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Cross those “t’s” and dot those “i’s”

Staff Writer Stacey Fernengel explores the common pitfalls of legal writing.

CAREER, PAGE 4



Holiday activities in Cleveland

Find out what C-M students will do with their free time this holiday season.

OPINION, PAGE 6



Got Christmas Ale?

Staff Writer Mike Borowski breaks down Cleveland’s fascination with Great Lakes Brewing Company’s most famous brew.

OPINION, PAGE 7



THE GAVEL

VOLUME 57, ISSUE 3, DECEMBER 2008

THE STUDENT NEWSPAPER AT CLEVELAND-MARSHALL COLLEGE OF LAW

Moot Court team takes regional championship; earns national title bid



Photo by Rick Ferrara

(From left): Alex Reich, Megan Miller, and MacAllister Modic show off their competition trophies, including awards for Regional Champion, Best Advocate Overall (Alex Reich), Best Advocate in the Championship Round (Alex Reich), and Second Best Brief Overall.

Journey from Moot Court Night to the Championship Page 3 A glimpse of Moot Court excellence from the grandstands

C-M student guided through law school by wit, passion, determination

STUDENT SPOTLIGHT:

FRANCIS ZUNT, 1L

By Joe Fell
STAFF WRITER

Perhaps you have seen him walking around campus as his faithful service dog leads him safely to and from his classes, or you may have heard him draw upon his many extracurricular activities in order to provide real-life background and context to the discussion in classes. If you haven’t, I hope that you are able to come into contact with him soon, because he is one of the most fascinating people that I have met during my brief tenure at C-M.

Francis Zunt is a first-year student. He graduated from Valley Forge High School in Parma in 2003, and he graduated from Mount Union College in 2007 with B.A.’s in Religious Studies and Sociology. As part of his sociology coursework, which

centered on criminal justice, Francis had the opportunity to serve as a chaplain in the state penitentiary in Youngstown, Ohio. His experiences in this prison helped shape his future career goal after law school, which is to become a criminal prosecutor.

As a longtime resident of Cleveland, Francis aspires to be a prosecutor who is willing to work hard to rid Cleveland’s streets of the violent crime that plagues many of the city’s law-abiding residents, and in his own words, “I want Cleveland to be a place where it is safe to walk alone on the street at night.”

By far, the most commendable aspect of Francis’ life is that he has worked mightily to overcome a medical condition that affects 1 in 500,000 individuals: acute congenital glaucoma. Although Francis was born with this condition, he did not experience near-total loss of sight until the age of 17. Although he is legally blind in both eyes, Francis does have some vision in one eye as a result of an ex-

perimental lens that was created by Dr. Edward Rockwood at the Cleveland Clinic.

Dr. Rockwood’s help to Francis’ sight is particularly impressive in light of the fact that he had previously only read about individuals with Francis’ condition in his textbooks before meeting Francis. Without Dr. Rockwood’s efforts, Francis would have absolutely no vision whatsoever.

In addition to this medical condition, Francis also deals with photophobia, a condition that renders him extremely sensitive to light and that requires him to wear prescription sunglasses while awake. Despite these difficulties, Francis refuses to allow himself to be defined or hindered by his condition, and he does not strive to use his condition to obtain advantages and benefits.

In fact, when he applied to C-M and other law schools, he asked them not to consider his medical condition when making a decision. Francis is held to the same academic standards as his fellow

See **Student**, page 2



Photo By Joe Fell

Year's end compels a look to past achievements, hope for the future

By Geoffrey Mearns

There are many things that I enjoy about being the dean of this law school.

I enjoy working with a talented group of teachers and scholars – men and women who care about you, our students, and who believe that lawyers can make our world more just.

I enjoy working with our dedicated staff. These men and women play a vital role in making this institution a community – and they make my job so much easier.



The Dean's Column

And I enjoy engaging with you, our students, because your ambitions motivate me and your hope inspires me. I regret that I do not have enough daily contact with you.

So, I am excited about the next semester, when I will be teaching Criminal Law. This course will give me the opportunity to share my experiences with you and benefit from your insights and perspectives.

While my job is challenging, it is also rewarding. I feel quite fortunate to be your dean.

I am also particularly fortunate because, in this position, I get the chance to meet many of our graduates. These people regularly remind me that we are helping to educate men and women who are shaping the future of our community and our country through service.

Before he passed away so suddenly last June, I had the good fortune to meet Tim Russert ('76), who is probably our most famous graduate. Mr. Russert cross-examined politicians and powerful people skillfully and fearlessly. But he relished life, and he loved people.

Last February, I had the good fortune to meet Wyatt Brownlee ('44), who is probably our oldest living graduate. Mr. Brownlee, whose grandparents were slaves, is 101 years-old. He worked his way through high school, college and our law school. A few weeks ago, Mr. Brownlee celebrated the election of the first African-American President of the United States.

In our law building, I regularly see Judge Jean Murrell Capers ('45), who was the first woman of color elected to the Cleveland City Council. You can regularly find her doing research in our law library. If you see her there next month, wish Judge Capers a happy birthday – it will be her 96th.

Last week, I had lunch with Dan McCarthy ('54). Mr. McCarthy is a very successful lawyer here in Cleveland. He also is a member of the partnership that owns the New York Yankees. Much to

the dismay of Cleveland Indians fans, Mr. McCarthy proudly wears one of his many World Series Championship rings.

Over the past three years, I also got to know Leon Plevin ('57). Mr. Plevin passed away on October 28th, after a short illness. In so many ways, he embodied the traits that make this law school special.

For over 110 years, our law school has been known as a law school of opportunity – that is, an institution that is accessible to all people, irrespective of race or class. Like many men and women who preceded him, and like many of you, Mr. Plevin was the first member of his family to graduate from college and to attend law school. He was the son of Eastern European Jewish immigrants who came to this country in search of a better life for their children.

Our law school is also a law school of excellence. And Mr. Plevin was a good student who became an outstanding attorney. He was a very successful trial lawyer, who dedicated himself to each client as if that client's case was the most important case he had – and to the client, it was.

At our law school, we often say that we are preparing our students to be lawyers and leaders. Mr. Plevin was a leader. For decades, he was a leader in his law firm and in his community.

We also hope that our graduates will remember the impact this law school had on their careers and their lives. Mr. Plevin never forgot us. He donated generously to an endowed scholarship fund that now bears the name of his former law firm. Some of you are the direct beneficiaries of his generosity. Mr. Plevin and his wife, Gloria, also funded an endowed professorship – a distinguished position that Professor Kathleen Engel now occupies.

Mr. Plevin also donated a great deal of his time to our law school. He was very active in the Cleveland-Marshall Law Alumni Association, and he served on many advisory committees at the law school and the university.

In addition to all his achievements, Mr. Plevin was a very good man. He was a devoted husband, a loving father, and a very loyal friend. All of us who had the good fortune to know Leon will miss him very much.

I share his story with you so that you can appreciate the wonderful opportunities and great rewards that await you. As you prepare for your exams, remember why you chose to go to law school – and why you chose to pursue your dreams here.

Good luck. And enjoy a restful and safe winter break.

competed against Case Western. Case Western was superbly organized, fielding 7 teams for the competition. Its members knew the subject matter, and it was obvious that they came prepared. Justin Rudin, described their style as "polished", while Luisa Taddeo noted their strong presence in front of the judges.

C-M's defense opener, Maryann Fremion nailed her opening statement, clearly stating her self-defense argument and why her client should not be held accountable, using the line "a man's home is his castle" as the main justification. During Case's questioning of the first witness, Katie Davies did well, getting in several objections against the plaintiff's attorney regarding use of leading questions. On cross she tripped up the plain-

See **Argued**, page 7

Canadians unite at C-M

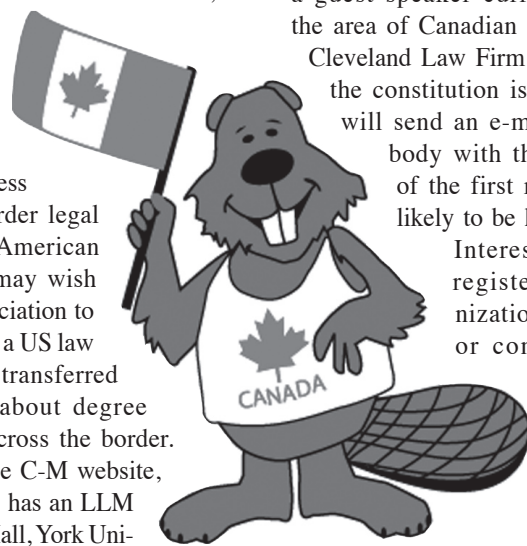
By Hilary Michael

GAVEL CONTRIBUTOR

The newest student organization to the C-M community is the Canadian Law Student Association (CLSA). So new in fact, that the association is still waiting for authorization from the Constitution Review Subcommittee, which is expected to be approved by December 3rd, 2008.

Arunesh Sohi, founder and President of the CLSA, decided to start the organization this summer when he encountered several questions about the process of working in the US as a Canadian law student. Although CLSA's primary purposes are to provide assistance to Canadian law students and to liaise between Canadian students applying for admission to C-M, the membership is open to all registered students, faculty and staff.

Because one of the goals of the organization is to raise awareness about cross border legal opportunities, American C-M students may wish to join this association to learn about how a US law degree can be transferred to Canada or about degree opportunities across the border. According to the C-M website, Professor Inniss has an LLM from Osgoode Hall, York Uni-



versity (Toronto, Ontario) and was also an adjunct Professor there and Professor Forte has a PhD from the University of Toronto.

In the long run, Arunesh would like to see C-M offer a joint JD/ LLB degree. Such degrees are generally acquired with four years of study; students to spend two years studying law at both an American and a Canadian university to be eligible for bar admission in both countries.

"Cleveland Marshall would make a great partner with a Canadian law school," remarks Arunesh. "Because of its close proximity to Canada, an alliance would be advantageous to both schools. It would be good for Cleveland Marshall because it would enhance the value of its degrees in the job market."

So what's next for CLSA? Suggested events for the 2008 academic year include a guest speaker currently working in the area of Canadian legal practice in a Cleveland Law Firm. Once approval of the constitution is granted, Arunesh will send an e-mail to the student body with the time and place of the first meeting of CLSA, likely to be held next semester.

Interested students can register with the organization at the meeting, or contact Arunesh at asohi@law.csuohio.edu. Hope to see everyone ooot and aboot at the next meeting.

Student...

-continued from page 1

classmates; in order to complete his reading and class assignments, he uses a software program called JAWS to translate the legal text into audible words and other programs, which convert all computer operations into keyboard commands. I was pleased to hear that the entire school community has been very eager to help Francis and provide him with the assistance that he needs.

Francis indicated that Cleveland State's programs related to the Americans With Disabilities Act are some of the "best he has seen." Francis is able to navigate through the campus with the help of his trusty service dog Isabelle, a year-and-a-half old English Shepherd. Isabelle is Francis' first service dog. He has had Isabelle since she was 1 month old, and he successfully trained her to help him travel over height differences on the ground and stairwells. Due to the fact that Francis has no peripheral vision, Isabelle also helps Francis keep an eye out for traffic and allows him to safely cross streets.

One of the most commendable elements of Francis' personality is that he refuses to allow his medical condition to hinder him from pursuing a wide variety of hobbies and interests. Francis has been a diligent student of the martial arts for approximately 20 years, and he has earned a 4th degree black belt in Hapkido and 1st degree black belts in Shodan Karate and Lengar Kung Fu. Additionally, Francis is a professional chess player; at the present time, his United States Chess Federation rank is 2250 on a 3000 point scale.

This past summer, Francis learned to sail at the Cleveland Sailing School with members of the United States Coast Guard; one of his future goals is to circumnavigate

the globe in a 50-foot sailboat. Of course, as those of us in Professor Cherry's Property class have already learned from our class discussions earlier in the year, Francis is an avid hunter; when possible, he enjoys guided hunting with the National Rifle Association.

As you can see, Francis is truly an asset to the C-M community. I hope that all of you have the chance to meet him in the future and be inspired by his persistence, diligence, and ambition.

THE GAVEL



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Come to our next meeting and contribute to the best student-run newspaper in Ohio:

Wednesday,
January 14th

Submissions or letters to the editors can be e-mailed to: gavel@law.csuohio.edu

We came, we saw, we argued

By Jeremy Samuels

STAFF WRITER

On November 15, 2008 the Cleveland-Marshall Trial Team competed at the Justice Center against the schools of Case Western, The University of Akron, University of Cincinnati, and Chase College of Law, from Northern Kentucky.

The mood at the competition was very adversarial. Justin Rudin described it as "the adrenaline rush of walking into the courtroom," and "feeling like you are engaging in battle." The judges for the competition made rulings just as if the competition were real.

Team Two's defense side, composed of Katie Davies and Maryann Fremion

From Moot Court Night to Michigan, C-M now the sole Ohio representative in national competition

By Tara Chandler
STAFF WRITER

This year the C-M Nationals Moot Court teams were composed of Alex Reich, Megan Miller and Callie Modic, as well as Dave Thomas, Lydia Arko and Rick Ferrara. Following the annual Moot Court Night event, it was clear that both teams would fare exceptionally well at the competition the following weekend in Lansing, Michigan.

This year’s Moot Court Night, the 40th annual, took place on November 11, 2008. The competition was presided over by three distinguished judges; including Judge James G. Carr, Chief Judge of the District Court for the Northern District of Ohio, Judge Solomon Oliver Jr., and Lesley Wells, both District Judges for the Northern District of Ohio. Megan Miller and Alex Reich represented their team as counsel for the petitioner’s arguments. The team was mentored by Jones Day attorneys and took home the honor of presenting the winning argument. The Judges noted that the choice was difficult to make, with Rick Ferrara and Lydia Arko, mentored by Baker Hostetler, presenting compelling arguments as counsel for the respondent’s argument.

The Judges comments were clearly favorable to all the participants. Megan, as the first to approach, was noted as setting a high standard from the outset. Alex was able to follow her argument with a strong knowledge of the statute in question, recalling an obscure subsection from memory. This combined with a good reading of the bench helped to loosen the nervous tension in the room. Rick showed a good knowledge of the relevant precedent while Lydia stuck to her guns, allowing both oralists to stay on track through the bench’s nearly immediate questioning. Rick’s ability to handle the Judge’s concerns earned him the night’s top honor of Best Oralist, announced by Judge Wells. (Honorable mention should also be given to Dave Thomas and Callie Modic who did a fantastic job cheering their teammates on throughout the night).



Photo By Tara Chandler

At the podium, Rick Ferrara takes questions from Federal Judges of Ohio’s Northern District on Moot Court Night. Ferrara would take “Best Oralist” for the night. Alex Reich and Megan Miller, in the foreground, would win on the merits and later win a regional championship in Lansing, MI.

The following weekend, both teams traveled to the regional competition in Lansing, Michigan. The competition was scored based upon the team’s written brief, consisting of 40% of the total score, as well as the remaining 60% scored based upon the oral arguments. Following the preliminary competition Saturday, the team of Alex, Callie and Megan advanced to the final round on Sunday.

The team was never beaten in the oral arguments, and presented a brief that scored in the top two of all teams in the competition. In the end, only two teams would advance to the national’s competition. The C-M team faced off against the Cooley team in the final

round and took top honors. Alex also faired well, earning the position of second highest scored advocate in the preliminary rounds, as well as Best advocate in the final round and overall advocate of the competition.

Following the victory the teams celebrated together. Unfortunately, only one C-M team may advance to nationals, but Dave, Rick and Lydia were very gracious to the victors by all accounts. Both teams presented compelling arguments and faired well in the competition. Dave Thomas praised both teams’ performances and successes, noting “our region had many well-prepared teams, both well-versed on the problem and highly competent as oral advocates.” It is Alex,

Callie and Megan, affectionately deemed “Team MAC”, that have advanced to the Nationals competition to be held February 2nd through the 5th in New York City. They will argue the same issues as the regional competition and present the same written brief, though the brief will be re-scored.

In the end, both teams represented C-M well and should be congratulated for their efforts. As Dave Thomas so eloquently put it, “It has got to feel good to the school community to once again look in that moot court trophy case and see the hardware that represents the high caliber of students that attend Cleveland-Marshall.”

C-M advocates display talent in final round, overmatch Cooley

By Rick Ferrara
CO-EDITOR IN CHIEF

After Alex Reich’s poignant rebuttal, it was all but a certainty that C-M had taken the regional title. C-M’s Reich would walk away with the Best Advocate award for the competition, while his team would earn a regional championship and bid to the extended National Tournament in New York. With his teammates, Megan Miller and MacAllister Modic, Alex maintained an undefeated record and trounced Cooley Law School in the final round. I was glad to be there to see it.

But the joy was bittersweet. My team, including Lydia Arko and Dave Thomas, had lost the day before and did not move past the preliminary rounds. Despite a 1-1 record and months of preparation, we did not have a chance to test ourselves again in competition. Still, my teammates and I wanted to see our C-M colleagues officially advance to New York for the National Tournament.

Throughout the final round, we sat in the swept gallery of Cooley Law School’s gleaming new Moot Court Room. Con-

caved rows rippled from the room’s epicenter, a podium facing the low-slung bench with seven chairs. Three of the best competition judges were assigned to hear the case.

Alex opened the round with his argument for Petitioner, walking surely to the podium, lips slightly pursed. His hands hung loosely at his side, a sure sign of a cool demeanor in the biggest round of his Moot Court career.

He had no folder – no notes in this, the biggest of rounds. From memory, Alex could comfortably recall case names, dates, holdings, facts, quotes, and pin-cites. When he wasn’t achieving this feat from the Petitioner’s side, he could do so from Respondent’s side. He could argue from either position, having disciplined himself to understand all of the issues, all of the questions, and all of the angles.

Alex’s argument, a journey through the contorted world of statutory construction, relied on fine distinctions. Through question upon question, Alex responded as a good advocate should. With two years of training under Prof. Gard, and mentoring with Jones Day attorneys for the Nationals Competition, Alex had honed his natural tal-

ent into several very useful courtroom tools.

First, he answered difficult questions with vocal certainty – never wavering in tone even though, minutes before, he was arguing from the other side of the issue. Second, he kept a conversational tone despite having answered many of the same questions

before, in six rounds over two days of competition. And third, he successfully communicated what was complex subject matter, mixing practical language with legal analysis in balanced proportion.

And the judges responded well. Alex’s argument flowed at a consistent and certain pace. When a question would arise from the bench, Alex would respond with timing that indicated respect, but showed he need not hesitate in delivering his answer. His answers were structured; direct at first, and then explanatory in a way that compelled judicial deference. His teammate offered a similar style. Megan, approaching the podium next, carried the same cool in her shoulders. She kept her head forward and maintained a pleasant expression to face the judges. She carried no notes, conveying

confidence to the court that she knew her material and had mastered her technique.

Throughout the year, Megan worked on slowing her delivery to the court, and it showed through in the final round. The judges asked intense questions, including some convoluted hypotheticals. Prior to her training, this would have sped Megan’s responses, her delivery, and the pace of the court’s questions. But now, Megan delivered her material at a controlled pace, all the while sounding respectful and knowledgeable.

Megan’s teammate and good friend, MacAllister, sat keeping time as the court’s bailiff. It reminded me that even when only two were arguing, having a third teammate was crucial to the competition. Earlier in the day, MacAllister argued twice with Alex and won both times, allowing her team to get to the final round. At one point, she had faced a withering, eight minute long barrage of questions from the bench. In C-M fashion, she still brought home the victory.

And as the C-M team sat down, the first Cooley advocate stepped to the podium. He brought his notes. He seemed uncertain with his words. He hurried his delivery.

I looked across the courtroom and caught MacAllister’s eye. I noticed the slightest smile on her face before looking over to Alex at the C-M table.

He just penned his rebuttal, focused, ready to take on New York.



Once your finals come to an end, take a break

By Karen Mika

LEGAL WRITING PROFESSOR

Is there any particular reading that should be done to prepare for the second semester of the first year of law school?

Although some students regard the Legal Writing couple of weeks between the first and second semesters of law school as the opportunity to review and prepare in a less-stressed environment, the best thing that a student can do during those couple of weeks would be to take a break. This is especially true for first year students, given that second and third year students are already over-committed during this time period with writing articles, preparing moot court briefs, and working.

As most first year students have gathered by the end of the first semester, the profession of law is a very hectic, high stress profession. Most second and third year students have also already discovered that the years following the first year of law school are even busier than the first year of study. Although there is a tendency for many people to want to get ahead of the game, frankly, the “game” is always there, and the best thing a person could do is to get as far away from the high stress situation as possible. Taking a vacation enables one to get refreshed and to re-adopt a new enthusiasm for intense study.

Taking a break also accomplishes something else quite practical. Brains learn better and more permanently in stress-free situations. In almost all cases, taking a step away from intense studying (every once in a while) enables more of the information to sink in. Most first year students are surprised at how the second semester of law school seems so much clearer than the first semester – briefing is no longer a struggle, and most students actually start to feel that they are “getting it” without nearly the amount of effort that was put in during the first semester. This phenomenon actually occurs because of the break, not in spite of it.

So, my advice is to use the break as a “break.” Read for fun, see family, take a vacation. Try not to think too much about the study of law and come back refreshed.



Why lawyers may not have the “write” stuff

By Stacey Fernengel

GAVEL CONTRIBUTOR

In 1936 Fred Rodell, Yale Law professor, exclaimed “There are two things wrong with almost all legal writing. One is its style. The other is its content.” Sadly, 72 years later the opinion of legal writing has not gotten much better. So why do lawyers get such a bad rap for their writing and what can we, as law students, do to ensure that this perception is changed in the future?

Last summer I had the pleasure of discussing this very issue with a few Court of Appeals judges. The judges expressed frustration over writings they receive. Their main complaints involved writing that contained obvious errors, overuse of legalese, overly complex and convoluted arguments and, finally, boring briefs.

“You can be a little ungrammatical if you come from the right part of the country.” - Robert Frost

First, let’s start with the obvious. Typos, citations, misspellings and improper grammar are bound to happen to the best of us. That being said, thoroughness is the key. To limit your errors, comprehensive and continuous proofreading is a MUST. Some tried and true proofreading tips include: (1) printing your document or reading it aloud; (2) if and when you are permitted, ask a colleague to offer a second pair of eyes; (3) never forget your computer’s grammar and spell checker are not perfect.

“I never write ‘metropolis’ for seven cents when I can write ‘city’ and get paid the same.” - Mark Twain

I heretofore have avoided interjecting into the discussion of the aforementioned topic superfluous legalese, despite my

extensive knowledge of legal jargon. Although my education has certainly padded my personal lexicon (sorry I couldn’t stop!), no one gives extra points to the person who uses bigger and fancier words. While both formality and using legal terms of art are appropriate and encouraged, leave the excessive legalese to those making lawyer jokes. Don’t forget, using extra 50 cent words doesn’t result in a bigger bill.

“Make everything as simple as possible, but not simpler.” - Albert Einstein

Legalese overcomplicates writing that should be simpler. Additionally, good legal writers are able to simplify that which is complicated. This rule rings true despite the fact that lawyers are often writing for legal scholars and distinguished judicial panels, rather than the average “Joe Six Pack.” I laughed over the summer when one of the judges advised that we should “dumb it down” with regard to legal writing. What she meant was to avoid convoluted reasoning and overtly technical arguments. Despite the knowledge and notoriety of many



judicial panels, no one can be expected to be an expert on everything. This is especially true, for example, of appellate level judges who hear cases on topics ranging from murder cases to toxic torts. Although your audience is usually a legal one, don’t forget that not everyone is as entrenched in your case as you are and its best to present arguments in the simplest form possible.

“There are no dull subjects. There are only dull writers.” - H.L. Mencken

Legal writing is generally meant to persuade, but don’t forget the entertainment value of your writing. Your reader likely peruses many documents in a day, so it’s your job to make your writing stand out.

On this topic, a wise law professor once told me “your client isn’t paying to have facts and law simply passed through you to the paper. The client is paying you to add some value to what is being conveyed. Your ability to capture inequities and to clearly and concisely support your client’s claim is truly the hard part of it and the art of it all.” (quoting Jason Bristol, C-M Professor and Partner at Cohen, Rosenthal & Kramer LLP). Bristol, my advanced brief writing professor, ensured that we never forget the art to legal writing. Every case has a story and lawyers must tell it in the best possible way for our clients. This includes letting your creative juices flow, but also things like ordering your facts and arguments for optimum persuasion and clarity.

Learning to write legal arguments in a correct, clear, simple, engaging and effective manner is a skill and an art. Make sure that you take advantage of as many opportunities to hone this skill during your time at C-M.

Finally, don’t try to use too many famous, cheesy quotations in your writing...it will just look like you don’t have anything clever to say.

CSU, C-M students offer ways to beat stress, manage health, grades, job hunt

By John Stryker

GAVEL CONTRIBUTOR

The end of the semester is here and we are all feeling its effects. We can’t deny that time is running out until finals. We are reminded on a daily basis how vital our GPA is to obtaining good jobs or recognition. How do we all handle our swim or sink environment? All law students have an instant kinship as we struggle towards the goal of doing the best we can. I interviewed some students to see how they handle their stress.

Helen Rhynard, 35, finds cooking to be her creative outlet from school. She finds it relaxing to forget about school for a while to prepare an inspired meal she is proud to present to her family. She says, “I welcome an intricate meal because when I’m cooking, the only thing I can think about is cooking.”

When she needs more, she takes a five mile hike in the park on a regular route in the metro park. She feels all the stress leaves her so she can get back to business when she’s done.

Pete Zahirsky, 24, keeps it simple with some “veg” time watching TV and playing video games as a distraction. A long walk with his dog tops off his list.

Julie Hack, 23, takes a night off with her boyfriend.

Sunny Nixon, 33, declares, “Running! It keeps you refreshed, relieves stress and gives

you energy. That, and I never miss an episode of ‘Gossip Girl’.” She adds a more serious suggestion: Create weekly task check lists in order to keep workflow in perspective.

Matt Barren, 24, has no hesitation stating that running on the treadmill or getting into a spinning class beats drinking any day.

To get a professional’s perspective on the issue, I spoke with Dr. Eisenberg, Director of Health and Wellness Services, about his observations on how stress affects law students. He identified several sources of stress: Start with a legal education compressed into 3 years, add a job, a family, price of tuition, the pressure of job offers based on grades and Bar performance, and don’t forget that final that determines your grade for the entire semester. Clearly, there is a disproportionate focus on grades than other professions and our minds and bodies take the burden. He finds that stress is mostly self-inflicted because law students have put themselves in a highly competitive situation.

He noted that male and female law students can handle their stress differently. Women tend to feel stress from all directions but usually have better verbal skills and more freely confide in their friends. Men tend to internalize their stress. They are more reluctant to treat any illness, including mental issues. No matter how stress affects you, there is help.

All students are familiar with our beautiful

CSU Rec Center as a place to sweat off some stress, but most are unfamiliar with another asset available to you. Health and Wellness Services is customized for students, not just for undergrads, but law students too. Dr. Eisenberg says the staff there enjoys working with law students. The staff finds them bright and respects their achievements.

Health and Wellness Services offers fully staffed counseling services, mostly for free. Dr. Eisenberg is glad that there is much less stigma these days to getting some emotional support. Mental health professionals see themselves more as life coaches. All you may need is a compassionate audience to talk over your problems, air them out, and figure out a path of action.

Dr. Eisenberg finds many commonalities with stressed out law students due to his days at Columbia Medical School and dealing with raising children and putting them through graduate school. There is no need to feel like you are on your own. Law students coming in for anxiety and panic attacks are common.

For more in depth issues, their licensed psychiatrist, Dr. Gillian Schweitzer, is available by appointment at 216-687-2277. In nearly every case, even as serious as dealing with divorce to feeling the need to drop out, solutions are likely.

Dr. Henry Eisenberg can be reached by telephone or appointment at 216-687-3649.

The Political Broadside

A right to same-sex marriage?

By George Sakellakis
CONSERVATIVE GAVEL COLUMNIST



In Adolf Hitler’s “Mein Kampf,” the Fuhrer reasoned that homosexuals are “race traitors” and should be sent off to death. Gay-bashing was just a small part of Hitler’s scheme, one that slowly propagated fear and hate of such magnitude that a loving, promising, and cosmopolitan society eventually migrated to the belief that life’s answers came from burning fellow human beings in ovens. While the U.S. and our allies bravely defeated Hitler and his evil philosophy, we must not become ignorant of the fact that if the planets aligned properly, we too could become just as unjustifiably hateful.

Asking me or other conservatives what we think about gays marrying is a worthless step in analyzing whether they should enjoy the right. Not my, nor a tyrannical majority’s personal, moral or religious beliefs should be imposed on others as to override their basic rights of equal protection and due process. Once the right for two persons to join in a legally recognized union is given to the people, I don’t see any way the government can deny its equal application without a darn good cause. I can conceive of no compelling or even legitimate interest that would allow the government to pick and choose who gets to marry or which sexual preference is proper. If there are worthwhile reasons why we should allow our often inefficient and idiotic leaders to enforce such a classification, I’m all ears. But thus far, any offered reasons seem to be comprised either of biblical reference or fear and smokescreen, neither of which should be powerful enough to stand in the way of the rights of a free and supposedly rational society.

Allowing gay marriage, while not traditionally “old school” American, is not a radical change in our country’s values, but rather a conservative stance on equal rights. A real conservative wants all people to both enjoy the benefits and shoulder the burdens of our laws equally. We want government to protect our basic rights and empower people to excel beyond others as they so choose. And if they don’t choose, we want each rung of the ladder to sting them just as hard as anyone else on the way down. Accordingly, we should afford same-sex couples the same marriage rights as heterosexual couples, impose on them the same duties and obligations to each other, and mandate that they be penalized just the same when doing things like neglecting their children, divorcing, dividing property, and seeking alimony.

Even if we compromise and keep the traditional definition of marriage while giving same sex couples civil union rights which mirror those of marriage, a government mandated stigma of “separate but equal” is created. Though marriage is an institution and a “tradition,” I can recall another American “tradition” of making black people drink from separate water fountains, which were supposed to be just as clean and offer water just as cool as the white peoples’ fountains. While I’m embarrassed to call this a part of our past, I am equally as proud of those who worked to wake America up and reverse that trend.

But I am becoming embarrassed again at the fact that we are falling sleep once more. At a time when our recent advances in tolerance, while good, have given us false hope that everything is ok, we remain ignorant of the fact that hate lies among us, and can easily rear its head by way of discriminatory but perfectly enforceable Constitutional amendments. While it is certainly Constitutional to hate someone, this evil should not be affirmed and imposed by way of the legal process. We need to wake up yet again.

There was a time in our history when even such a self-righteous country as France loved and respected us enough to build us a huge statue, built on a base that read “give me your tired, your poor, your huddled masses, yearning to breathe free.” Contrary to the liberal platform, these words didn’t create a welfare state; they represented a country where justice would be administered equally, and everyone would be empowered with the same right to excel. If we add the qualifier “except your gays” to those words, we go against our history of being the land of opportunity for all.

While governmental over intrusion into our lives has eroded the meaning of those words of liberty, they are not yet lost. We are at a critical crossroad in our history, and it is up to us to determine which path we will take; we can’t allow ourselves to erase the rights of others by way of fear-laden Constitutional amendments. In the interests of freedom and the inclusive tradition of America, I respectfully dissent from some of the mislead uber-conservatives of which, statistically, are about 5-10% homosexual.

Liberal rebuttal...

You loosely addressed the federal aspect of the matter. We have never amended the Constitution to deny a right—only a privilege that we later restored. The long, sober nightmare of Prohibition ensured that Americans who lost their shirts during the first Hoover administration could not legally enjoy a stiff drink when they most needed one. As we struggle to stay afloat through the end of the second Hoover administration, I find it infuriating that those with the most zealous adoration for Herbert II demand to prevent people from legally uniting as one when times are tougher than ever to survive alone.

The social “conservatives” who push this hateful ban fail to understand that they hold a position antithetical to the vital conservative principle of local control. In my estimation, even social conservative hero—but “originalist”—Justice Antonin Scalia would prefer to keep marriage out of Constitutional text. I believe Scalia is an originalist in the sense that his chambers conceal a time machine by which he travels back to 1787, and upon realizing that even through time travel his views fail to deviate from present norms, the erudite jurist feels he gains the absolute truth of the Founding Fathers’ intentions. Yet I ardently contend that Scalia’s judicial philosophy contradicts those who wish to amend our Constitution to limit to one man and one woman the fundamental rights to loving marriage and bitter divorce.

Since we should disagree on something, I take umbrage with your “respectful” dissent from spiteful bigotry. California Proposition 8 proponents campaigned to take away an existing right to marry. Anyone who insists upon revoking equal rights from American citizens warrants the same modicum of respect he or she affords others—none.

By Kevin Kovach
LIBERAL GAVEL COLUMNIST



My grandmother, a dark-skinned Greek woman who graduated from East High School and served as a World War II field nurse in Western Europe, did not suffer discrimination lightly; nor do I.

When grandma attended then nearly all-white East High, she was called the n-word and unleashed such righteous fury upon the pathetic racist who insulted her that the school yearbook gave her two nicknames. The first, known to our family, was “Nike,” after the Greek goddess of strength, speed, and victory.

The second, attributed to the yearbook staff, was “Fiery Greek Temper.” Later, while serving

as a field nurse during the war, grandma was assisting in an operation when Gen. George S. Patton stormed into the hospital and began his habitual, discriminatory berating of only shell-shocked troops. Grandma’s “fiery Greek temper” prompted her to unconsciously move towards Patton’s loaded pistol in his holster, before her reason set in. As my grandmother is the foundation of my political beliefs, let’s apply my familial failure to suffer discrimination lightly to the gay marriage debate.

I believe my views on gay marriage bear logic and thus controversy in this sometimes illogical society. Marriage is a religious union between two loving people who wish to devote their lives to each other. Because historical Europe had absolute unity between church and state, our Euro-centric culture began in the 1600’s to identify a civil union between a man and a woman as “marriage.” However, a civil union ought to be a civil union. Government has no place declaring a union between a man and a woman before a magistrate in a courthouse, or a mayor in a city hall, a “marriage.”

No religious official presides over the ceremony. The ceremony does not occur inside a religious building. Such a civil union does not require the presence of fellow members of a particular religious tradition, but only the presence of witnesses whom you can literally drag off the street, as Sarah and Todd Palin did when they eloped before witnesses from a senior home down the road from chapel where they married. As a Catholic, I am offended when I hear people were “married” at City Hall.

If a religious institution sanctions the unions of both heterosexual and homosexual couples as marriages in its tradition, and both couples seek marriage licenses, why can the government refuse the license to the homosexual couple while granting the same license to the heterosexual couple? Why can government grant a civil union to a homosexual couple but deny the couple the legal rights of marriage, while granting a civilly united heterosexual couple the legal rights of marriage?

I cannot list all arguments for such blatant discrimination, but I’ll dismiss four that I frequently hear. First, I hear that allowing homosexual couples to marry would burden our governmental tax structure. I have difficulty understanding how the same conservatives who so detest taxes see a benefit in permitting heterosexual couples to file jointly, but believe homosexual couples must file as single taxpayers and thus pay more annually. I don’t suffer tax discrimination against homosexuals lightly.

The second “argument” is that “traditional marriage” is best for raising children. Says whom? Does having two mommies or daddies ensure a child’s homosexuality, and one mommy and daddy ensure heterosexuality? Is homosexuality a choice, even though growing scientific research suggests a genetic foundation? Can people suddenly decide to stop being attracted to the either the opposite or the same sex? Should society leave children in orphanages or sometimes abusive foster care homes, rather than allowing them to join loving, stable households, solely because the two members of those households possess the same reproductive organs?

The third “argument” is that legalized gay marriage necessitates legalized polygamy. Really? Allowing two men or two women to share a one-on-one marriage would necessitate the legalization of marriages involving at least three people?

A fourth, and most ridiculous, “argument” is that gay marriage will lead to easier divorce. WHAT?! Roughly 50% of marriages end in divorce. How would homosexual marriages increase this rate?

If my dismissive attitude towards opposition to gay marriage offends you, I’m sorry; I warned you that I do not suffer discrimination lightly.

Conservative rebuttal...

All hope is not lost. Liberals and conservatives can and do agree on some things, especially when they think for themselves instead of a fractured ideology. This issue, our columns both asked why government should have the power to discriminate between persons of differing sexual orientation when such orientation is perfectly permissible, and they ended up with essentially the same answer – that it should not.

Child sexual offenders are not allowed to live near schools. Rightly so, for objective data suggests that child sexual offenders will offend again, and the interests of children outweigh the sexual preferences of the offenders. Likewise, we don’t allow felons to own firearms, because frankly, known violent criminals tend to shoot people. These are just the types of “discrimination” that most of us don’t mind our government employing.

We both wonder where the data is that suggests gays will divorce more often, raise worse children, or abuse their health insurance rights more than heterosexual couples. If I were to see such figures which show gay couples are more harmful to society than non-gay couples, I would support some focused regulations like the ones mentioned above in the name of protecting society. But having perceived nothing of the kind, I find no need to give such broad rights to some and deny them to others, considering that those “others” have done nothing illegal and show no propensity to.

Our nation has a history of (eventually) sticking up for discreet and insular minorities who had previously been discriminated against for the wrong reasons. I submit that otherwise law abiding homosexuals have an innate sexual preference that is as unchangeable as the color of their skin, that the preference in itself is both as harmful and harmless as the other sexual preference, and that we as a self-governing people should not deny any given rights solely because of such preference.

SBA hard at work for students

By **Elias Hazkial**
SBA PRESIDENT

Greetings!! We're coming around to the home stretch for this semester and I want to extend best wishes to everyone during their study period and with their final exams. It has been an exciting Fall Semester: 1Ls are finding out what they are really made of; 2Ls are reaching the top of that hill; 3Ls are battling "senioritis"; and 4Ls are laughing at the rest of us.

To recap this semester, the SBA is proud to highlight a few of its accomplishments for the student body. First and foremost, the "paperwork" is filed for acquiring new lockers. I realize that the buzz regarding lockers has been hovering over our heads for a few years. However, just like the food service station on the second floor, it will happen as long as I can help it. Anticipate the new lockers being in place when you come back from winter break. For that matter, please pay attention for further updates regarding locker clean-outs for the end of this semester. New lockers could not come any sooner considering the recent rash of thefts this past semester.

Continuing on the students' needs, The SBA is working with the Law Library to provide an electronic card reader to enter the Law Library after "public hours." This system is a welcomed addition to the Law Library to enhance our safety and comfort while diligently utilizing the facility and resources of our fine institution. Furthermore, the SBA is working with the Law Library to add a new student lounge in the library. The Law Library has graciously committed the current copy room as lounge space, along with some articles of furniture, so students can take phone calls, heat up and eat food, or just hang out over a cup of coffee – without having to leave the confines of the library and re-entering through the card reader. We thank the new Director Kristina Niedringhaus, and Associate Director Jan Novak, for making these benefits available to us.

Next, I would like to take the opportunity to highlight the SBA's service to our community at large. Lauren Smith, President of the Employment Labor Law Association (ELLA) and Matthew Marshall (3L Senator) championed a fundraising campaign to make a charitable contribution towards the Boys and Girls Club of America, a favored charity of one of our alumni, the late Tim Russert. ELLA sponsored a "cornhole" tournament at Panini's Gateway, and the SBA sponsored a debate watch party at Bier-Markt. I am proud to announce that as a result of the combined efforts Matt and Lauren, as well as all those who have generously participated, the SBA will be making a \$1000 contribution to the Boys and Girls Club of America on behalf of the Cleveland-Marshall community. Furthermore, the SBA wants to thank everyone who contributed to our food drive. We were able to collect the equivalent of two full shopping carts. Additionally, the Bishop Cosgrove Center (local soup kitchen) graciously thanks the SBA for sending 8 students on Friday, November 21 to serve lunch to 300 of Cleveland's hungry citizens.

Next, upperclassmen please be aware that in light of the new grading policy that includes A-, B-, and C-, in order to elect a "pass" option, you must still earn at least a C or higher (in addition to the other standard requirements). NOTHING HAS CHANGED WITH REGARD TO THE "PASS" OPTION. Receiving a C- in a class does not permit a student to elect a "pass" and the letter grade will be recorded.

Lastly, I regret to announce that the SBA will NOT be hosting a Holiday Social (or end of the semester social) this year. There are many factors for our decision, the biggest being the timing of final exams. Final exams this fall run until December 23. This day is a Tuesday, and one day before Christmas Eve. Those two facts alone give reason to believe that attendance will be poor. Also, the Cavaliers have a home basketball game that night, thus it will be next to impossible to book a venue to hold such a social.

Thanks for letting me serve you - see you next semester.

Partisan press a disservice to citizens

By **April Stephenson**
GAVEL COLUMNIST

The average American household owns around 2.73 televisions, and over 71% of Americans have Internet access. Today, the amount of information and news available to people is staggering. The development of technology has rendered the old newsroom obsolete, and in its wake are politicized and entertainment-based broadcasts. Viewers are bombarded with highly attractive anchors whose faces barely move. Flashy backdrops, constant movement on the screen, and highly politicized reporting, are designed to capture and hold the viewer's attention. So who do we trust to report the news?

Out of fifty random C-M students surveyed, 26% preferred CNN. The second preferred source was NPR with 16% of the random sample preferring the national radio broadcasts.

The New York Times placed third with 10%, and 16% of those surveyed preferred local news sources, including the Plain Dealer and Channel 3 news. Interestingly, there were no students who preferred Fox News above all others.

On the national scale, however, Fox News was the highest rated news channel in the country in 2007, with The O'Reilly Factor receiving the number one rating in its timeslot for 85 consecutive months. CNN placed second.

Common knowledge tells us that conservatives watch Fox News and liberals watch CNN. Is it a coincidence that these two news sources are each owned by two competing media conglomerates? News Corporation, founded by Rupert Murdoch, is home to FOX News. Turner Broadcast-

ing system, founded by Ted Turner, is home to CNN. Both media outlets command the nation's eyes and ears in the realm of news broadcasting. It would seem that these media conglomerates are playing political sentiments of viewers like a fiddle. Increased ratings mean increased profits.

Of course a news station must make some revenue to sustain itself, but what effect does this recent shift have upon the quality of information fed to the masses? If the news anchor who looks striking in a red blazer only reports the victories of only one political party, the millions of viewers firmly committed to that particular news outlet discard the other party and relish in the confirmation that they voted for the right candidate. If they changed the channel, they would be confronted with a drastically different news report.

Flip flopping from FOX to CNN during the recent presidential campaigns, it became apparent which candidate each of the media conglomerates endorsed. Each channel reported a different winner of the same debate, and focused upon its chosen candidate's victories while leaving out his or her weaknesses. These self-proclaimed winners fit nicely into the spheres carved by media moguls that seem to mirror the bipartisanship of the nation's political system.

Unfortunately, the modern trend has been to abandon the goal of objectivity and embrace news that caters to a particular demographic to boost ratings, and thus increase profits. While this is acceptable for shows meant to entertain, this trend must be scrutinized when it is implemented in the realm of news reporting. The role of the press is to function as a watchdog, but it seems the watchdog has fallen asleep.



Exploring Cleveland, a winter-wonderland

By **Maryann Fremion**
STAFF WRITER

With exams coming up most students and faculty are more concerned with the end of the semester rather than holiday cheer. Just remember, there's a lot to do around Cleveland to celebrate the winter holiday.

The kickoff to the holidays is the Winter Fest. This event occurs the weekend after Thanksgiving in Public Square where there will be music, dance, hot chocolate and the annual lighting of the Christmas tree.

Next, you might want to stop by Playhouse Square from November 28 to December 23 to see Charles Dickens' "A Christmas Carol". Also inside and outside Playhouse Square you can see over seventy professionally decorated Christmas trees.

From November 28 to December 14 and December 18 to January 4, you can drive down south to Blossom Music Center and see festive light displays. There is also a lighting display in Neala Park, East Cleveland at the GE Lighting Center. This has been a Cleveland tradition since 1925.

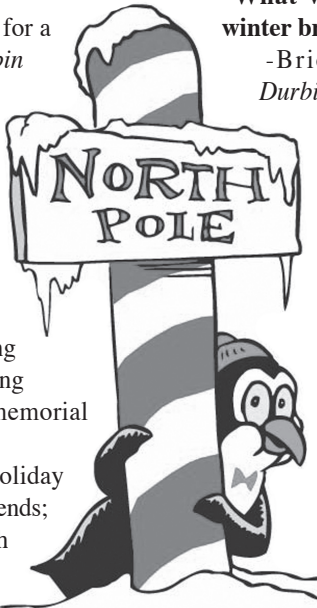
The Cleveland Botanical Gardens will transform itself into a winter wonderland complete with gingerbread houses, lights,

trees and more! You can also see traditional holiday plants at the Rockefeller Greenhouse from December 5 to January 2, 10am to 4pm daily.

For more holiday ideas, check out CoolCleveland.com or hear what these Cleveland-Marshall students will be doing over break:

What are you doing for winter break?

- Going home, going to UD for a basketball game - *Damon Durbin*
- Throwing snowballs at my little brother - *Kyle Lennen*
- Going to as many Cavs games as possible, and drinking - *Jillian Snyder*
- Working and spending time with the family - *Scott Friedman*
- Heading to NYC, spending time with friends/family, reading for fun, writing my Jessup memorial - *Sarah Kovit*
- Working to make extra holiday money; relax with family and friends; hopefully travel to Chicago with my girlfriend - *Kyle Wright*



What won't you be doing for winter break?

- Briefing cases - *Damon Durbin*
- Showing up to my "Santa Claus at the Beachwood Mall" job. - *Andrew "Grinch" Czarzasty*
- Golf - *Sean Burke*
- Thinking about school - *Scott Friedman*
- Touching any law school textbooks. - *Luisa Taddeo*
- No winter sports, no studying, no reading law - *April Dao*
- Spending any more \$ on going to Browns games-

- there is always next year. - *Kyle Wright*
- Going anywhere exciting or tropical - *Jillian Snyder*

List some local winter events

- Rockets v. Cavaliers (Go Yao!) - *Kewu Li*
- Neala park Christmas lights, Holiday Circlefest @ University Circle, Cleveland Orchestra Christmas Concerts, taking the tour of the Christmas Story House, Legacy Village Caroling - *Sarah Kovit*
- Cavs games - *Jillian Snyder*

What are your favorite holiday shows?

- Muppet Christmas - *Damon Durbin*
- SportsCenter's year in review - *Derek Kohanski*
- National Lampoons Christmas Vacation - *Anthony Dimora*
- Rudolph the Red-Nosed Reindeer. Bob the Blue-Toed Mountie - *Sean Burke*
- It's A Wonderful Life - *Jillian Snyder*
- The Grinch Who Stole Christmas (Old Cartoon) - *Patrick O'Keefe*
- Home Alone - *Sarah Kovit*
- Christmas Vacation; The Grinch - *Kyle Wright*

Anonymous 1L ponders love, avoids despair, dreads finals

By Anonymous 1L

The following is the third article in a six -part series following the experience of an anonymous first year student.

Like many of my peers, I have friends from other law schools across the country, and we gossip about the latest happenings at our respective schools and, of course, our peers. The latest first-year law-student question is, “So, is everyone a recluse yet?”

It’s true: as exams draw near, everyone is in hiding. With any phone call, the answer is always, “I’m sorry, I can’t, I’m studying.” I’m guilty as well, but I suppose it is just the nature of the first semester, and it happens at law schools everywhere. I can’t wait for finals, if not only to be able to spend time with someone other than Williston, Corbin or the crazies in the Torts book.

I haven’t found a regular study group, yet, though I’ve ventured unsuccessfully into a few and have not tried since. I’m not sure if I’m in the minority, and I constantly worry that I am never doing enough. That’s the funny thing: I’m not sure where most people stand on these concerns. It’s like high school all over again, but instead of wanting to be cool, I want to be as nerdy as everyone

First-year
life: Part III

else. Does everyone have a study group? Am I the awkward one? Does everyone study 24-hours a day? Does everyone spend most of those hours in the library? Does everyone visit the professors regularly? Am I supposed to have a substance addiction? (Just kidding about the substance addiction. Besides, I already have coffee.) I worry. Do you?

It must leave everyone concerned that we simply do not know where we stand. Just like the holiday spirit, the infamous competitive tension is in the air, particularly while dealing with the aftershocks of the midterm quake. People say that you shouldn’t worry about what your peers are doing. Easy for them to say; they’re not graded on a C-curve.

You would think we would know where we stand after midterms, but, although more helpful than less, even that can be a vague depiction. Several of my professors have separately said that the midterm grades “don’t really matter.” What?! Unfortunately, the pressure to be the best does matter, and it is only determinable in numbers, some which appear at face-value to be arbitrary. Without a model answer, I’m not sure what the guy who got the highest score did that was so drastically different than what I did. Perhaps less obvious, but more threaten-

People say that you shouldn’t worry about what your peers are doing. Easy for them to say; they’re not graded on a C-curve.

ing: what did the guy who got two points more than I did do that was so different?

On a more interesting note, sometimes I wonder which is better: to be single, to be in a solid relationship, or to be in a supportive relationship, even if it’s not perfect. Maybe it’s the holiday blues talking, but I wondered if writing about this is beyond the bounds of the “1L” experience. Really, it is an important factor in one’s lifestyle during the 1L year, and probably for all of your law school years. I found that

there is a large contingent of people in our classes who are settled down, whether they are married, engaged or have long-term significant others, and I feel they approach their studies much more easily than me.

As a single person, it begs me to wonder if we all consider this: Who is investing in you? And, does it matter? While there’s something to be said for taking care of oneself and following your own ambitions, it certainly must be nice to have someone to regularly give you a hug, with whom to share your hopes and worries, to talk about simpler things, to make you lunch and dinner during this trying time of our lives. When law school worries are enough, perhaps when you are with someone, those worries are not accentuated by the bills —because someone

is helping you worry about those—about finding good company, about making dinner, like they are as a single person. Of course, as they say, the grass is always greener on the other side, and I understand that. However, isn’t it curious? Sure, we are all law students, but we are all human, and the mechanics of civil procedure is not the only supportive structure we need in our lives. Sometimes, I feel that’s all I have time for.

Before law school, I found myself obsessing over law school blogs and law school advice. Bad idea! Most of it, it appeared, arose from unhappy law students wielding the wisdom of three years spent somewhere they simply did not belong in a subject they may not have enjoyed. Somehow, it translated into threats that law school would steal my soul.

But the best advice comes from experience. Although, after midterms, my ego could use a bandage, insofar as I know, my soul is still intact. Perhaps I’m not sure where everyone else stands, but I think I belong here, even if I’m alone. If I get lonely, I hear I can find some mighty-fine people at the library during exam week! Then, afterward, perhaps we can all come out of hiding and relax: the hardest part, the first semester, will be over. Good luck with exams and happy holidays!

A Christmas Ale Story

By Mike Borowski
STAFF WRITER



This Christmas, \$44.99 will get you an official Red Ryder carbine-action, two hundred shot Range Model air rifle with a compass in the stock

and a thing that tells time; or, a case of Great Lakes Brewing Company’s Christmas Ale filled with 288 oz. of honey brewed holiday ale that has been spiced with fresh ginger and cinnamon. The Christmas Ale doesn’t come with a compass or a thing that tells time, which is rather unfortunate, because the 7.5%ABV ale will definitely leave those that drink too much of it lost in a world where time is measured by ounces and distance in stumbling baby steps. What Christmas Ale does come with, according to 2L Brad Eier, is “a pretty good time that tastes kind of like cinnamon.” Regrettably, due to this being one of the busiest times of the year no one at the Great Lakes Brewing Company would confirm Brad’s statement when asked whether or not “a pretty good time” is determined by the type of hops that are used during the brewing process. In fact, they hung up the phone.

To say that the folks over at GLBC are busy could be the misstatement of the year. They’re swamped. At the annual “Feast of All Saints – Christmas Ale Style” this past November 3, 2008, over 240 cases of Christmas Ale were sold in less than 24 hours and more than 2,114 pints were poured over the span of 13.5 hours.

In the last month more than a pint or two of Christmas Ale has made its way into the hands of 3L Adam Fletcher. “Between preparing outlines for final exams and shepardizing my casebook, this time of year can start to get a little stressful,” says Fletcher, “I like to take the edge off with a few Christmas Ales. It really helps to put things into perspective.”

Two C-M students who also enjoy putting things into perspec-

tive with a couple of Christmas Ales are Leo Kratz III and Keith Cassidy.

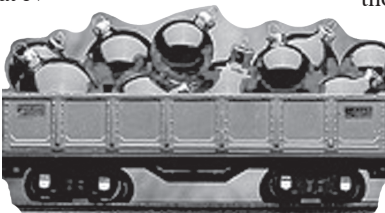
Like a couple of Ohio riverboat gamblers, Leo and Keith can be found at The Cleveland Bar & Grill, drinking a round of Christmas Ale and filling out a handful of Keno tickets. At only \$4 a pint it’s easy to understand why they patronize The Cleveland. With the price of a six-pack increasing from \$10 to \$11 this year, The Bier Markt charging \$7 a pint, and the Parma Tavern charging \$6 - it’s hard for a law student to find any kind of a deal in this time of economic uncertainty.

Kratz, a native of neighboring Indiana, was accepted to several other law schools but finally decided to attend C-M because it meant that he would be closer to the source of his favorite beer. “I really enjoy Christmas Ale,” says Kratz, “it’s a very intoxicating beverage. I wouldn’t say that my decision to attend C-M was solely based on the fact that Christmas Ale is brewed just over the river in Ohio City, but it may have played a role. To me, the Great Lakes Brewing Company is kind of like a modern day version of Bethlehem. Great things are born there.”

Cassidy, from Brooklyn, New York, is also a fan of the seasonal brew. When asked if he had anything to say about Cleveland’s King of Beers, Keith looked away from the incoming Keno numbers and into his glass of beer. “Christmas Ale?” he said, “Yeah . . . this is the last round I’m buying tonight.”

Although a night spent drinking Christmas Ale might seem like a great idea at the time, moderation and hydration is very important. Otherwise, the following morning will leave you feeling like you have arrived on the frontline of a massive, gut-wrenching artillery bombardment. There’s a saying that when in werewolf country, pack silver bullets. Well, when in Christmas Ale country, pack plenty of aspirin.

Humphrey Bogart once said that “the problem with the world is that everyone is a few drinks behind.” That may hold true, but for at least two months out of the year everyone in northeast Ohio is doing their best to catch up.



Argued...

-continued from page 2

tiff witness, a policeman, who knew the material cold. As a defense witness, Luisa Taddeo did an excellent job in dodging Yes/No questions on cross, giving longer answers than necessary and plaintiff’s attorneys. Her testimony helped during closing arguments, when that still-frustrated attorney gave a very long, loud and angry closing argument, and Katie calmly countered with a clear and concise close.

C-M’s plaintiff attorneys, Luisa Taddeo, and Justin Rudin competed against The University of Cincinnati. This competition was not as polished as the other one for a number of reasons, none of which were the fault of C-M.

Luisa gave an excellent opening statement for the plaintiff side. She never hesitated, and was clear and concise throughout. Her direct of Maryann Fremion, was the same way. Both knew their material. Maryann then contended with a rather tenacious defense attorney who tried to shake her up. She ably worked her way around his questions and stuck to her story.

When Cincinnati’s defense team began, both Justin and Luisa began to shine. Louisa stated her best moment was “winning control of the courtroom during cross-examination and having the witness answer my questions exactly as I wanted.” Justin impeached the final defense witness, who did not know his material. He claimed his best moment was rebutting the defense’s close when he said, “standing up there giving my closing argument, the judge, the jury were hanging on my every word.”

Team One also did well at the competition. Nick Mamone described his favorite moment as nailing his closing argument. He received the award for best litigator out of the C-M Team. His co-counsel Anthony Rich said it was that

award to his team that made his day.

All members of the team enjoyed the competition, particularly the fact

THE GAVEL

CLEVELAND-MARSHALL COLLEGE OF LAW
CLEVELAND STATE UNIVERSITY
216.687.4533 TELEPHONE
216.687.6881 FAX
GAVEL@LAW.CSUOHIO.EDU



Co-Editors-in-Chief

Paul Deegan
Rick Ferrara
Michelle Todd

Staff

Anonymous 1L
Mike Borowski
Tara Chandler
Joseph Fell
Stacey Fernengel
Maryann Fremion
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that they finally were able to put their trial skills use in a real setting. Maryann said she was happy because “no one objected during my opening statement.” Team members are listed below.

The newest student organization to the C-M community is the Canadian Law Student Association (CLSA). So new in fact, that the association is still waiting for authorization from the Constitution Review Subcommittee, which is expected to be approved by December 3rd, 2008.



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