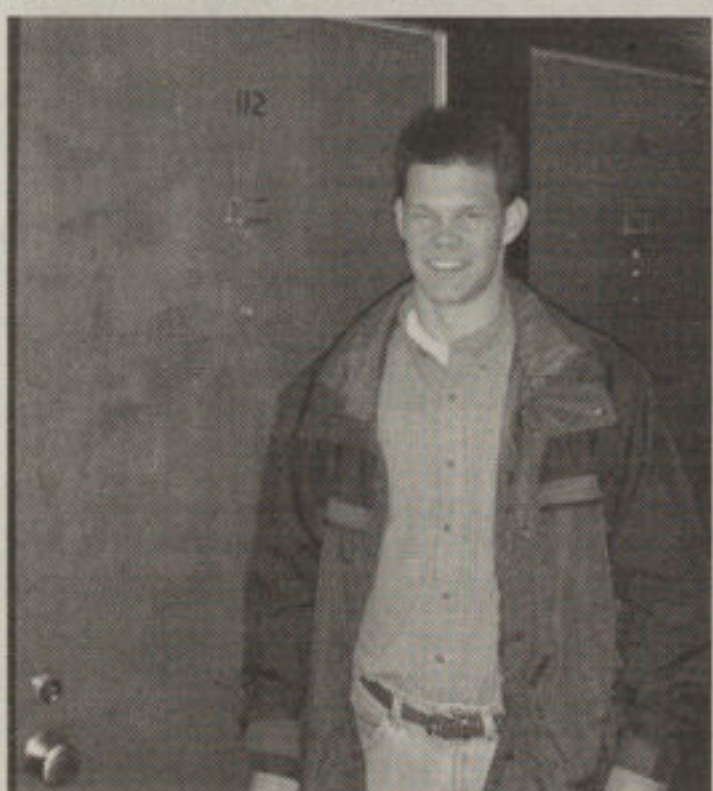
The Oxford, N.C. native says that quality of life in the Gropius complex is "much better" than the barracks he lived in for four years as a student at Virginia Military Institute.

"We had up to five people in a room in the barracks, so having a single room is pretty nice."

Wrenn also has no qualms about sharing a bathroom with 30 or so other students, as is typical in Gropius. "At VMI we had to walk outside to get to the bathroom. We had one shower room for like 300 guys."

There are small rooms in all five of the Gropius dorms, and so Wrenn based his hall selection on where his friends were going.

"A lot of guys who were friends of mine were planning on living in Story. It wasn't that I didn't want to continue living in Ames," Wrenn said.



RECORD Photo/Eric Johnson

Wrenn '00 next to his #1 choice for on-campus housing next year.

According to Dorm Operations Officer Dan Murphy, Story 112 was an unlikely pick for "most desirable dorm on campus."

Most rising 2Ls tend to look to escape the confines of Gropius for Wyeth or Hastings, Murphy said. "Generally, Wyeth fills up the fastest, with Hastings second."

"We do need to reserve some room for incoming 1Ls in those buildings. At some point in the dorm selection process, we usually have to shut those two down because they fill up the fastest."

For the less popular North Hall and the five Gropius dorms, however, reserving rooms for incoming 1Ls is "just not an issue. There are always rooms available for new 1Ls."

Two HLS Profs Listed Among the 50 Most Influential Women Lawyers

By Timothy Kiefer

Two HLS professors and five HLS alumnae are on the National Law Journal's list of "The 50 Most Influential Women Lawyers," published in the magazine's March 30 issue.

The two HLS faculty members on the list are Profs. Mary Ann Glendon and Elizabeth Warren. The five alumnae on the list are Janet Benshoof '72, Debora de Hoyos '78, Jamie Gorelick '75, Janet Reno '63, and Kathleen Sullivan '81.

In April 1997, the National Law Journal published a list of the 100 most influential attorneys in the United States. That list included just eight women, although women comprise about 27 percent of American lawyers.

The list of the 100 most influential lawyers in America was largely comprised of partners at corporate law firms. By contrast, the list of the 50 most influential women lawyers has a higher proportion of academics, government attorneys and corporate general counsel. Almost 20 percent of the attorneys on the women's list work as corporate general counsel, and nearly one-third work in academia or government.

The five HLS alumnae on the list follow this pattern. Only one of the five works at a law firm (de Hoyos, managing partner at Chicago's Mayer, Brown & Platt). The other four are in academia (Sullivan, a professor at Stanford Law School and a former HLS professor); government (Gorelick, vice chair of Fannie

Mae; Reno, U.S. attorney general) or non-governmental public interest (Benshoof, president of The Center for Reproductive Law and Policy).

Gorelick, who served as Reno's top deputy before moving to Fannie Mae, learned early in her legal career about the obstacles facing women in the law. In February 1973, when Gorelick was a 1L, she complained to University officials about the lack of showers or lockers for women using Hemenway Gymnasium. Gorelick was quoted in the RECORD as saying that the Athletic Department had been "just terrible, awful" in responding to the needs of women.

The NLJ editors selected the list by questioning over 100 male and female attorneys from around the United States and soliciting nominations from readers. Judges, elected officials, and lawyers who are not practicing law were excluded from the list.

HLS Women on The National Law Journal's List

Faculty:

Prof. Mary Ann Glendon

Prof. Elizabeth Warren

Alumnae:

Janet Benshoof '72
President, The Center for Reproductive Law and Policy

Debora de Hoyos '78
Managing partner, Mayer, Brown and Platt

Jamie Gorelick '75
Vice chair of Fannie Mae

Janet Reno '63
U.S. attorney general

Kathleen Sullivan '81
Professor, Stanford Law School



Briefs

Appellate Court Judge Quits Microsoft Case

U.S. Circuit Judge Laurence Silberman removed himself from a Microsoft Corp. case, saying in a letter that his participation had violated ethical standards, according to a March 19 report from Reuters.

Silberman said in the letter to attorneys in the case that he excused himself because he is a trustee of a trust that holds Microsoft stock.

He was replaced by another member of the U.S. Court of Appeals for the District of Columbia Circuit, Judge Patricia Wald. Wald will hear oral arguments in the case April 21, along with Judges A. Raymond Randolph and Stephen Williams.

Silberman said that while teaching at Harvard Law School last week he was "reminded of the basic proposition of trust law, that the trustee holds legal title to trust property."

After consulting colleagues who advise judges on their ethical duties, Silberman said, he concluded he has a "financial interest" in the case and "therefore, my participation in the case has been in violation." In the case, Microsoft has asked the appellate court to throw out a preliminary injunction against it granted last December by U.S. District Judge Thomas Penfield Jackson.

Microsoft had also asked the court to halt Jackson's use of a special master to advise him on the facts and law of the case. The three-judge panel, with Silberman as a member, granted that request temporarily. The case arose because the Justice Department sued the giant software company, arguing that Microsoft was violating a 1995 consent decree aimed at expanding competition in the software industry.

Kanka Killer's Brother Charged With Sexual Assault

The brother of the man whose crime led to the creation of "Megan's laws" that warn communities about sex offenders in their midst was arraigned on charges he molested two young girls.

Prosecutors say Paul Timmenedequas, 34, assaulted the girls — one between ages 10 and 12, the other between 13 and 15 — at a friend's house in East Brunswick where he had been staying. They allege the assaults happened in the girls' bedrooms.

Timmenedequas' brother, Jesse, is on death row for the rape and murder of 7-year-old Megan Kanka, the crime that led to passage of "Megan's Law" in New Jersey and around America. The laws call for residents to be notified of sex offenders living in their neighborhoods.

Paul Timmenedequas once said his brother "just needs help," and told defense investigators that their father had sexually abused both boys. But in another interview he said he would be willing to execute Jesse himself.

Last Thursday, Paul Timmenedequas, who has no prior sexual assault convictions, pleaded innocent to charges of aggravated sexual assault, aggravated sexual contact and endangering the welfare of a minor.

— The Associated Press

Civil Cases up, Misdemeanors Down in Courts

Third-offense drunken driving filings and civil cases involving families shot up last year, but simple misdemeanors such as shoplifting and disorderly conduct fell, according to court records.

Jerry Beatty, who keeps statistics for the courts, said first- and second-offense drunken driving cases dropped 12 percent, to 18,586 cases, last year. But third-offense drunken driving filings surged 24 percent to 1,112.

Civil cases were up 6 percent last year, a greater percentage increase than any other category.

More than half of the 70,202 civil cases filed in 1997 were divorces, child support reviews and domestic abuse petitions. Such family cases have grown steadily in recent years.

The report by the Iowa Supreme Court said there were slightly more than 1 million court filings last year, with more than half violations such as traffic tickets and fish and game violations. It was the third year in a row that overall filings topped 1 million. The record of 1.1 million was set in 1996.

A court procedure introduced in the early 1990s accounts for much of the surge in domestic abuse petitions, which fueled the civil case increase.

The procedure allows individuals to file on their own a request for a no-contact order from the court. A few years ago, about 200 such petitions were filed in a single year. Last year, there were 5,518 domestic abuse civil filings.

Juvenile cases increased 4 percent to 10,906 filings, a slower increase than in recent years.

Simple misdemeanors such as shoplifting fell 21 percent.

— The Associated Press

Helms Wants Restrictions on International Criminal Court

Sen. Jesse Helms said last Thursday he will scuttle any treaty proposal for a U.N. international criminal court that does not give the United States the authority to block proposed prosecutions.

Any such proposal will be "dead on arrival" at the Senate, said Helms.

The U.S. and other countries are negotiating the creation of a permanent international criminal court as a means of bringing to justice perpetrators of mass killings. President Clinton has said he wants the court to be created by the end of the century.

In a letter to Secretary of State Madeleine Albright, Helms said he is "unalterably opposed" to the concept of such a court because it could erode U.S. sovereignty.

Helms added that if negotiators conclude a treaty establishing a court without "a clear U.S. veto, it will be dead on arrival at the Senate Foreign Relations Committee."

— The Associated Press

Buffett Seeks Frank, Open Dialogue With Students

Continued from BUFFETT, p. 5

On wide participation in the stock market: "Anything that makes the market more stable most of the time will lead to a greater instability. Fifty years from now, you will see something that will blow your mind."

Buffett on corporate charity: "It is the shareholders' money. We let them decide. It is not a manager's job to pursue non-economic objectives with the shareholders' money."

In his will, Buffett has left 99 percent of his money to charity. "If you are lucky enough to be born with the right skills, you should give back to society," he said, adding that he was fortunate that his particular skills have proved useful in the post-industrial age.

"As Bill Gates said to me once, 'If you were born some other time, you would have been some animal's lunch.' I don't run very fast," said Buffett.

Buffett also discussed three atypical litigation situations that had been resolved in a manner contrary to conventional legal wisdom. He qualified his remarks by adding that though his tactics worked "a surprising amount of time, they would not work for Joe Stalin. Sometimes people behave terribly and you have to behave almost as badly."

The first situation involved an insurance company's refusal to make good on a fidelity bond after an employee of Charles Munger's [48] (Buffett's colleague and vice chairman at Berkshire Hathaway) former firm had stolen \$12,000. Munger wrote to the head of the insurance company and said he un-

derstood that he did not want to look unfair because the opportunity cost of pursuing the matter would keep Munger from doing so. He then proposed raising the stakes by \$1 million, so that it would be worth it for both parties to litigate. The insurance company paid.

The second involved the audit of Buffett's 1977 tax return on which he had claimed a \$25,000 loss for his wife's singing career. The IRS agent claimed it was a hobby and therefore not deductible. Buffett made the agent the following proposition: he would make his case to the agency as though the agent were the judge and abide by his decision. The agent later sent a post card saying he had decided no tax was due.

Finally, Mr. Buffett's handling of the bond scandal at Salomon Brothers was contrary to his expensive New York lawyers' advice. They advised stonewalling the government and fighting the charges, a tactic Buffett knew would cause the death of Salomon, just as it had for E.F. Hutton and Drexel. A criminal charge would destroy a credit dependent institution.

"Credit worthiness is like oxygen: you don't notice it when it's around," Buffett said. He agreed to fully cooperate with the five agencies that had been offended to get to a resolution, and after nine months the firm was off the hook. Implicit in Buffett's offer of cooperation was the proposition that if the government charged a cooperating firm and brought about its failure, no firm would cooperate in the future in the same circumstance. The same strategy is being employed by Columbia-HCA now.



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Resigning Officers Criticize Referendum Procedure

Continued from APALSA, p. 5

cern as well because endorsement requests often come with a short time frame for reply."

"We expressly solicited comments from members and no one took us up on this offer... [W]e strove to be efficient in gathering members' input... while providing a prompt response to CCR/Lambda," the letter added.

Fan admitted that the process may have "imperfections," but stressed that flexibility was a primary concern.

"With the members voting in favor of endorsing the nomination of Bill Lann Lee, we felt that the process worked well in asking for and receiving membership input in a timely fashion," Fan stated, adding that they had "good membership participation in both the Bill Lann Lee and the CCR/Lambda votes."

"We had roughly a third of APALSA members respond within the five days provided for the CCR/Lambda vote, including members who explicitly abstained from voting," she said.

Nonetheless, both Ahn and Nguyen

stated that they were dissatisfied with the procedure and the results.

"I think it's irresponsible to uphold civil rights as a virtue only when it supports self-interest, and then to back off when it concerns other groups," Ahn stated.

"I'm not really sure what ended up happening in the decision making process," Ahn said. "Yeah, we had the e-mail referendum but there was no way to discuss, gauge general sentiment or even advocate different points of view."

Nguyen agreed that the lack of discussion disturbed her. But she also emphasized that her decision should not be taken as a sign of disrespect for the organization or its membership.

"The point is people should know I feel strongly about this issue not because I had to give up anything important, much less a stupid title," Nguyen said.

"The only thing I cared about in APALSA was getting APALSA members to feel concerned, talk about the real world," she added.

CCR president Rudy Reyes '98 said that he was saddened the issue and

added that he had originally anticipated APALSA's support. He also noted, however, that he had been concerned by the way the Board had initially presented the issue to the group.

"In hindsight, I am not surprised by APALSA's decision because the e-mail referendum ballot that APALSA sent to its members was phrased in such a way that suggested that a "no" vote would be a "neutral" vote," Reyes said. "This gave APALSA members an easy way out."

"Regardless of the intent of the individual members who voted 'no,' APALSA's failure to endorse the statement was, in effect, an affirmative vote in favor of invidious discrimination," he said. "To be a part of a coalition you need to see beyond your immediate needs."

Ahn concurred with Reyes, saying that she felt "APALSA's position is definitely not 'neutral' in the least."

"APALSA's lack of support in the face of pretty much virtual support from all other groups actually reveals just how un-neutral their position is," Ahn stated.

Reyes noted that although he is disappointed with the outcome, he hopes the

vote will not be final and that the resignations may act as a catalyst for further discussion.

"CCR [did]n't want a divided APALSA but, APALSA had to make a decision here and they made the wrong one," Reyes said. "Maybe Truc's and Cathy's resignations will drive this point home."

"I invite APALSA to reconsider their position — it isn't too late," he said. "I truly believe that if APALSA had had a live discussion in which all the facts and arguments were presented to the membership, they would have overwhelmingly endorsed the Lambda/CCR statement."

Despite Reyes's plea, Fan stated that she felt that the membership has already voiced its opinion and that the vote will remain final.

"While I understand Rudy's interest in receiving APALSA's endorsement, we asked for and received input from our members, and now must respect the vote," Fan explained.

"APALSA members are of course free to endorse the CCR/Lambda proposal as individuals," she added.

Despite Legal Bans, Child Labor Continues in Nepal

Children Forced to Work in Streets, Sex Shops, Fields, Factories

By Warren Binford

KATHMANDU, Nepal — Konal lifted his hand to show the burn scars imbedded deep in his skin across the back of his hand. The 14-year-old boy pulled a Western visitor from a shadowy corner of a Hindu temple, warning her to stay in the light.

"No, it's not safe. Sometimes they beat you. Sometimes they rob you. But what can you do?" he said with a shrug of his lean shoulders.

Konal and his two brothers are forced to work to support their families, as do nearly half of the children in Nepal.

Unlike the vast majority of Nepal's child laborers, Konal comes from a well-educated and, until recently, relatively wealthy family. He attended private schools until last year when his father's business partner disappeared with all of their money and his father was left to pay off the debt his partner had incurred.

With his fluency in English, Konal is able to earn higher wages in the tourist industry. But many of his friends earn 30 rupees (50 cents) a day collecting plastic from the garbage or 20 rupees (33 cents) working as porters.

Nepal, located in the Himalaya Mountains between India and China, is roughly the size of Illinois but has twice the population. With a per capita income of \$200, Nepal is one of the poorest countries in the world. Partly as a result, Nepal also has one of the world's highest rates of child labor. Estimates of the percentage of Nepali children who work range from 45 to 85 percent, depending on whether children working with their families are included.

Sixty percent of the child workers are laboring in dangerous or exploitative conditions such as the sex trade, mines, stone quarries, and construction, according to Gauri Pradhan of Child Workers In Nepal, an advocacy organization based in Kathmandu.

Laws Not Enforced

Nepal is a signatory to the United Nations Convention on the Rights of the Child, the most widely ratified human rights agreement in the world. The Convention provides that countries must protect children from economic exploitation and work that may interfere with education or be harmful to the child's well-being.

According to Carol Bellamy, Executive Director of UNICEF, "Child labor robs children of [their] fundamental rights —

including the right to education. And education is the single most effective tool we have for eliminating child labor."

The Convention calls upon its signatories to adopt and enforce laws against child exploitation and abuse. In the early 1990s, Nepal's newly democratic government took the first step in fulfilling its

is probably the busiest slave traffic of its kind anywhere in the world.

Most of the young girls are tricked into leaving their families and rural homes or are sold by their parents or relatives. Depending on their beauty and physical characteristics, Nepali girls can fetch anywhere from \$200 to \$600 — less than a water buffalo but more than a video recorder.

In addition to the ancient belief in Asia that sex with girls will increase a man's virility and longevity, there is a growing superstition that a man who is infected with HIV or other venereal diseases can be cured by having sex with a virgin. Consequently, the trafficking in particularly young girls is growing dramatically.

Once the children are smuggled into the brothels, they are beaten and raped into submission and then confined in tiny quarters while they are forced to have sex with as many as 30 men a day, according to Durga Ghimire, chairwoman of ABC/Nepal, an anti-trafficking organization. Those who try to escape are severely beaten. Condoms are seldom used and the incidence of AIDS is astonishing, Ghimire said.

In February 1996, 218 Nepali girls were rescued from sex slave brothels in a Bombay police raid. Medical tests revealed that between 60 and 70 percent of the girls were HIV-positive. At first, the government refused to take them back. "They told us they didn't want Nepal to be an AIDS dumping ground," according to Pradhan. The Nepali press referred to them as Nepal's "soiled goods."

Although Nepali law states that those convicted of selling a woman face up to 20 years in jail, the implementation of the legislation is lax, according to Ghimire.

Consumers Can Combat Child Labor

Until 1994, an estimated 160,000 children worked in the Nepali carpet industry. Nepal is famous for its hand-tied carpets, and those made by children were especially admired because the smaller hands were able to tie tighter knots.

Driven largely by child labor, Nepal's carpet industry grew from a fledgling industry with a modest load of initial exports in 1964, to the country's largest export industry. In 1993, Nepal's carpet makers earned \$204 million, or 60 percent of Nepal's export income. The industry was growing at a feverish rate, reaching 30 to 40 percent per year.

But that growth came to a halt in April 1994, when an eight-minute exposé aired

on German television reported that 90 percent of Nepal's export carpets were woven by children working in conditions akin to slavery. The German report was soon followed by media reports in other Western nations.

According to Pradhan of Child Workers In Nepal, a typical child carpet weaver worked in silence with little or no light from 6 a.m. to 9 p.m. with short breaks for lunch and dinner. Many of the child workers were housed in dark, cramped quarters on-site. Some were literally shackled to looms and grew into adulthood with deformed bodies. Others died before they reached that point.

According to David Parker, a physician from the U.S. who travels around the world to research child labor in various countries, 80 percent of the child carpet workers in Nepal were infected with tuberculosis.

Overseas consumers responded to the publicity by refusing to buy Nepali carpets. Concerned with the negative publicity and dependent on the carpet export industry for foreign currency, the government implemented a major crackdown on child labor.

The consumer response included a labeling initiative called "RUGMARK," which earmarked a surcharge for carpets sold overseas to provide for the rehabilitation and education of former child workers in the carpet industry.

Rugs displaying the RUGMARK label are guaranteed to be made by adult workers, earning at least minimum wage. Manufacturers who join RUGMARK consent to surprise inspections by local human rights and child advocacy groups.

Within months, 75 percent of the child workers were eliminated from the industry and today, child labor in the carpet sector has been all but eliminated. A 1996 survey of carpet manufacturers by the Asian American Free Labor Institute found that fewer than 3,000 children now work in the carpet industry. Using the Nepali government's estimate of five million child laborers total, well under one percent of Nepali child workers are now employed in the carpet trade.



Photo provided by Warren Binford

Nepal boys and their mother carry bamboo poles up steep trails to build a local school.

commitment by passing a constitution that prohibits trafficking in human beings, slavery, serfdom, and forced labor in any form. The Constitution stipulates that children shall not be employed in factories, mines, or similar hazardous places.

The Nepali Congress also passed the Labor Act of 1992, which prohibits the employment of minors under 14 years of age and establishes a minimum age of 16 in industry and 14 in agriculture. Children between the ages of 14 and 16 are limited to a 36-hour work week.

Despite these legal protections, child workers are found in all sectors of the economy.

"The political will to enforce these laws is lacking," said Harry Kamberis of the Asian American Free Labor Institute.

Busiest Slave Trade

Every year, around 10,000 Nepali girls, most between the ages of nine and 16, are sold to brothels in Indian cities. According to international social agencies, this flow of Nepali girls into India

Warren Binford '98 traveled to Nepal during winter session to conduct research on child labor. The research was sponsored by the Reginald F. Lewis Fund. Each year several awards are given to HLS students traveling overseas to do work relating to law and development, human rights, or international business. Binford will present a lecture and slide show on her research on May 6, time and room location to be announced.

Harvard Law RECORD

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Post-Election Ruminations

Congrats to Law School Council president-elect Dan Fridman, who secured 281 of the 499 valid ballots cast in the March 11 & 12 elections. (The Independent Election Committee opted to void write-in votes for Donald Duck and the like.)

It was heartening to see a vigorous race run for the job of LSC head honcho. The earnest mud-slinging from candidates Paul Gowder and Manoj Mate was more than entertaining, it testified to a heretofore dormant passion for student government at HLS.

Just look at the pro-Gowder posters that sprung up around campus independent of and without any knowledge of the Gowder camp. Anonymous and handwritten, often on dog-eared loose-leaf, the posters even drew the tacit approval of Dean Clark, who chose to refrain from issuing mass notices against such anonymous communication.

Amazing that an LSC election could galvanize things this way.

Thankfully, Gowder and Mate signed up as candidates, albeit dangerously close to the registration deadline. In their absence, the race for LSC pres. would have gone the way of the LSC V.P. and Treasurer non-elections. Lucky Amy Oliver and Jonathan Kilman. As the only candidates on their respective ballots, they were actually spirited into office with zero votes cast in their favor.

This is what happens when LSC elections are barely advertised. Did anyone catch the little blurb in the Adviser last month soliciting prospective candidates? The Independent Election Committee and Law School Council need to do a better job marketing their wares — if only to discourage the appearance that current LSC officers hand-pick their successors. Plucky LSC outsiders like Gowder and Mate are rare flukes among us.

This week the RECORD undergoes its own changing of the guard. Seth Persily takes over the reins as publisher, liberating our beloved Rob Friedman to the demands of his third-year paper. Congratulations to Seth and thanks to Friedman for his dedicated stewardship of the paper.

— Janie Kim

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"Congress shall make no law...abridging the freedom of speech, or of the press;..."

—First Amendment, U.S. Constitution

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Letters

Ed. School Patrons Charge Racial Bias at Grendel's, Urge Boycott

On Jan. 30, 1998, a group of 12 students from the Harvard Graduate School of Education came together at Grendel's for drinks and a light dinner. Our group was comprised of four African American women, three Latinas, one white woman, one Asian man, one White man, and three African American men.

Our waiter began to verbally abuse one member of our party with no provocation. There was no rational reason for the verbal attack. The African American man in our party was accused of being a trouble maker from the previous week, though he had been out of town for two weeks. An apology was requested from a man who was identified as the manager. We received no apology. This

is not an acceptable response.

Two weeks later, another member of the Harvard Graduate School of Education community, an African American man, entered Grendel's to meet friends. He was not with us on the previous occasion. But he was told to leave the establishment because he was not welcome there due to the previous event.

Unfortunately it seems that a common denominator of these incidents was the case of mistaken identity based on race. Members of the over 1000 students of HGSE frequently patronize Grendel's, and we are deeply offended by the treatment we have received. As an organized body of customers to

Grendel's, we have formally requested a written response from an accountable individual about these events. We hoped that Grendel's would take patronage as seriously as we have taken these incidents.

Unfortunately, a lawyer for Grendel's has contacted us stating that Grendel's will claim no responsibility and that the African American man who was attacked was at fault because he had caused problems the previous week when, in fact, he was out of town!!! This is an upsetting event. I urge you all to boycott Grendel's.

Marlon Davis
Makeeba McCreary
Kim Kelly
Harvard Graduate
School of Education
March 31, 1998

Students Express Support for Soultanian

In the maze of bureaucratic inefficiency that pervades all institutions as large as Harvard Law School, Caroline Soultanian, Administrative Coordinator in the Registrar's Office, stands as a heartwarming exception to the norm.

Caroline's official duties charge her with oversight of 2L schedules, yet her influence extends far beyond this paper work.

In our routine interactions with her, we students have sensed that Caroline truly enjoys her job. Unlike so many other administrators, she never makes us feel that we are wasting her time or that our confusion with relevant procedure is illegitimate. Caroline always seeks to help rather than simply process students, and she has the skills to craft creative option.

Caroline is by far the most authoritative source of academic procedural information available to students. Not only can she recite verbatim sections of the HLS catalog, Caroline often will dictate from memory the course numbers of classes that confused students need in order to file drop/add forms. Without solicitation, Caroline alerts students to impending credit requirements, the virtues and problems of cross registration and the possibility of fitting into oversubscribed courses.

Additionally, Caroline exhibit a remarkable command over professional yet personable relationships with faculty and staff. It is not uncommon to find Caroline fielding phone calls from professors and administrators while trying to accommodate students waiting at her desk.

She transitions from each conversation with finesse, functioning as an advocate for students and a liaison for the faculty.

Her knowledge and interpersonal skills uniquely qualify Caroline to steward the entire front office of the Registrar as Assistant Registrar. Her model of leadership emphasizes mastery of the rules and genuine concern for students. A team managed by Caroline would dramatically increase the efficiency and improve the temperament of the Harvard Law School administration.

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March 2, 1998

By Lynn M. Lopucki LL.M. '70

Some Settlement

Congress is expected to consider tobacco settlement legislation this year. The political appeal of the legislation is that over 25 years it is supposed to transfer \$368.5 billion of the tobacco companies' money to the federal government, the states, people who want to quit smoking and the lawyers for everybody. There's even a budget of a billion to a billion-and-a-half dollars per year for grants to antismoking organizations. (Nothing saps political opposition quite like the prospect of cash payments.)

No one seems to have noticed that the folks who are supposed to pay the \$368.5 billion don't have it. Section VI. B. 6. of the settlement reads: "[o]bligation for annual payments responsibility only of entities selling into the domestic market." What entities are those? The subsidiaries of Philip Morris, RJR Nabisco, Loews, Brooke Group and B.A.T. that sell tobacco products in the United States. The parent companies will not be liable. Nor will the subsidiaries that sell only food, insurance, movie tickets and other non-tobacco products, the subsidiaries that sell tobacco products in foreign markets or even the subsidiaries engaged in some aspect of the tobacco business in the United States other than selling. The tobacco companies have not disclosed information sufficient to determine which of their more than 500 subsidiaries will

be liable under the language of the settlement or what, if anything, those subsidiaries own.

In documents filed with the Securities and Exchange Commission four of the five major tobacco companies do list the value of the "identifiable assets" of the "tobacco segments" of their businesses. For the four companies, they total \$33.1 billion — about 9 percent of the face amount of the settlement and less than enough to make the payments due in the first three years. B.A.T.'s domestic tobacco assets would add to that number. But to determine the

from liability the parent companies whose assets are sufficient to make the payments and confine the liability to subsidiaries whose assets are not. The \$368.5 billion the politicians expect in exchange does not yet exist. It is the money the tobacco subsidiaries hope to make in the future by selling cigarettes. If tobacco sales in the United States are high enough, the domestic tobacco subsidiaries will be able to make their payments. If they are not, the tobacco subsidiaries show their empty pockets, and that is the end of it. The money stops. Thus, the tobacco settlement is not money the tobacco industry will surrender to the American people as compensation, it is a partnership between the American government and the tobacco industry to sell cigarettes to the American people and split the profits.

The mere prospect of that much money is already corrupting our political processes. State attorneys general are lobbying Congress to enact special-interest legislation to keep the tobacco industry in business. If they are successful, Congress will ban class actions and punitive damage awards against the tobacco companies, as well as actions by the states or health insurers, to recoup



the billions they will pay in treating the health problems of smokers. The tobacco companies will have no new competitors because any new tobacco company will be required to make payments 50 percent larger than those required of the existing companies. If the

tobacco companies needed additional privileges in the future to stay in business and make their payments, the state and federal governments — addicted to their \$15 billion-a-year payments — would be likely to give it to them.

Without this settlement, the tobacco industry faces the possibility of a liability meltdown. After decades of industry stonewalling, an avalanche of litigation is finally approaching trial. The hundreds of billions of dollars in damages sought in these lawsuits exceeds the entire value of the tobacco subsidiaries and their parent companies.

The United States ought to let the tort system run its course and wipe the tobacco companies from the face of the earth. Smoking kills 160,000 Americans each year and many times that in other countries. In the long run, the medical costs of the tobacco settlement will far exceed the settlement payments. But what politician can resist \$368.5 billion?

Lynn M. LoPucki is the A. Robert Noll professor of Law at the Cornell Law School and a Visiting Professor at the Harvard Law School. This article originally appeared in *The Washington Post*. Reprinted with permission.

The United States ought to let the tort system run its course and wipe the tobacco companies from the face of the earth.

amount actually available for settlement liability, one must subtract the assets of the dozens of subsidiaries selling into foreign markets and the domestic tobacco subsidiaries not engaged in sale or distribution — the tobacco subsidiaries that will not be liable. If it turned out that the subsidiaries liable for the settlement had no assets at all, that would not conflict with any public disclosure by the tobacco companies.

What the settlement does is release

By Perla Li-Wen Ni '98

Don't Abandon Juvenile Justice

The Jonesboro shootings have sparked nationwide concern over violent juvenile crime. The public response has been immediate and almost reflexive, calling for the two juveniles to be tried in criminal court as adults. Across newspaper headlines, calls for punishment grow almost as loud as the cries of grief and mourning. The message to legislators around the country seems to be clear: children should be punished like adults for their serious offenses. Welcome to the era of punitive juvenile justice.

Many states have practically given up on treating children within the benign and paternalistic juvenile system. Historically, almost all youths who could be tried in criminal court rather than in juvenile court were typically older adolescents — usually just under 17, the upper limit of juvenile jurisdiction. It was up to the discretion of the juvenile judges whether to releasing the juvenile to the jurisdiction of the criminal court. In the last decade, however, many states have not only empowered state prosecutors to determine whether to seek charges in criminal rather than juvenile court, but also passed reforms lowering the age of waiver to criminal court to as low as 12 or 13. Arkansas law currently does not allow the Jonesboro defendants to be charged in criminal court, but you can bet the legislative quills there are busy changing that for future juveniles.

Ironically, this is occurring at a time when juvenile crime has been declining. Department of Justice statistics show that juvenile arrest rates declined for all violent offenses between 1994 and 1995. Nationwide, less than 0.5% of all persons ages 10 through 17 were arrested for a violent crime in 1995. Yet beyond these statistics, which highlight the rarity of an occurrence such as the Jonesboro shootings and perhaps help explain why they have provoked such media attention, we must explore the rationale behind trying juveniles in juvenile court rather than criminal court.

The mission of the juvenile court system is to treat juvenile offenders and promote sanctions consistent with the best interests of the child and the community. The therapeutic purpose of the juvenile court is promoted by individualized treatment that gives wide judicial discretion as to sentencing or waiver into criminal court. Not long ago, juvenile offenders were seen as vulnerable, dependent beings who needed the care and guidance of the state. Treating them separate from adults reflected a recognition of their levels of cognitive and social development. This model of child development is what the proponents for lower minimum ages for criminal trials must first repudiate.

Juveniles historically have been seen as less blameworthy than adult criminals. Compared to adults, juveniles are impulsive and relatively easily swayed by their internal urgings as well as their environment. They display less ability to control their behavior or to evaluate the moral consequences of their actions. Thus, their behavior is perceived at least partly a result of their parents' efforts to supervise.

Psychological research recognizes that children do not have comparable biological and cognitive abilities to appreciate their behavior or evaluate the consequences of their actions. There are many different models of development, but they all support the conclusion that children are not simply miniature versions of adults and do not view the world in the same way as adults. According to one Piaget model, the Jonesboro juvenile defendants are at the middle childhood stage (6-14 years of age) of development. At this stage, a child's thinking becomes more "concrete," or in other words, they are able to reason in terms of cause and effect and can construct and convey to others distinct points of views. At that stage, the child cannot discern overall patterns, reason abstractly, recognize shared feelings and expectations, or distinguish its needs from its identity. The

awareness that juveniles may not bear the blameworthiness for their conduct typified in the criminal system is symbolized by the fact that the juvenile court finds offenders 'delinquent' rather than 'guilty.'

Of course, the vast majority of children in that stage do not go on shooting sprees, and the Jonesboro juvenile defendants undoubtedly suffer from developmental delay. The point here is that the defendants in the Jonesboro shooting are faced with biological and cognitive limitations which may have diminished their appreciation of their wrongdoing. Such developmental limitations further pose significant challenges to their ability to competently participate in their own criminal trial. As children are undergoing constant maturation, they are more promising candidates for therapeutic services rather than imprisonment.

When people call for bigger jails, stronger security, and more stringent sentences, they forget how horrible pris-



ons are for adults, never mind children. One of the implications of trying juveniles in criminal court is that they will be subject to imprisonment rather than handed over to youth services agencies. Prisons are the antithesis of child-centered therapeutic facilities. As Justice

Brennan noted, "individual prisons or entire prison systems in at least 24 states have been declared unconstitutional under the Eighth and Fourteenth Amendments with litigation underway in many others." As horrific as the shootings were, we must get beyond the retributive, "whatever it takes" attitude towards juvenile crime. A turn towards criminal punishment for juveniles is inconsistent with social and empirical constructions of childhood. Allowing children to be hauled into criminal court and handed adult sentences in adult prisons abandons all the humane ambitions that underlie the juvenile court system.

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THESE HALLOWED HALLS

By Kate Arms '98
RECORD Columnist

CURTAINS UP: THE SHOWS ARE GOING ON!

The success of "Reasonable Men in Black" before break should not be a reason to think that theatrical events are over for the semester. The HLS Drama society has two performance events to come, and the undergraduate theater season is getting into full swing. In addition, there are performance events of other varieties around campus. The Court Jesters, HLS's very own improv comedy troupe, will be performing in the Hark at the end of April. The Scales of Justice spring concert is also

coming soon.

Coming to the Ropes-Gray room next weekend, April 9-11, is the Drama Society production of Terrence McNally's "Lips Together, Teeth Apart." McNally is known for this play as well as "Frankie and Johnny in the Clair de Lune," "Master Class," "Love! Valour! Compassion!" and the musical "Kiss of the Spider Woman."

"Lips Together, Teeth Apart" is a character-driven play about relationships in the age of AIDS. Two couples

with troubles of their own find themselves face to face with the issues in their lives when they gather for a Fourth of July weekend in the beach house one of them recently inherited from her gay brother who died of AIDS. Serious themes, including AIDS, homophobia, marital infidelity, racism, cancer, and love, are juxtaposed with lighter elements, such as a badly played game of charades, to create a complex web of human relationships.

To those who saw "All in the Timing" last fall, the cast will mostly be familiar as Beau Sefton, Brian Silverman, and I were all in that production. New to the HLS stage is Mary Claire Borys, though her handiwork with a spotlight was featured in the parody.

Tickets for "Lips Together, Teeth Apart" will be on sale in the Hark next week.

For theater this weekend, there is no shortage of classics. José Zayas and Brad Chase have teamed up to present the opera, "Der Freischütz" by Carl Maria von Weber, a tale of good, evil, and the dangers of trafficking with the devil. Chase and Zayas are familiar names to regular attendees of undergraduate theatre, though neither Chase nor Zayas is a Harvard student. Each has a well-deserved, excellent reputation and this is their second production together. Good things are expected. Performances are April 3, 4, 9, 10, and 11 at 8 p.m., and



April 5 at 2 p.m. Tickets are \$5 for students and are available at the Loeb Drama Center box office.

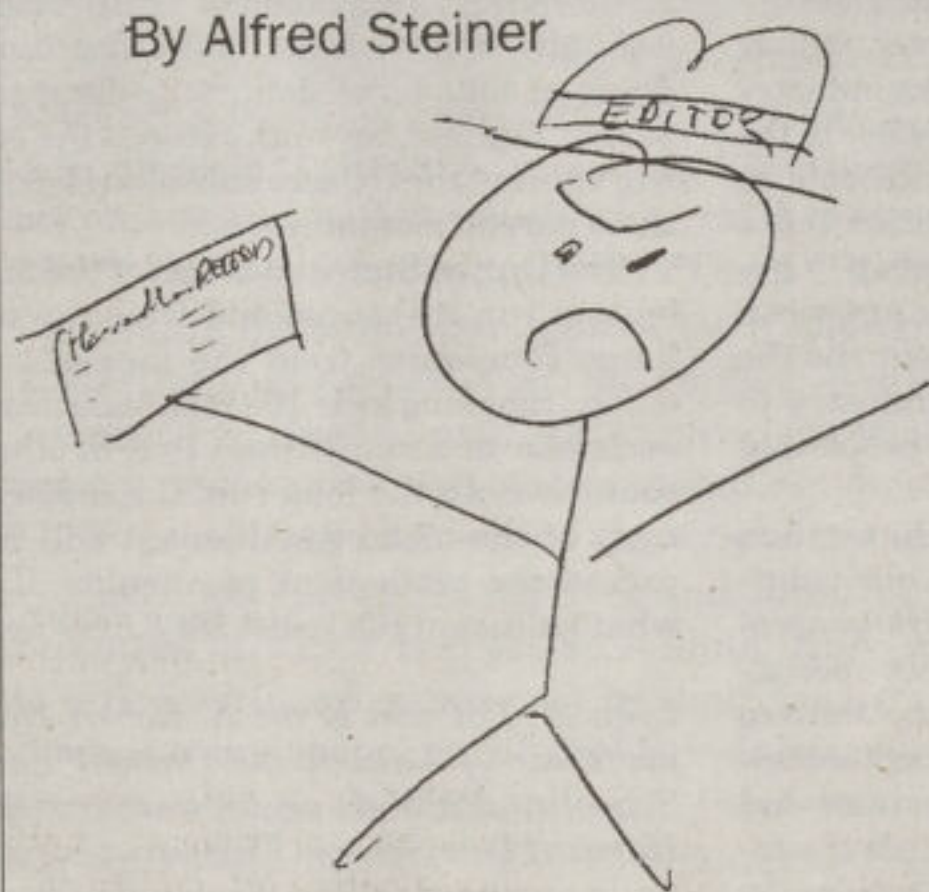
Also available at the Loeb box office are free tickets for "A Doll's House" by Henrik Ibsen. Ibsen's drawing room drama is a natural fit for the Exper-

imental Theatre at the Loeb. The intimate space will allow the audience to be drawn deeply into the relationships which result in the famous slamming of the door. Performances are April 2, 3, and 4 at 7:30 p.m., and April 4 at 2:30 p.m. in the Loeb Experimental Theatre.

If you need something lighter for your entertainment fare, there is always the latest Harvard-Radcliffe Gilbert and Sullivan Players offering, "Iolanthe," in the Agassiz Theatre. Iolanthe is a fairy who was banished for marrying a human. Her love-lorn son, who is only a fairy down to the waist, needs help to marry his love before her guardian marries her. After recalling Iolanthe from her banishment, the fairies take her son under their wings and help him battle the House of Lords, with the usual Gilbert and Sullivan plot twists, beautiful — if silly — music, and a happy ending. Performances are April 2 (Black Tie), 3, 4, 5, 9, 10 and 11 at 8 p.m., and April 4 and 11 at 2 p.m. Tickets are available at Sanders Theater box office and cost \$8-\$10 evenings or \$6-\$8 for matinee performances. There is a \$3 discount for students, seniors, and children.

Reasonable Man Goes Back to School

By Alfred Steiner



Forgets to Turn in His Cartoon

The Francis Biddle Memorial Lecture
Pro-Gay "Like-Race" Arguments

Janet E. Halley

Professor of Law and Robert E. Paradise Faculty Scholar
Stanford Law School

Tuesday, April 7, 1998

4:30 p.m.
Austin Hall, North Classroom
Harvard Law School
Cambridge, Massachusetts

&

David A. J. Richards

Edwin D. Webb Professor of Law
New York University School of Law

Wednesday, April 8, 1998

4:30 p.m.
Austin Hall, North Classroom
Harvard Law School
Cambridge, MassachusettsIdentity and the Case for Gay Rights:
Race, Gender, Religion as Analogies
The Ralph E. Shikes Visiting Fellowship Lecture

BROTHEL GALORE

In comparison to that season of bold, open, and unabashed, if somewhat metaphorical, mating that was the heady, lusty, tumescent season of recruiting (you know, those fiiiiirm handshakes, and BIG smiles), the rest of the second year can't help but feel like, well, something of a downer, of a let-down, of a tapering off kind of a mellowing out sort of a less exciting kind of time, if you know what I tumescent mean. And, of course, I can't even speak yet for what the third year must feel like. But really that's only what it seems like on the surface, on that unexciting, routine-driven, tumescent, weekly-grind-like surface of the day-to-day of law school. In fact, it's only to the cantankerous, curmudgeonly, puritanical, untumescent, over-WASPy, repressed, narrow-minded and perfectly philistine few among us that law school — I mean, c'mon, *law school* folks, sexy stuff, remember? — should seem so terribly, drearily unarousing. Have you even checked out what's going on in your bundles?

First, let's just tackle the whole notion of the bundle. We're talking snuggly here, and not snuggly like the diapers or a snowsuit, but snuggly like let's snuggle up bay-bee. Beneath the pretenses of administrative streamlining, of facilitating accessibility to core law school courses, beneath the surface of any sort of logistical rationale for the bundling system lies the tumescent reality of 150 or so strangers thrown together for any number of tumescent

hours a week in tightly-packed, poorly climate-controlled quarters, bound closely by tight knots of computer cords, forced into elbow-nudging intimacy by narrow, barely negotiable rows and very, very close seats. This was certainly the reality of the first year as well — the close quarters, the many hours together — but it was all different then: no sense of abandon or adventure yet, no real sense of the tumescent opportunity — indeed, the depravity — at hand, of the potentially salacious moment that is every law school occasion. As 2Ls, ex-

the Federal Income Tax Code, you clearly weren't looking further than your repressed outline. Gross income, benefits in kind, recovery of capital, benefit doctrines—fringe benefits! Imputed income!! This is the language of love, children, of tumescent, prurient love. When we talk about ordinary and necessary expenses, not to mention profit-seeking expenditures, we are only talking about one thing. I mean, c'mon, "the taxable unit"—hello?? Leverage and deferral, sadly, can be tougher for some than others, and for those who have fallen out of habit, well there's the passive activity loss limitation, and for those who have been making it too much of a habit, look no further than the depletion doctrine. Tax class boils it down to the tumescent essence; it leads us all to confront

uncomfortably the deeply primal and inescapably human conflict between the urge for realization and the value of deferral. Of course, constitutional law class will have none of that repressive bunk, none of the self-denying, sanctimonious abstention, none of that moralizing quibbling about realization — we even have respected professors goading large classroomsful of students with repeated, incessant and tumescent taunts to fuck the draft.

And as if bundling were not enough to keep you alert, tense and on your tumescent toes, then there's the library. The library has all the appearances of



being a respectable, well-padded den of quiet propriety and studiousness. Huge somber portraits of older and anything but prurient or tumescent men, stacks of bound volumes with not a suggestive paperback in sight, desk lamps and

understated carpet: ever so muted and discreet, each to their own private expanse of desk space, minding their own unobtrusive business. But over by the computers—it's unspoken, barely suppressed, and tumescent mayhem. Sitting down to check your e-mail—and who doesn't?—you can't avoid glances, the computer monitors oddly spaced apart so that you can't help but find yourself staring straight into the peripheral vision of whoever is checking their email across from you. Rapid, querying peers, and half-suggestive side glances — you sense someone is looking at you, and you look ever so cautiously askance to see, making sudden, full, frontal eye contact despite yourself. Caught in another instance of forced intimacy, the moment is charged, loaded, and so packed with powerful implications — sexier than any fiiiiirm handshake or exchange of broad smiles — that you begin to feel uncomfortable that this is happening in public.

So keep this all carefully and tumescently in mind, 1Ls, as you pick your bundles. These are no innocent groups of classes, no unassuming bunches of recommended law school courses: they are a jungle of voluptuous innuendo, just a thin veil masking lickerish law school prurience, a half-hearted administrative attempt to contain the concupiscent — and tumescent — crush of second year.

We're talking snuggly here, and not snuggly like the diapers or a snowsuit, but snuggly like let's snuggle up bay-bee.

perience has taught us just that, to see the tumescent tension in every gesture, to feel the heat in every nudge, to see beyond the appearance of everyday-more-familiar bundle-mate faces to a roomful of bored and strung out libido, ungroomed (*sans* suits sadly), but real and raw, charged by the proximity, wholly undistracted by the lecture, and increasingly unable to contain the latent lust tauntingly repressed by the tumescent routine and banality of it all. Yeeesss.

Now have a look at the bundle classes: corps, con law and tumescent tax. If you thought tax had everything to do with

snaked black microphone. The room fell completely silent.

Then, a figure appeared on the screen, like Lenin or the villain in the old Apple ads, or Bill Gates' spectacled mug up on the big screen at MacWorld '98. It was ugly and familiar. Grotesque and strangely incongruous.

"Kannon!" Fenno yelled as the milk toppled out from the top of his bottle. Life was good, he thought.

Fenno had a strange love for the Ames final. He received a voyeuristic pleasure from watching the stiffs in their Sunday clothes milling about the Ames Courtroom before the argument. It was like watching a psychological experiment from the other side of the glass, or the new arrivals at the city zoo. It was nice to get back in touch with the people, Fenno thought. It often escaped him that human beings could possibly be that smug and self-righteous.

It didn't matter that Fenno knew the outcome before it started. He watched professional wrestling, even though he knew S.D. Jones would never pull it off, no matter how many two-counts he got on the Iron Sheik. Anyway, he'd seen "Titanic" 17 times and he knew the bastards would go down each time.

The certainty is what kept Fenno coming back. Fenno didn't understand copyright law or crafty references to Rule 56. He didn't know if the judges were throwing softballs or hardballs. He was there for the decision — preordained by God and stamped with the approval of the most vacuous Supreme Court justice available on short notice.

The crowd hushed again. The decision was in. Droopy Dog said the students were better than most real lawyers he'd seen, and he'd seen Arthur Miller a dozen times.

Fenno reached for his jacket. The heavy wooden door slammed closed behind him just in time to hear the muffled jeers reacting to the decision.

Fenno smiled. The world would remain neatly in place for at least one more day.

Fenno

Fenno was grateful spring break was finally over. He felt strangely out of place with school out of session. And, although being a perennial 3L meant he enjoyed eternal extensions on his third-year paper, he was tired of watching the rest of the losers squinting after emerging from ten-hour footnote-fests.

Fenno was too amused by law school life to enjoy the break. He was just getting over being portrayed in front of the entire law school by Darren Mungerson. Fenno knew he was low on the law school food chain, but he had hoped the little show tune hacks could find someone who could fill his jeans, let alone his hood. And the mere thought of being impersonated by a Cubs fan made Fenno queasy.

And if the Parody weren't bad enough, only days later Fenno found himself immersed in an infinitely more pathetic spectacle. He leaned back in the hard wooden chair in Austin East and took a slug from his milk bottle just as the lights went down.

"Shhhh! You lousy bastards," Fenno screamed, wiping the milk mustache with his sleeve. "The show is about to start."

And as the crowd hushed, the camera came into focus and widening out Fenno could see the smooth oak podium and the



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Quote of the Week

"The best part about malaria was the hallucinations."

— Famed RECORD columnist Alex Boldizar '99 upon returning to Cambridge after a year-long absence. Alex's bone-digging expedition in Niger was cut short when he found he was "allergic to dust."

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"OFF THE RECORD"

By Eric Johnson '00
RECORD Columnist

LESSONS FOR YUPPIES-TO-BE: DEALING WITH MED STUDENTS

Last semester I received a very warm response to a column I wrote about medical doctors. I was so happy to hear from so many of you that you share my keen distrust of physicians.

The sicker you get, the more their Swiss bank accounts swell. These are people who can smell a buck in a gangrenous spleen. These are people to fear.

I've written this follow-up column because some of you expressed troubles you've had with local med students, especially at parties and in bars around the Boston area. The competition between up-and-coming yuppies over scarce dating prospects can often be fierce. Therefore, I wanted to give you a little over-the-cocktails conversational ammo, which you can use the next time some med student starts cramping your style with the lawyer jokes while you're trying to score some digits.

First, you might mention that sure it's true that doctors can save lives, but as long as the death penalty is around, lawyers not only have the power to save lives, we can also put people to death. Ha ha! We have the power to giveth and taketh away.

Well, I suppose there is Dr. Jack Kevorkian. But even Kevorkian wouldn't be wheeling around the Detroit

suburbs in his VW Van of Death without a couple of cracker-jack lawyers to keep springing him from jail every few weeks. So once again, lawyers have the day.

Woo hoo!

Med students also like to act tough by talking up all gross and gory stuff they have to see and read about in med school. But cadavers and flesh-eating bacteria are nothing, you might mention, compared to a standard reading assignment in Contracts class.

In *Weaver v. American Oil Co.* 257 Ind. 458, 276 N.E.2d 144, for instance, the unfortunate Mr. Weaver is soaked with gasoline by an Amoco tanker-truck driver and set on fire. Because Weaver had signed a fine-print-filled contract with Amoco, the heartless oil company, after setting the man on fire, proceeded to sue him!

Now that's sick.

And after Contracts, it just gets gorier with Crim Law and Torts. You might want to tell the story of your favorite dismembering railroad-accident or aggravated assault. That oughtta shut 'em up.

You might also want to mention that medical doctors are often seriously deficient in logical reasoning skills.

Here's an example: You exercise your

muscles, and your muscles get bigger and stronger, right? You go running and workout your heart and lungs, and your aerobic capacity increases, right? You stimulate your brain with problem-solving tasks and your mind gets a little more nimble and quick, right? BUT, drink a lot of alcohol and exercise your liver, and it gets damaged???

Now see, I think they're making that up. How is it that of all your organ systems, only your liver gets weaker with a daily regimen of exercise? It just doesn't make any sense — regular drinking should result in a nimbler, more robust liver. I think doctors are just out to ruin our good time.

Despite the fact that I have such a serious problem with doctors, it is true that I want to marry one.

So help me, I do not want to marry an attorney. One's enough in a family. Sure, there are some cute girls around the Law School, but the problem is, they inevitably transform into lawyers at some point. It's sort of like why you have to think twice before buying a puppy.

An M.D. and an attorney is just an auspicious beginning for a brand-new yuppie family. Think "Cosby Show."

I've always said, if you have only



three friends in a town, they should be a doctor, a lawyer and an auto mechanic. I'll be the lawyer. My wife, ideally, should be one of the others. I'm certainly open to the possibility of marrying an auto mechanic, but I meet so few

these days since I don't have a car. But with either career my future wife should be able to pay off my student loans pretty quickly. Point is, I don't want to come home at the end of a long day and hear someone even breathe the words "promissory estoppel."

So I've been hanging out at Harvard Medical School lately in hopes of meeting a young med co-ed. I like to go to the medical library, camp out in a carrel and conspicuously read my Gilbert's outline of Medical Malpractice. I think it's a great conversation starter.

Nonetheless, there need to be more get-together opportunities for legal and medical yuppies-to-be. I'd like HLS and the Med School to co-sponsor a series of meet-and-mates. For instance, we might have a lecture series on vague back pain accompanying slip 'n' falls. Or maybe a colloquium on wrongful amputation. It would be a great opportunity for us to get to know each other outside of the courtroom. Whaddya think?

SPORTSGUY

THE BEST OF THE REST

By Naim Bulbulia '98
and Josh Swartz '99
RECORD Columnists

We have reached that time in IM hoops season when the outcome of most games is decided before tip-off and the teams garnering most of the media attention week in and week out are often the same. So, this week you won't hear about Joe leg of Lambert '00, Josh I can't believe it's that Little '98 and Matt J Giles Band '99. Instead, we have decided to feature those hard working teams that don't always (or ever) get the job done on the court. In order to do this we (Osh Josh B'Gosh and naive Naim) have embarked on a two-week refereeing crusade in attempt to expose ourselves to the many tantalizing stories behind the scores and in order to get to know everyone a little better. Keep in mind that this means that all of your whining, moaning, and complaining to the referees may now be printed, belittled, and made fun of in this column.

We begin with the hapless Ice Weasels who lost this week to Hotel Gropius, 67-30. For nearly two years now Alan Kellman of war '99, Brendan Schulman of the people '99, David hanging by a Stringer '99, and the rest of the squad have gone out there and given it there all — to no avail. The HLS Sportsguys salute you; keep up the hard work, that first win is right around the corner. Kellman was quoted as saying, "These losses can be explained by nothing other than sheer lack of talent." Keep that chin up Alan; the referees are on your side (and we can often make up for that lack of talent).

The Tigers (1-4) dropped a heart-breaker, 63-38 to a resurgent Bye squad (3-2) who have now won three games in a row. Johnny Boy Ciorciari '98 continues single-handedly dismantling teams for Bye (with a little help from David Boschetto blaster '98); while Marky Marc Nemer '98, Brett Cenkus from a rose '98, and Jamie question Marquardt '98 just can't seem to put it all together for The Tigers.

Kenneth's All Stars (0-5) lost again, this time to Specific Performance (1-4), 46-39 despite strong efforts from bow down and Neil before me Potishman '98, Phil my shorts just aren't that Long '98, and Jeff Baby you can drive my Karish '98. Specific Performance

received strong games from Phil Guido Calabrese '00, Reginald Principal Skinner '00, and Travis hungry like a Wolfinger '00. In a recent interview, team captain Greg sleeping Pilarowski '00, was asked about the prospects of resigning unrestricted free agent Gil Seinfeld '00, "Seinfeld wants \$1 million a game and while he means a lot to this network, uh, I mean team, we believe we have particularly strong Friends surrounding him, which will make his inevitable departure easier to bear."

Five-assed Monkeys (0-5) continued their losing ways, falling to Soul Bucket (4-1), 35-28. The Monkeys' Neil strawberry Shields forever '99, Doug cops and Roberson '99, and Greg million man Marchand '99 weren't enough to overcome the coaching of Jeremy I can't seem to get rid of this skin Bash '98, who patrolled the sidelines with his usual Bobby Knight-like fervor.

Title IX's Revenge dropped to 1-4 with a tough loss to Boomin' Fat, 48-31. This squad hung close despite being out-manned, and even when the game became out of reach, Carol with the punches Pier '98, Samantha by the Power of Greyskull '98, Go fly a Kate Jones '99, and Amy McManus '98 played hard. Keep it up.

In an unfortunate scheduling decision, pickup basketball was preempted last Friday in favor of a makeup game between Tossed Salad (1-3) and the Skeelo All-Stars (2-2), with the Stars prevailing, 44-33. Tim wild, wild Weston '00, Richard Swiss family Robinson '00, and John is it a Boyer a girl? '00 paced the Stars. In their regularly scheduled game, the Salad couldn't fend off the Psychological Boyz (3-1), falling, 63-38. Salad captain Rawind they're serving Grewal again at the Hark '00, "We stink, and that's why we don't recommend the bleu cheese dressing."

Tortmasters (1-4) removed their name from the list of the winless with a victory over Sacrificial Lambs (2-3), 41-39. Scott Austin Powers '00, Manoj are you my soul Mate '00, and Guy heart of Goldberg '00 helped lift the Tortmasters to victory. The Lambs dropped their third game, despite defensive hustle from Jon Vander Ark de Triomphe '99 and J.D.



the butcher, Baker and candlestick maker '99.

In the game of the week, Heartland defeated previously unbeaten Flagrate Delicto (4-1), 50-49 on a controversial buzzer-beater by Jonas..... Up by 1 with 3.3 seconds left, Flagrate star Chris Lovrien an Elevator '98, who torched Heartland for 27 points and 18 rebounds, intentionally missed the second of his two free throws and chased down the rebound in the corner. Loverin stepped out of bounds with 1 second left, giving Heartland the opportunity for one last shot. Heartland's Jason Markum threw the ball length of the court to Jonas... , who caught the pass and put up an eight-footer that rattled around the rim before falling as time expired. Flagrate captain Matt table Stennis '98, when reached for comment after missing the game for personal reasons, offered this explanation, "Obviously, the referees weren't doing their job properly. There's no way that guy could have caught the ball, dribbled, and then shot in 1 second. Well, at least that's what my team says. The timekeeper always tends to favor the home team in these situations, and it's always tough to come in as a visitor in Hemenway."

In other B-league action, the Flaming Rats (5-0) downed Ball and Chain (3-2), 44-31; the Loose Cannons (4-1) upset the Cambridge Metro Stars (4-2), 38-32; The Stormin' Mormons beat the Bruisers (2-3), 59-36; The Godfathers of Dunk (5-0) triumphed over The Supreme Courtiers (3-2), 45-32; The Short Guys (4-0) remained undefeated, tripping up Wemotonyah (0-5), 51-35; and the Psychological Boys (3-1) dominated Tossed Salad (1-3), 63-38.

In C League Action, Erin I've got Jeff in the Palmer of my hands '98 and Jenny cross your heart Brosnahan '98 led The Prom Court (4-0) to a 56-34 victory over Monster Mash (1-3) despite the efforts of Kevin let's make a Dealey '99 and the rest of the Mash. Monster Mash scored their first victory earlier that weekend, downing El Niño 33-19 behind the sharpshooting of Joe Mulder and



Scully '99, Dave stinky Calone '99, and Dorina yes! yes! Yessios '99.

In A league action, the Rainmakers (5-0) struggled throughout the second half but held on to defeat B League's Best (0-6), the best winless team ever, 50-46. Serenity Now (4-2) got back on track, trouncing The Leftovers (1-4), 50-33 behind a surprisingly balanced attack. And Black Plague improved to 4-2 with a 67-56 win over the fast-fading En Fuego.

Three point specialist and slam dunk champion Samir some butter on that bread Satchu '98 expressed his disappointment that no team has offered him a spot, saying "I can't believe nobody has asked me to play, I am the greatest!" Right, right.

In related news, after misquoting Professor Kaufman last week, the Sportsguys are expecting to be brought before the Administrative board, but they are confident that no sanctions will be brought against them since Prof. Todd Rakoff '75 has openly stated, "I think those sports guys are pretty funny, everything they say is obviously a parody and they do not really intend for anyone to take it seriously."

A-LEAGUE

- #1 Rainmakers (5-0)
- #2 Black Plague (4-2)
- #3 Serenity Now (4-2)

B- AND C-LEAGUE

- #1 Stormin' Mormons (5-0)
- #2 Godfathers of Dunk (5-0)
- #3 Flaming Rats (5-0)
- #4 Flagrate Dilecto (4-1)
- #5 Cambridge Metro Stars (3-1)
- #6 (tie) Short Guys (4-0)
- #6 (tie) Psychological Boyz (3-1)
- #6 (tie) Boomin' Fat (4-1)
- #6 (tie) Bye (3-2)

LIVING TO EAT

By Timothy Kiefer '98
RECORD Columnist

OMELETTES WITH GREEN SALAD AT A "SANDWICH SHOPPE"?

I had been warned that Saturday morning brunch at Charlie's Sandwich Shoppe would be crowded, and it was. (The name is misleading: Charlie's Sandwich Shoppe is best known for its breakfasts, not its sandwiches.) Virtually every seat in the small restaurant was taken when we arrived at about 10 a.m., and so we were seated at a table already occupied by two strangers.

Soon after we were seated, the crowding grew even worse: the knot of people waiting by the front door spilled out onto the sidewalk. Lesson: arrive early on Saturdays.

While the latecomers shivered outside, we and our tablemates didn't remain strangers for long. The man (I never got his name) was an engineer from suburban Salem. He was accompanied by his first-grade daughter, Isabel, who went to Saturday morning ballet lessons at the Boston Ballet Center. The engineer explained that their Saturday morning ritual was to drive down to the city and get blueberry french toast at Charlie's before going to ballet lessons.

The engineer and his utterly adorable ballerina chatted amiably with us, in the process helping to disprove the unfair stereotype of Bostonians as being cold and unfriendly. They left for ballet, and were immediately replaced by a group of two women and one man, all in their late 20s or early 30s. The man was the press secretary for a U.S. senator from Ohio, which might explain why he picked up my copy of *The New York Times* and glanced at the front page as soon as he

sat down.

I ordered the "Cajun or Spanish Omelette" (\$5.85). The omelette was accompanied by toast and excellent homefries, as well as, in a rather bizarre touch, a small green salad with dressing.

The omelette itself was adequate but unspectacular, and definitely was neither Spanish nor Cajun. It was stuffed with salsa, which looked and tasted as if it had come from a can of tortilla dip rather than having been prepared fresh. The low quality of the salsa was unsurprising, given that it was the only item on the menu with salsa. If you go to a New England diner and order Tex-Mex, you get what you deserve. Nevertheless, it looked appetizing enough that the Senate press secretary looked at my plate and told the waitress, "I'll have whatever he's having." I guess Tex-Mex standards aren't that high in D.C. either.

My dining companion had better luck than I did. She followed the example of the engineer and the ballerina by ordering the blueberry french toast (\$4.95). The french toast came covered in a rich blueberry compote, with individual berries mixed into a blueberry sauce.

On a return visit one weekday morning, Charlie's was much less crowded, although once again we shared a table. I ordered the blueberry griddle cakes and bacon (\$6.95). (Charlie's menu pointedly eschews the words "pancakes" in favor of "griddle cakes," explaining, "No pans used here!") Fresh blueberries were cooked inside the griddle cakes, and the result was delicious. My enthu-

siasm faded, however, when I discovered a small hair on my plate underneath the griddle cakes.

My dining companion ordered the spinach and feta cheese omelette (\$6.95). As with all the omelettes, it came accompanied by homefries, toast, and, once again, a small green salad with house dressing. The omelette was rich in feta cheese and served still steaming hot from the kitchen. The homefries this time were adequate but unexceptional.

The portions at Charlie's, while perhaps not up to La Famiglia Giorgio's standard for excess, are more than enough for even the hungriest appetite, and the prices are low enough for even public-interest types. No item on the menu exceeds nine dollars, and most breakfast entrees are priced between five and seven dollars. Options include eight types of omelettes, five variations on griddle cakes, french toast, and egg plates (including what may be Boston's only bologna and eggs breakfast).

Lunch at Charlie's is the typical diner fare of meatloaf, sandwiches, and hamburgers. Along with this all-American heartland fare, Charlie's is one of the last remaining Boston-area habitats of that endangered species, traditional New England food. In addition to the *de rigueur* New England clam chowder (which the menu refers to merely as "chowder"), Charlie's offers fried clams, fried scallops, and a fried clams roll.



The biggest disappointment about Charlie's is its limited hours. The restaurant is closed on Sundays, which, considering how crowded the restaurant is on Saturday, must mean a significant loss of profit. Nor is Charlie's open for dinner — it closes up at 2:30 on weekdays and 1:00 on

Saturdays.

Charlie's is located on Columbus Avenue in Boston's South End. A recently gentrified neighborhood of 19th-century brownstones, the South End is located between wealthy Back Bay to the north and troubled Roxbury to the south. The South End is known as one of Boston's few integrated neighborhoods, and Charlie's, established in 1927, contributed to that history of inclusion. In the 1940s, when blacks were denied entry to most Boston restaurants, Charlie's opened its doors to a number of well-known black musicians, including Duke Ellington. The restaurant also served as a meeting place for the organizers of the predominantly-black Pullman railroad porters' union.

Charlie's Sandwich Shoppe. 429 Columbus Ave., Boston (South End). T stops: Back Bay/South End (Orange Line); Copley (Green Line). No off-street parking. 536-7669. Mon.-Fri. 6:00 a.m. to 2:30 p.m., Sat. 7:30 a.m. to 1:00 p.m., closed Sun. No checks or credit cards. Breakfasts and entrees \$3.55 to \$8.95, sandwiches \$2.20 to \$6.25.

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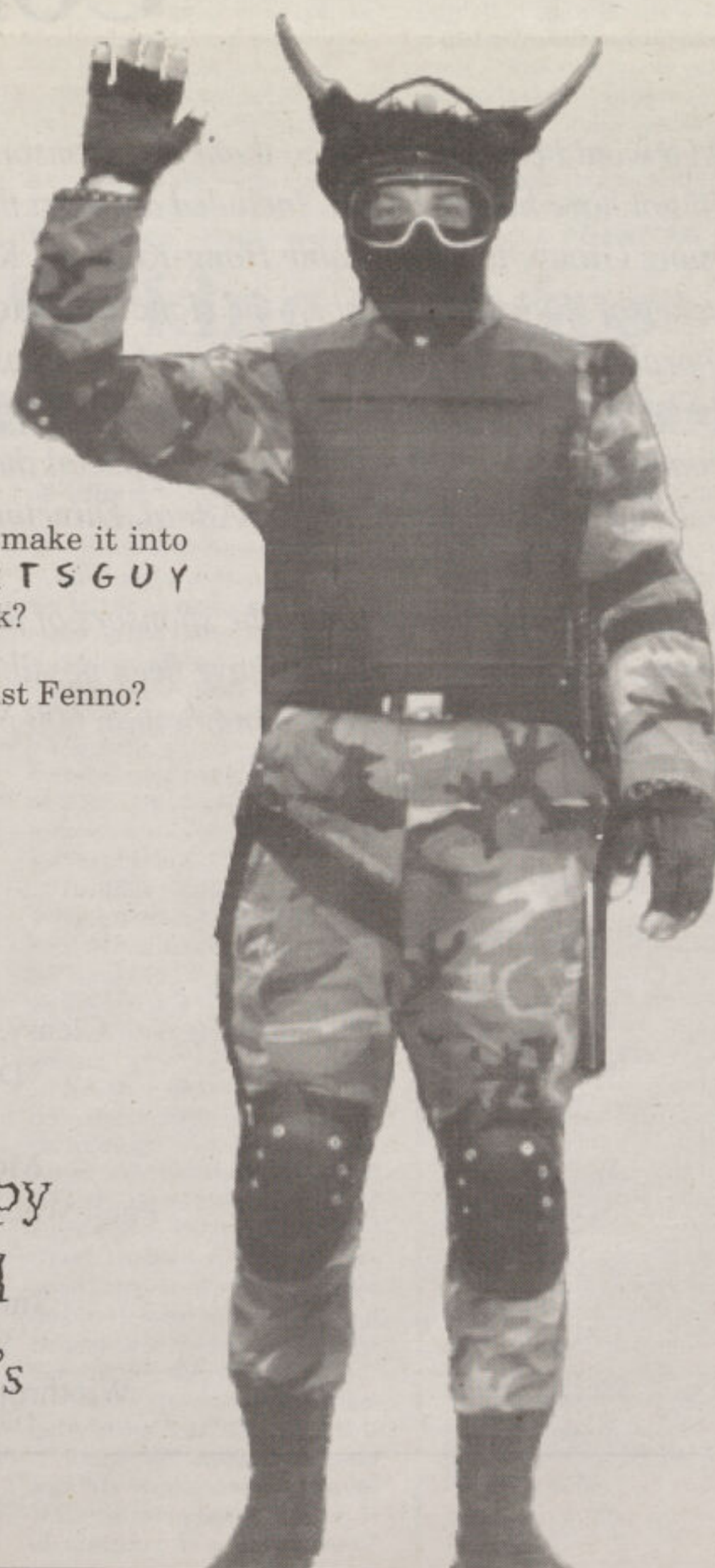
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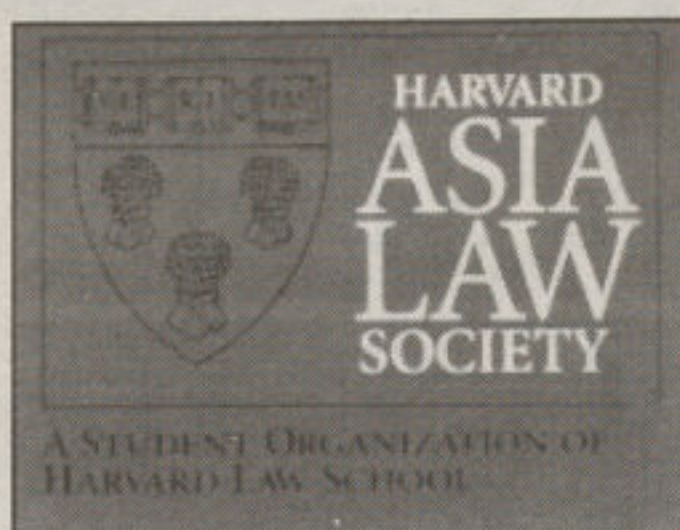


Did you make it into SPORTSGUY this week?

Or at least Fenno?

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April
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