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Caveat, March 10, 1981

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the Caveat

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Vol. XVI No. 22

MAR 10 1981

March 10, 1981

GGU BENEFITS FROM CLASS ACTION SUIT

(Dean McKelvey has submitted the following letter to the Caveat for publication.)

Dear Dean McKelvey:

The Western Sugar Antitrust Litigation, MDL 201 (N.D.Ca.), was a class action brought against the major sugar refiners and producers in the Western United States, on behalf of numerous private and governmental classes. The settlements obtained for the benefit of the Industrial-user, Wholesaler and Retail Grocer classes totalled over \$60,000,000, plus accrued interest. On February 8, 1980, the net Settlement Fund was distributed to approximately 8,300 approved claimants in these three classes, a number of whom failed to cash their checks. Additionally, the Settlement Fund earned interest between the date the checks were issued and the date they were actually cashed. As a result, a residue of approximately \$69,000 was accumulated, after payment of all Court-approved attorneys' fees and expenses.

I have been directed by the presiding judge, the Honorable Edward N. Cahn, to distribute this remaining balance equally to the sixty-seven law schools accredited by the American Bar Association and located in the geographical region covered by the Western Sugar Antitrust Litigation. Accordingly, enclosed is a check in the amount of \$1,037.93, which represents your school's pro rata share of these monies. Judge Cahn has requested that these funds be used for "academic work and support, such as research, scholarship, lectureships, teaching and books in the Field of Antitrust and Consumer Protection Law." Although such use is not mandatory, we hope that the Court's request will be followed to the greatest extent practicable.

Please acknowledge receipt of this letter and the enclosed check. I would also appreciate being advised of your intended use of these funds so that I may keep Judge Cahn informed. Please contact me if you have any questions.

Sincerely,

Josef D. Cooper
Plaintiffs' Coordinating Counsel

DEUKMEJIAN'S LEVI SETTLEMENT: A Meaningless Hoax

By Don Kass and Jon Haber
Third Year, Externs at Public
Advocates, Inc.

A proposed settlement has just been reached in one of the largest class action suits in state history, promising to return millions of dollars to California's consumers. The problem is that hardly anyone will benefit, except perhaps Attorney General George Deukmejian.

It will be up to consumers and ultimately the San Francisco Superior Court on April 27, to decide the fairness of the settlement.

The defendant is Levi Strauss of San Francisco, the world's largest manufacturer of western wear. Initially accused of price fixing five years ago, Levi will be forced to pay \$12.25 million into a settlement fund. Over a quarter of the fund will be used to pay the Attorney General and for administrative costs. The remainder will go to those Californians who purchased boy's and men's jeans between 1972 and 1976.

Sound like a good proposal? At first glance, perhaps. But upon a closer look, the settlement is a hoax, promising trivial relief to consumers.

Cont. p. 4.

WOMEN'S CELEBRATION

GGU's Very Own

INTERNATIONAL WOMEN'S DAY CELEBRATION!

Wednesday, March 11th

12:00 Noon • Room 322

Speakers: Carmen Estrada,
Mexican American Legal
Defense & Education Fund
and

Mary Spencer,
Former President of the
S.F. National Organization
for Women

Topic: The State of Women's Rights --
the Impact of Reagan Policies

- Sponsored by the Women's Association
and BALSAs

ANNOUNCEMENTS

WOMEN'S ASSOCIATION NEWS

- International Women's Day Celebration. On Wednesday, MARCH 11TH, at NOON in ROOM 322, CARMEN ESTRADA of MALDEF and MARY SPENCER from S.F. NOW will be speaking on the state of women's rights, the impact of right-wing politics. Both Ms. Estrada and Ms. Spencer are well-known in the women's political community and we are very fortunate to have them speak at GGU. We urge you to attend. Men as well as women are cordially invited.
- "You 'oughta be in pictures!" Yes, folks, the annual Women's Association talent show is right around the bend. And you could be discovered! Sign up for the year's wackiest event. Anything goes (including a few well-chosen professors...). THERE'S A BIG SIGN-UP SHEET ON THE WOMEN'S ASSOCIATION BOARD, 2nd FLOOR. The show happens Friday, March 27th, at 7:00 PM.
- WOMEN AND THE LAW CONFERENCE, BOSTON. Registration forms for the conference are available outside the Women's Association office, mezzanine. The Women's Association has booked ten slots on World Airlines, departing Oakland on Wednesday, April 1st, returning on Sunday, April 5th. The round trip price is \$327 (ouch!). Payment in full must be received by our travel agency by March 16th. Contact Pat Warner, 863-0467 (work), for further details.



HERB COHEN TO SPEAK

Best-selling author-attorney Herb Cohen will be the featured speaker Thursday, March 12 at 6:15 p.m., room tba. He is a nationally known negotiations expert, and his list of clients encompasses Fortune 500 companies to governmental agencies. He has developed negotiating strategies in a wide range of situations - from mergers to hostage crises.

This event is sponsored by the ABA/LSJ.



JUSTICE! -- A PLAY

World premiere run of Rick Foster's JUSTICE! directed by Robert Mooney and playing at the Julian Theatre (Potrero Hill Neighborhood House, 953 DeHaro Street) in San Francisco.

The play will run through March 22; tickets are \$6; PAS vouchers good for full admission at the door; half price tickets available 30 minutes before curtain. Information: 647-8098.

STUDYING FOR THE NEW YORK BAR THIS

SUMMER?

Why sweat it out in the Statler Hotel? Several Boalt students are interested in organizing a NY state bar review course in the Bay Area this summer. If twelve people commit to it, a New York bar review course (videotape and outlines) can be arranged here.

If you are interested, or if you have friends in New York who would like to study for the NY bar in foggy California, please contact Colleen Myers, 2315A Russell Street, Berkeley, CA 94705. Or call her at 548-4099 evenings and early mornings.



GGU TENNIS CLUB

Beginning Monday, February 16, the GGU Tennis Club will offer the following outdoor court times at the San Francisco Tennis Club.

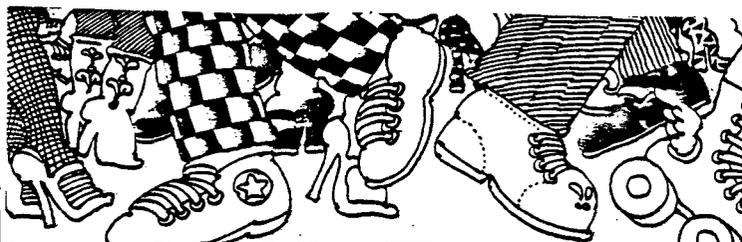
Monday: 12-1:00 (noon)
Tuesday: 7:30-8:30 a.m.
Wednesday: 4:30-5:30 p.m.
Thursday: 4:30-5:30 p.m.
Friday: 5:30-6:30 p.m.

This schedule will be in effect for twelve weeks. Membership fees are \$20 for law students; \$5 for other students. Call the Interclub Council (ICC) at ext. 7608, or drop by the ICC office in Room 529.



NATIONAL LAWYERS GUILD EVENTS

- * NLG-GGU chapter meeting to be held at noon, Tuesday, March 10, in room P-3. Bring your lunch -- agenda items include: (1) future programs; (2) academic standards/FsC; (3) tuition increase/financial aid; (4) child care center; and (5) chapter committee structure. Guild members, fellow travelers, and other interested parties are welcome.
- * "EL SALVADOR: REVOLUTION OR DEATH" film and speaker at noon, Thursday, March 12, in room 322. The speaker is a representative of the Central American Task Force of the Bay Area NLG. The film will also be presented at 5:30, room tba.
- * IRELAND IN CONFLICT: Micheal Goldstenen, noted local authority on the history and current struggles in Ireland, will speak at a potluck dinner meeting the week of March 17th. Exact location and date tba, please see Nancy Conway to voice your preference as to SF/East Bay, week/weekend evening, etc.





life is rough

by Cindy Ossias

or, A Day in the Life of an Open Week

"At 9 o'clock, "Rumpole of the Bailey" will be on. I'll get through Covenants and Deeds by that time for sure."

I must have repeated that missive to myself at least ten times between 8 a.m. and 8 p.m. Crawling my way through Covenants just wasn't doing it for me, though. Momentum was non-existent; each rule of law seemed to confound the one before.

"Next year, will I be recommending to first year students that they write their own outlines, knowing what a next-to-impossible task it is?"

That thought struck me at about 3 p.m. as I was casing the kitchen for that one piece of food I knew would calm me, encourage me, spur me on to greater legal and equitable heights. Time and again I left the study area in search of a panacea. Time and again I returned frustrated, knowing it wasn't food I needed but a private tutor.

I broke for dinner at 6:30. Steak, baked potato, an offer of wine but, "No, thanks. I have more work to do tonight."

The television was on. M.A.S.H. I made some coffee.

"I'll have it in front of the T.V., then go back to work."

Before I could stop it, M.A.S.H. became "Once is Not Enough," a movie made from a sleazy Jacqueline Suzann book I'd read back in the days when I had time to read sleazy books.

"Oh, so that's Deborah Raffin..."

My curiosity won out.

Fifteen minutes later, I wandered back to the study area, turned on the light, wrote down Eagle Enterprises, Inc. v. Gross (1976), turned off the light and wandered back to the T.V.

"I'll just watch 'til 8, then work for an hour before "Rumpole" comes on."

"Sure, sure..." I heard myself mutter under my breath.

At 9 sharp, I tore myself away from Deborah Raffin falling in love with David Janson (the woman's got taste!) and switched to "Rumpole".

It was OK. She-Who-Must-Be-Obedied showed herself to have some genuine feelings for the old boy, albeit feelings of embarrassment and hurt. There's something to be learned of English law from that program, but more to be learned of men, 'bar-risters', and assorted pompous asses.

"I give up. The evening is mine. A hot bath? A hot buttered rum?"

Nope. The last hour of "Evita Peron." Gawd. Faye Dunaway looks good even when she's dying of cancer. Those hollow cheeks, those limpid eyes.....(Dear You-Know-Who: Now is it OK if I mention the good looks of James Farentino? I'd hate to be accused of sexism...)

After "Evita", there was Masterpiece Theatre (something about a bomb squad)

Cont. p.9

THE EVANGELIST

by Randy Barrow

The library was hot and stuffy, and I was having trouble concentrating. Also, my stomach was a bit upset. I thought it was just tension or maybe the result of three straight days of chicken-corn soup for lunch.

Whatever the cause of my discomfort, I decided to rest a bit. Maybe five minutes or so. I positioned myself carefully in my study cubicle, rested my head gently on my Civil Procedure book, and closed my eyes...

The next thing I remember is standing in a large, open field. A high peaked tent stook in the middle, and crowds of people were passing by me walking toward the tent. Curious about what was going on, I joined the flood of people and approached the tent. As I neared the entrance, I saw a large banner strung overhead. In gold sequined letters it spelled out: "HOLY ORDER OF DIVINE PURPOSEFUL AVAILMENT." My curiosity further piqued, I entered.

The inside of the tent was filled with seats, but they weren't pews or even normal chairs. They were cheap, old, vinyl car seats. I moved down an aisle and found a place near the front. As I sat down, I noticed a tag on the seat frame. It read, "International Volkswagen."

The tent was soon full, all the seats taken and people crowded into the standing room in the rear. Because of the noise and commotion around me, I hadn't noticed the figure on stage. It was a short, balding, bearded man dressed in long, stately robes. A name plaque on the podium read, "Reverend Elmer Goldtry." He stood quietly, watching the crowd and occasionally glancing at his wristwatch.

Suddenly, like a puppet whose strings had been jerked, the robed reverend jumped into the air and leaped out from behind the podium. Without introduction or salutation, he reached out his arms as if to implore the crowd to listen and began to preach:

"In the beginning there was Power, and the spirit of Pennoyer v. Neff moved upon the face of the land and created Presence. And the Supreme Court said, 'Let there be jurisdiction,' and there was jurisdiction. And the Court said, 'It is good.'

"But the Court said, 'It is not good that Presence should be alone; I will make it an help meet for it.' And out of Hess v. Pawloski the Court formed a legal fiction and called it 'Implied Consent.'

"But for Presence there was not found an help meet for it. So the Supreme Court caused a deep sleep to fall upon Presence, and it slept. And the Court took out one of its ribs, and closed up the flesh instead thereof. And the rib, which the Court had taken from Presence, made it International Shoe. And Presence said, 'This is now bone of my bone and flesh of my flesh! It shall be called "Minimum Contacts," because it was taken out of Presence.' And Presence and Minimum Contacts were both naked, but the Supreme Court saw it not and was not ashamed."

"Now the State Courts were more subtle than any ruling of the law which the Supreme

Cont. p. 7.

It all began when the Federal Trade Commission accused Levi of unlawfully forcing some 15,000 clothing dealers to set prices for Levi products at an artificially high level. The FTC also claimed that the jeans maker coerced dealers who resisted and falsely informed them that the jeans were "fair-traded" products with prices fixed by law.

Although not admitting guilt, Levi signed an agreement 17 months later, promising not to price fix in the future. Several states' Attorney Generals, including California's, then filed anti-trust suits against Levi on the same grounds as the federal suit.

Potential liability to Levi in California alone is about \$318 million. For some reason Deukmejian decided to settle for a mere 3% of that.

Desiring to appear as a consumer advocate, Deukmejian at first wanted to personally go on television to inform Californians of the settlement. But he hastily withdrew his plan in the face of severe public criticism that his ad campaign was merely a media ploy to aid his expected candidacy for governor next year.

An advertising agency, employed by Deukmejian, came up with a new plan. Notices would be sent out to all of California's households, informing them of the Attorney General's splendid work and the pot of money at the end of a claim form. Michael Landon would publicize the refund on television, thanking Deukmejian for all his work.

The settlement has been attacked by a number of public interest and consumer groups for various reasons, none of which is revealed by Deukmejian's media campaign.

First, the refund plan is meaningless and trivial. While the Attorney General's notice claims that consumers will receive up to \$2 for each pair of jeans purchased, this simply is not true.

According to documents submitted to the San Francisco Superior Court consumers could receive as little as 11 cents per jean. On the other hand, Deukmejian is the big winner, earning \$1.2 million in attorney's fees for a case in which the Federal Trade Commission did most of the work.

Second, the settlement discriminates against women. The Attorney General was appointed to represent all purchasers of all Levi products, and yet he refused to include women's jeans in the settlement.

Third, the refund procedure is an invasion of privacy, since it requires answers to very personal questions.

Last, the refund procedure affords no protection against false claims. Even Deukmejian himself has admitted that there could be over 300,000 fraudulent claims, and that he will be nearly powerless to prevent this. The real loser is the honest consumer who receives less back because of the exaggerated number of claims.

Consumers think that there is a better way to distribute the money. Something that will be more meaningful to the consumer than the candy money offered by Deukmejian's settlement. Their idea is the creation of a Consumer Trust Fund.

The entire amount of the settlement would be deposited into the Trust Fund without having to deduct for administrative costs. Preventing future corporate price fixing would be the Trust Fund's sole purpose.

With the initial deposit of the Levi settlement, the interest alone (as much as \$1 million annually) would be enough to sustain the Trust Fund indefinitely.

Not only would the Trust Fund's activities mean better quality and safer products for the consumer dollar, but it would cause lower prices for some products, through increased competition between companies.

The Consumer Trust Fund has the support of some State officials, including State Department of Consumer Affairs Director Richard Spohn. Even Levi Strauss does not oppose the idea.

Although unprecedented in California, the fund is not a new idea. For example, four years ago, Allied Chemical Corporation was fined for dumping toxic chemicals into a Virginia river. Out of the fines, totaling some \$8 million, came the creation of the Virginia Environmental Fund. Still going strong, the fund is used to protect Virginia's environment.

Deukmejian criticizes the Consumer Trust as being a windfall for public interest law groups. Not so. The fund would be independent of government, business and public interest law firms. The activities of the Trust Fund would, however, kick the Attorney General's office out of the limelight.

Directors of the fund would be appointed by the Governor, Attorney General, and consumer groups.

San Francisco Superior Court Judge Ira Brown will rule on Deukmejian's plan April 27, 1981. All purchasers of Levi products between 1972 and 1976 have a right to express their opinion in the Court.■

THEY SAY WE ONLY WORK FOR "PIN"

MONEY -- SOME NOTES IN CONECTION

WITH INTERNATIONAL WOMEN'S DAY

Single women average 48 years in the workforce; married women without children average 38 years; and married women with children average 34 years in the workforce.

While 94 of 100 women marry, only 26 can expect to live with their husbands until death. Single, divorced and separated women have the highest rate of participation in the female labor force -- at 65%.

In California, 85% of all clerical workers are women. The average monthly salary of female clericals is only \$875. Most of these clericals must support themselves on this salary; and over 40% must support at least one other dependent on this salary.

In the United States and Canada, the money that women earn is only 56% (several years ago it was 57%) of what men make. A woman with a college education can expect to only equal the earnings of a man with a high school education.

(The preceding statistics were submitted by Charma Pipersky, third year student, on behalf of the National Lawyers Guild.)■

FSC MEETING

by Leslie Tick

The FSC met on Thursday, March 5 at 3 p.m.

After approval of the minutes of the previous meeting, the Dean reported that Nancy Carter's tenure has been approved. McKelvey went on to report on a new proposal being considered by the State Bar Assn. that would require students to demonstrate competency in interviewing and negotiating skills as well as standard legal knowledge. This would require several courses to be added to the required law school curriculum. She also reported that the State Bar is considering giving the Bar exam in two parts -- the multistate to be taken between the second and third year of law school, and the remainder of the exam upon graduation. McKelvey assured the FSC that she and her fellow deans are fighting these changes and as far as she can tell, they stand very little chance of going through.

Ed Tom, Director of Admissions, reported that applications are up 5% and minority applications are up 8% over last year. Tom expressed concern about the process followed by the Admissions Committee in making decisions on applicants with lower than 2.0 applicant indices (the index is based upon a combination of undergraduate g.p.a. and LSAT scores, factored into a formula designed to determine probable g.p.a. at GGU). Such students are admitted if the Committee feels there are other factors strong enough to predict the student's success in law school. The way the Admissions Committee works now, each member reads files and votes on them separately; with no discussion among the members. This way, individual members may be looking at entirely different predictors of success.

The Dean, and Tom were concerned that under such a system, students with low indices would be admitted when they really had very little chance of succeeding in law school. Tom suggested that he and the Dean should have the power to review files of minority students with under a 2.0 index and determine whether the student had strong enough alternate predictors to send him or her on to the Committee for consideration.

After much discussion and amendment, a motion was passed which provides that files of minority applicants with under a 2.0 index will be reviewed and discussed and voted on by the entire Admissions Committee and the Dean and Admissions Director together. This way, a candidate will need a majority vote to be accepted and the Dean and Admissions Director will be able to vote, but will not have veto power per se.

Tom went on to report on his recruitment activities and asked the faculty to help him to woo "hot" candidates with top gpa and LSAT qualifications who we accept but who are likely to choose another school. The faculty agreed to each contact five such candidates within the next month, to urge them to come to Golden Gate.

Rober Bernhart reported that the Curriculum Committee has been asked by the Dean to look into the Writing and Research Program. Bernhardt said he's asked all members of the

Cont. p. 9

MOTIONS TO FSC

(The following memo was sent to the Law Faculty, Student Representatives to the F.S.C., the Caveat, and the Law Dean.)

To: Tom Goetzl, Chairperson F.S.C.
From: Amy Locks, S.B.A. President
Date: March 3, 1981

I have seen the agenda for the March 5, 1981 F.S.C. meeting. The motions I submitted to you on February 10, are not on the agenda. These motions should be heard first under old business at the next F.S.C. meeting. Only the F.S.C., as a body, has the authority to vote to not have discussion on this matter.

The motions are reprinted below:

- 1) A-Because Academic Standards are of fundamental importance and concern to the students of Golden Gate as well as the faculty;
B-And because the entire law school community deserves the right to have the opportunity to understand and appreciate why and how changes in academic standards are taking place;
C-The final discussion and voting on proposed changes in academic standards, currently scheduled for March 7th, will be conducted before the full FSC, opened to the entire law school community of Golden Gate. Strict rules of procedure should apply to assure orderliness.
- 2) There will be no change in academic standards unless there is the creation of an effective tutorial program.

INTERNATIONAL LAW MOOT COURT COMPETITION

Golden Gate's Jessup International Law Moot Court team held its intramural competition in the Moot Courtroom on February 27. This competition was held in anticipation of the team's participation in the Northwestern Regional Round of hearings, to be held at the University of Santa Clara in March.

This year's competition consists of oral argument based on written briefs concerning important issues of international maritime law. Golden Gate's competitors are Tom Keeler, David Leland, and Joe Long. The intramural was argued before a panel of local attorneys interested in international law. This year's judges were June Moroney (Bank of America), Michael Perna (Marsh & Perna), and George Spanos (American President Lines).

At the Northwestern Regional Round, Golden Gate will argue against the University of Washington, the University of Oregon and Lewis and Clark Law School. Winners of the Regional Round will compete in the national and international rounds to be held in Washington, D.C.



Letters to the Editor

Dear Editor:

Re: University Security

The Plant Office at Golden Gate University is responsible for University security. Any security problem should be reported immediately. To report a security problem Monday through Friday from 8:00 A.M. until 9:30 P.M. call extension "O" on any University phone. Please state your name, your location and the problem. A proper response to the situation will be made immediately.

After 9:30 P.M. and on the weekends, security problems should be reported by calling extension 7242 or 7260 on a University phone. A pay phone may also be used by calling 442-7242 or 442-7260.

Smith D. Hicks
Director of Administration
and Facilities

To The Editor:

I, like other members of the GGU community, was extremely concerned about the report in February that one of our female students had been accosted by a man who entered the plaza level women's restroom. The incident, far from being an isolated episode, is only the latest example of the need for improved security in and around GGU. I agree fully with those people who have urged that the University inform GGU users of attacks which occur in the vicinity of the school, their locations, and the frequency of these events.

However, a far more comprehensive security program is demanded than one which would simply serve as an after-the-fact alert system. Of equal importance is the need for us to educate ourselves and each other; around both self-defense tactics and a higher degree of consciousness.

For those of you who are unaware of the fact, the Security Task Force which was formed last semester -- comprised of students and staff -- published a report and series of proposals in January. The ten page document is on reserve in both the law and business libraries, and represents an exhaustive inquiry into the issue of the need for improved security at GGU. At the time the report was published, copies were sent to all the deans within the University, the plant manager, the SBA, the ICC, the bookstore, and the Child Development Center. The copy which was personally delivered to President Butz invited him to respond by January 19th.

At this time, Mr. Butz has still not responded to the Task Force in writing; although, at my urging, he met two weeks ago with a representative from the Task Force.

While personally I am frustrated by what I perceive to be foot-dragging on the part of Mr. Butz and Smith Hicks, in

charge of building maintenance, I believe that the Task Force's report represents a solid basis for future action and discussion. I would caution my well-intentioned comrades who are calling for new inquiries into the matter of security about exhausting their energies pursuing further facts. WE HAVE THE FACTS. WE KNOW THAT SECURITY AT GGU IS WHOLLY INADEQUATE, AND WE KNOW WHAT FACTORS ARE THE BASIS FOR THAT CONCLUSION.

What is required is concerted action on the part of the SBA, the ICC, and interested staff and faculty to ensure that (a) the Task Force's January report and proposals are read by GGU's administrators; that (b) they are regarded seriously, that (c) implementation is begun, and that (d) students and other interested persons are guaranteed continuing input into the process of evaluating and upgrading security at GGU.

I have asked the SBA to be put on the agenda for the next SBA meeting, in order that I might give an updated report about the negotiations members of the Task Force are conducting with the administration vis-a-vis the issue of security. I hope that as many of you as are able will attend that meeting, and bring both your questions and suggestions for constructive political action.

With respect to further self-defense trainings this semester, my latest information is that Smith Hicks is working directly with the Women's Protection Program in formulating a two-hour self-defense workshop. If you would like to participate, I encourage you to stop in and chat with Mr. Hicks. (His office is on the plaza level, across from the copy center.)*

Eugene Jones, who taught the three, highly successful mace training classes which were given last semester, has been ill; which is why more trainings haven't been scheduled yet for this semester. Frank Curcio is in the process of arranging more of these valuable sessions; and we will keep you informed as to future planning.

I look forward to working with you.

Pat Warner
Co-chair, Security
Task Force

* The fifteen-week self-defense course taught by the Women's Protection Program is still going on. If you would like to drop in on any of the sessions, contact Trisha, at the Women's Protection Program, 453-2181. The sessions are in the old 5th floor auditorium on Monday and Wednesday, 5:30 to 6:30.

W W

AN EXTREMELY SHORT STORY

By Randy Colfax

While doing the dinner dishes one night, Sam Hazard broke a plate. He stood for a long time looking down at the jagged pieces in the sink. "The plate is a symbol," he said out loud. "My illusions about law school have been shattered." He picked the pieces of plate out of the sink and threw them into the garbage. "Maybe it's time to start putting some other things in the garbage too," he mused as he finished the dishes.

Sam was having trouble studying and believed that it affected his grades. The main problem was the law library -- it was far too noisy for Sam's taste. There was always a conversation within earshot, and then there were the chip munchers; armies of low people who crinkled cellophane bags and nibbled their chips louder and slower than Sam would have believed possible. Apple eaters were almost as bad. Definitely, the noise problem had to be solved at once.

Enough students carried cassette recorders around so that nobody was suspicious when Sam began placing one near his books in the library every day. What nobody noticed was that the recorder was constantly recording, picking up the excited utterances of those nearby. For a week Sam recorded the very conversations that annoyed him. Then, on the weekend, he sat down and selected the loudest and most intimate of them. These he recorded onto another tape. He also purchased a bag of the noisiest chips in the world and ate them within inches of the microphone, rattling the cellophane and smacking his lips the whole while. For dessert, Sam had an apple.

On Monday Sam went to study in the library armed with his tape recorder. As soon as a conversation started nearby, Sam released his tape. Heads turned as a whispered conversation roared from the machine's tiny speaker. "Hey, would you mind turning that thing off?" someone asked.

"Yes, I would," Sam said primly. "I'm just getting equal time."

People moved away from Sam, including the conversationalists. Sam turned the recorder off.

Sam repeated this practice daily, surprised at how efficiently he could clear out an entire section of the library. Chip munchers scurried away embarrassed, and apple eaters slunk off into the stacks. The quickest to flee were those who heard their own voices on Sam's no-infamous tape recorder. A few were outraged and tried bullying Sam into turning off his machine, but Sam would just growl and say "when the nose stops, to do the skipping wheels of rhyme." The noise always stopped.

After a couple of weeks Sam started leaving the tape home for safekeeping; he was worried that someone might try to steal it, and besides, the empty recorder on his study table was enough of a deterrent now. The library was quiet, and Sam would pat the machine like an abedient dog as he sat down to study each day.

Next: Romance in Torts. ■

THE EVANGELIST

Cont. from p. 3.

Court had made. And they said unto Minimum Contacts, 'Shall you not eat of every fruit of jurisdiction?' And Minimum Contacts did eat of every fruit of McGee v. International Life and gave also unto Presence Harris v. Balk, which was of the tree of quazi-in-rem, and Presence did eat thereof. And the eyes of the Supreme Court were opened, and It knew that they were naked. And the Court sewed the leaves of Schaffer v. Heitner together, which were 'Purposeful Availment' and 'Fair and Substantial Justice' and hid their nakedness."

The crowd had listened somewhat impassively up until now, but Reverend Goldtry was just getting warmed up. Grinning impishly, ye yelled out, "Listen all ye litigators!"

Racing to the front row of seats, he scanned the audience, eyes sparkling, "Purposefully avail yourselves of the jurisdiction of the court and ye shall be adjudicated! Yes, litigators, discover the fair and substantial justice of the court and venue shall be yours."

"And how, you ask, is discovery to be construed? Let's find out. Larry?"

Out from the side of the stage stepped a bearded young man dressed as an altar boy. "The rules of discovery are to be liberally construed, sir," he said.

Springing into the air with unexpected nimbleness, the reverend landed lightly back behind the podium and said,

"Ah, Larry says that discovery will be liberally construed! But what about pleading? How will pleading be construed? Larry?"

Once again the altar boy stepped out onto the stage, and answered, "Pleading must only give notice, sir."

"Ah, we have notice pleading, Larry says. That leads us into our first song. Please open your hymn books to page eighty-six."

At this point, everyone pulled out books from a pouch in the seat back in front of them and began singing. I picked one up and read the cover. It said "F.R.C.P." Without thinking, I opened it up and joined in the next chorus.

* * * * *

"What's wrong? Are you alright? Wake up!" I heard a voice say.

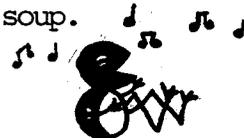
I lifted my head from the table and rubbed my eyes. Above me I saw a blurry figure with a shining halo. Was I still dreaming? Had I gone to that big court of final appeals in the sky?

No. It was a fellow law student who happens to wear braces, and I had just seen the library lights glinting off her retainer.

"What's wrong," she said. I was walking by, and I heard you singing something about class action derivative suits. Are you O.K.?"

"Yeah," I replied "I'm alright."

As she walked away, I gathered my books to leave and decided it must have been the chicken-corn soup.



WILL THE REAL PREPPIE PLEASE STAND UP?

by Vicki Pasek

The sign outside the train window read "Cambridge" as I hopped off. A gust of sub-freezing, snow-laden air hit me in the face, and I realized that back home, most fellow G.G.U.-ites were just retreating from the library ... or Charlie's. Ah, well, I rationalized, I'll check out some REAL common law.

I followed main street, past medieval pubs and modern McDonald's for hours, pausing to venture inside vine-covered brick fortresses bearing names like "Emmanuel College." Somber silence greeted me, everywhere, students were trudging off to class -- through two meters of snow. Brr! My Topsider-clad feet were COLD!

A sign indicating "The Barrister's Lounge" caught my eye, so I entered a 14th century pub and found a comfortable espresso bar, oaken beams, and a fireplace. "Ahh, bring on the Madrigals," I thought as -- in a guilty mood -- I pulled out my trusty Civ. Pro. outline.

No sooner had I opened it when three young men approached me, each carrying a massive textbook with "LAW" stamped on it in bold script. They introduced themselves as Derek, Jim, and Colin, and each hailed from the local bergs. "Are you studying law?" one asked, indicating the stern-faced judge adorning my book. I nodded, and we began a conversation about the differences between Anglo & U.S. law.

Over lunch, I learned that in the UK one starts law studies early -- right after passing "A" levels (similar to the SAT). Once accepted as an UNDERGRAD law student, each pupil is assigned a tutor and, besides attending class, turns out an 8-10 page paper every TWO WEEKS!! The course of study is 6-7 years;

four in 'university' and two-three clerking for a barrister or solicitor at the Inns of Court in London (but that's another column!).

I was amazed. "Any free time?" I asked. "Oh sure, luv," came the reply. "We usually hit the pubs on the weekends or play footsie or go to London." Imagine taking the classes we do now -- at 18-19 years -- and partying heavily all the time! I smiled, thinking of Section B attempting THAT. (I'm sure they could!)

From lunch, I was taken to the afternoon Property I class. The boys introduced me to the stodgy old professor and their friends as a "Yank Barrister." I began listening to the lecture. Amazing! The emphasis was all on common law as it dated from 1066. Noting the lack of women students, I nudged Colin and asked "any women studying law?" He frowned. "Must be 2 or 3 somewhere." GULP!!

Suddenly, I heard my name called! The prof asked me to "fill in" the class on U.S. law, particularly Landlord/Tenant. (Oh, no! my worst subject!) Fortunately, I cited Green v. Superior Court and bluffed my way through with eclat; everyone SEEMED impressed.

After class ended (three hours -- twice weekly -- and LATE in the p.m.), we retired to the pub to continue our legal comparisons. Law in the U.K. leans more towards tradition with very few precedent-setting cases. Things go on as they always have.

I realized my train was due, so I high-tailed it to the station after one last round of ale. On the way to London, I again tried to read. Only this time jet lag interrupted. I conked out and slept the whole way back.

P.S.: Yes, Biff, they wear Oxford-cloth shirts at Oxford!■

PROPERTY:
An introduction to the
Law



Eugene B. Morosoli, Jr.
43 Cal.L.Rev. 372 (1955)

CAVEAT

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LIFE IS ROUGH

Cont. from p. 3.

punctuated by channel-switching to news of the Prince's engagement.

"She's so young. I've got 10 years on her and I'm too young to be married..."

Then a rerun of "Lou Grant." Ah... late night television...

Then...then...but there was nothing on. I tried. I searched every station, pored over the T.V. Guide more carefully than I'd pored over the findings in Spencer's Case, but to no avail.

"Crud. Now I'll have to go to sleep. Then I'll have to wake up. And then I'll have to do more work!"

All the voices came back to me: all the voices of the men, the 'barristers', those I'd thought of as pompous asses who'd warned me, "Law school is terrible. Don't do it."

And I realized, maybe they weren't just being patronizing after all... maybe they weren't just doing their part to keep The Profession elitist...

Maybe they were actually being..... honest?

Nahhhhh.....

Cindy O, in your column last week, I read your gossip and proceeded to freak. The bet of celibacy among three pals, Of "Gay Paris" and scandalous tales, There was a fact you did not know: That deal was rescinded a while ago. Take back the dish -- it's no longer hot. Stick to Contracts. Boring? To some, it's not.

Signed,
X

Soon to come: SAMURAI ICELANDIC LECTURER...■

SUMMER SCHEDULE

Arnold Sternberg, Dean of Academic Affairs, requests feedback from the student body concerning the efficiency, convenience, etc of the summer schedule. Please contact him at his Faculty Center office in person or in writing.

SUMMER SCHEDULE: MONDAY, JUNE 1, 1981-
THURSDAY, AUGUST 5, 1981

MIWTh 8-9:30 a.m.: Evidence (Segal) (4 units)
MW 6-8:40 p.m.: Corporations (Bader) (4)
TTh 6-8:40 p.m.: Wills & Trusts (Canty-
(4) Letsome)
MW 6-8:40 p.m.: Tax 1B (Cadgene) (3)
T 6-8:40 p.m.: Accounting for Lawyers
(Murphy) (2)
Th 6-8:40 p.m.: Community Property
(Holmes) (2)
T 6-7:50 p.m.: Professional Responsibility
6/2-6/30 only; (Hecht) (1)
T 6-7:50 p.m.: Jurisprudence (Bernick) (1)
7/6-8/3 only;
Th 6-8:40 p.m.: Insurance (Khachadour) (2)

FsC

Cont. from p. 5.

committee for feedback, but that he doesn't think he'll be able to analyze the information and report back to the Dean by March 14 as she requested.

The Hiring Committee reported that Professors Weiner and Smith will return to full time teaching next year and that visiting positions have been offered to Professors Sternberg and Foote. The Committee has decided that there will be no full time tenure-track position for head of the Writing and Research program, but that they are currently accepting applications for a head of the legal writing program -- in whatever form it will eventually be decided to take. Bernhardt suggested that changes in Writing and Research be discussed at the faculty meeting scheduled for March 7, but FSC Chairman Tom Goetzl said the program will not be discussed at that time.

Bill Hing, head of the Scholarship Committee, reported that all remaining scholarship funds have been disbursed, and that nothing is being done to generate additional money. Alan Brotsky mentioned that it is quite likely that we'll have an endowed scholarship fund of \$15,000 established by next year. Dean McKelvey said that we are still in the process of looking for a fundraiser, and that a very likely candidate will be interviewed soon. A student suggestion to keep a file of outside scholarship sources up to date was unofficially ok'd by the Dean.

Amy Locks, SBA President, moved that her motions concerning academic standards from the last FsC meeting (which was cancelled so that an evaluations committee meeting could be held for Librarian Nancy Carter) be heard. Chairman Goetzl ruled Locks' motions out of order, saying that since the reorganization of the FsC last summer, the body no longer has jurisdiction over questions of academic standards and they will not be discussed or voted upon. Period. A motion to overrule the chair passed in spite of Dean McKelvey saying that she would disregard any decisions made by the FsC regarding academic standards.

Then, a motion to open up the faculty-only Academic Standards meeting scheduled for March 7 to any students who wanted to 'observe' was passed. McKelvey insisted that it be limited to "student representatives." (According to Locks, McKelvey insisted -- the day after this FsC meeting -- that the student representatives be limited to two of her (McKelvey's) choosing and that they be sworn to secrecy about what happened at the meeting.)

The faculty meeting (with two silent student observers) was held from 10-3 Saturday March 7, and then a completely closed meeting was held to discuss Dean candidates.■

