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 experimental 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 students.

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There are many things that I enjoy about being the dean of this school. I enjoy working with a talented group of teachers and colleagues – men and women who care about you, our students, and who believe that what you are doing matters.

I enjoy working with our dedicated staff. These men and women play a vital role in making our school a viable community – and they make my job so much easier. And I enjoy engaging with our students, because your ambitions motivate me and your hope inspires me. I regret that I do not have enough time to contact 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. What you may say is encouraging, 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.

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 was an experienced and intelligent journalist, he was an asset to the C-M community. I hope that you will have the opportunity to take a moment and reflect on this.

In our law building, I regularly see Judge Capers. It is a great thing to see her there next month, wish Judge Capers well.

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.

For decades, he was a leader 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.

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

The Dean’s Column

We came, we saw, we argued

By Geoffrey Mearns

On November 15, 2008 the Cleveland-Marshall Trial Team competed at the Justicce Center against the schools of Case Western, The University of Akron, University of Cincinnati, and Chase College of Law in a debateitational tournament.

The mood at the competition was very adversarial. Justin Rudin described it as “the adversarial rule was the litmus test 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 Freemio

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

Mr. McCarthy is a very proud father of three children. His older son, Keoni, is a junior at the University of California, Berkeley. Keoni is working on his bachelor’s degree in political science as a Political Science major.

Mr. McCarthy is also a member of the partnership that owns the New York Yankees. Much to his surprise, he was able to meet with some of the players, including Derek Jeter.

Mr. McCarthy is also an arts enthusiast. Last week, he had the good fortune to meet Dan Mc

The newest student organization to the C-M community is the Canadian Law Student Association (CLSA). So far in new in the area of Canadian legal practice in a law firm.

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 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 soon and about at the next meeting.

The newest student organization to the C-M community is the Canadian Law Student Association (CLSA). So far 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 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.

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According to the C-M website, Professor Imms has an LLM from Osgoode Hall, York University. His membership in the C-M community inspired him to become involved in the organization.

One of the most commendable elements of Francis’ personal identity 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 martial arts for approximately 20 years, and he has earned a 4th degree black belt in Hapkido and 1st degree black belts in Shudan Karate and Lengar Kung Fu. From November 15th until January 14th, Francis will be training at a martial arts class in the area.

While his unique journey is a matter of pride for his family, it also serves as a source of inspiration for his friends and family. Francis is a inspiring example of how one can overcome obstacles and achieve their goals.

We can learn a lot from Francis’ journey. His determination and resilience are examples of what we can achieve.

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This year the C-M Nationals Moot Court team competed on behalf of Cooley. 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.

The 40th annual, which 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 Judge James G. Carr, Chief Judge of 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 Robert Hostetter, 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, recall an obscure subsection from memory. This combined with a good reading of the bench his passion for the law was evident 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 honor of Best Oralist, presented 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).

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 fared 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 a 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 fared 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 case 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.”

By Tara Chandler

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

By Rick Ferrara

After Alex Reich’s poignant rebuttal, it was all but a certain 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 regional 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 swet gallery of Cooley Law School’s gleaming new Moot Court Room. Concised rows rippled from the room’s epicenter, a podium facing a low-slung bench with seven chairs. Alex 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 talent into several very useful courtroom tools. First, he answered difficult questions with vocal certainty – never wavering in tone even through, 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, the Cooley advocate stepped to the podium, 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. 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 as the first and second semester 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 professor 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 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, 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 “breather.” 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
THE GAVEL CONTRIBUTOR

In 1956 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 do as law students, to change this perception in the future?

“Can you 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, grammars and spellings are bound to happen to the best of us. Some true and tried 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 seventy cents when I can write ‘city’ and get paid the same.” - Mark Twain. I foremost 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!), 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.

“So, my advice is to use the break as a opportunity to review and

C-SU, C-M students offer ways to beat stress, manage health, grades, job hunt
By John Stryker
THE 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 running around in the last minute, trying to get a GPA is to obtaining good jobs or recognition. That being said, thoroughness is the key. To limit your errors, comprehensive and continuous proofreading is a MUST. Some things to be avoided when proofreading 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.

A VEL CONTRIBUTOR

By Stacey Fernengel

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 customarily a great asset available to you. Those not just for undergrads, but law students too. Dr. Eisenberg says the staff there enjoys working with law students. Readers often ask me to speak to 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 need is a compassionate audience to talk over your problems, air them out, and figure out a path of action. Dr. Eisenberg finds many circumstances with stressed out law students due to his days at Columbia Medical School and dealing with raising children and parents. He noted that male and female law students due to his days at Columbia Medical School and dealing with raising children and parents. He noted that male and female law students due to his days at Columbia Medical School and dealing with raising children and parents. There is no need to feel like you are on your own. Law students coming in for anger management and abuse are doing so mostly because they have been affected by some traumatic event.

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 tortuous 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.
A right to same-sex marriage?

By George Sakellakis

In Adolf Hitler’s “Mein Kampf,” the Fuhrer reasoned that homosexuals are “race traitors” and should be blessed with the right to die. Gay marriage is 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 embraced 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 though world leaders-aligned probably hope that the nightmare of Prohibition ensured that Americans who lost their shirts during the first federal prohibition did not suffer discrimination lightly; nor do I. When grandma attended then nearly all-white East High School, she was taught to call Adolf Hitler a “Fiery Greek Temper” prompted her to unconsciously move towards Patton’s loaded pistol in his holster, before her real mission: As my grandmother is the foundation for any political philosophy, it’s up to 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 include all who choose to marry but is not a woman but a woman while granting 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 believe 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 taxes 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 homo-sexuality and one mommy or one daddy for 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 believe 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 taxes annually. I don’t suffer tax discrimination against homosexuals lightly.

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 be overturned 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. When even our own countrymen were once 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 commitment to pick and choose who gets to marry or which sexual preference is proper. If there can be a right to same-sex marriage, it is for same sex couples to marry, without limitation.

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 misdemeanor-conservatives of which, statistically, are about 5-10% homosexual.

Liberal rebuttal...

You foolishly address 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, sad 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 to worry about for Herbert Hoover demand to take people from legally uniting as one when times are tougher than ever to survive alone.

Not my, nor a tyrannical majority’s personal, moral or religious beliefs should be imposed on others 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 why not a similar equality 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 own 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 smoke screen, neither of which should be powerful enough to stand in the way of the rights of a free and supposedly rational society. On the contrary, while not traditionally held as a benefit of civil union, marriage 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 our societal echochamber. And yet the conservative’s choice of the law, which denies 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 should disprove any enticement. It is created. This is essentially 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 be overturned 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. When even our own countrymen were once 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 commitment to pick and choose who gets to marry or which sexual preference is proper. If there can be a right to same-sex marriage, it is for same sex couples to marry, without limitation.

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Conservative rebuttal...

All hope is not lost. Liberals and conservatives can and do agree on some things, especially when they like the idea themselves, in this case. This idea is, 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 offenders are not allowed to marry in this country, for obvious reason.

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 we were to see such facts as should the government get involved in our sex lives as a 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, contrary to those that share their government’s call.

Our nation has a history of (eventually) sticking up for discretion and insular minorities who had previously been discriminated against for the wrong reasons. I submit that otherwise excluding a loving homosexual couple is the kind of discrimination that is as unchangeable as the color of their skin, that the preference in itself is both as harmful and harmful as the other sexual preference, and that we as a self-governing people should not deny any given rights solely because of such preference.
By Eliaz Hakzial
SBA President

Greetings!! We’re coming around to the home stretch for this semester and I want to extend my thanks to each and every one of you for all your hard work during their study period and with their final exams. It has been an exciting Fall Semester – 1Ls are finding out what law school is all about; 2Ls are reaching the top of that hill; 3Ls are bathed in the sweatsuits; and 4Ls are laughing at the rest of us.

To recap this semester, the SBA is proud to highlight a few of its accomplishments so far. Foremost, the “paperwork” is filed for acquiring new lockers. I realize that the buzz regarding lockers has been hovering over our heads even a few weeks before and I hope that lockers do not become any sooner concerning 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 but enhances 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 Kneidinghaus, and Associate Dean Elisa Lovalvo, for making these benefits available to us.

By Maryann Fremion
STAFF WRITER

With exams coming up most students and faculty are more concerned with the end of the semester than winter 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. Cleveland's Christmas Celebration 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 visit Playhouse Square from November 28 to December 25 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 5, the journey down south to Blossom Music Center and see festive light displays. There is also a lighting display in Neala Park, East Cleveland at the FI Light Center. This display has been a Cleveland tradition since 1925. The Cleveland Botanical Garden will transform itself into a winter wonderland complete with gingerbread houses, lights, trees and more! You can also see traditional holiday plants at Rockefeller Greenhouse from December 5 to January 20, 10am to 4pm daily.

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

What are you doing for winter break?
- Going home, going to UD for a basketball game – O. D. urwin
- Throwing snowballs at my little brother - Kyle Lemen
- 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 Jesuspaper memo - Sarah Kovit
- Working to make extra holiday money, relax with family and friends, hopefully travel to Chicago with my girlfriend - Kyle Wright

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, 2L, have been involved in an engaging campaign to make a charitable contribution towards the Boys and Girls Club of America, a favored charity of one of our classmates. ELLA sponsored a “cornhole” tournament at Panini’s Gateway, and the SBA sponsored a debate watch party at Bisc-Mark. 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 has raised over $2000 since December 23.

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 Cogrover Center’s 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, our attention 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 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 course 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 fall Tuesday, December 23, one day a Tuesday, and one day before Christmas Eve. Those two facts alone give reason to believe 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. Therefore, I would let me serve you - see you next semester.

By April Stephenson
GAVI COLEMAN

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 newspaper obsolete, and in its wake we are seeing television, 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 do we.

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 political 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 implemen- ted in the realm of news reporting.

The role of the press is to function as a watchdog, but it seems that the watchdog has fallen asleep.

By Damon Durbin

- Jolly applying for the “Santa Claus at the Beachwood Mall” position. - Andrew Currautz
- Going home to Canada. Re-building my igloo. Playing with my pet polar bear. Tappping maple trees for syrup. Eating ca- nadian bacon. Snowmobiling. Cutting down Christmas trees. Figure skating competition. - Sean Burke

What won’t you be doing for winter break?
- Sleeping in - Michael Dodick
- Going anywhere exciting or tropical - Jillian Snyder
- Christmas Vacation; The Grinch – Andrew Dimora
- The Grinch Who Stole Christmas (Old Cartoon) - Patrick O’Keefe
- Home Alone – Sara Kovit

What are your favorite holiday shows?
- Rudolph the Red-Nosed Reindeer. Bob The-Blue-Toed Mountie – Luisa Kohanski
- The Grinch Who Stole Christmas (Old Cartoon) - Damon Durbin
- Mr. Peabody and Sherman - Andrew Dimora
- The Grinch – Kyle Wright

Partisan press a disservice to citizens

By Patrick O’Keeffe

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**Anonymous II: lovers love, avoids drafts, dreadfuls**

**By Anonymous II**

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

Like many of my peers, I have found that law school across the country, and we gossip about the 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 nearly L-A-D-y, with any phone call, the answer is always, “I’m sorry, I can’t, I’m studying…” I’ve felt guilty for a while, 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. Perhaps less obvious, but more threatening than if we stand after midterms, but, although more helpful than less, even that can be a vague de-union. Several of my professors have separately said that the midterm grades “don’t really matter.” What? Unfortunately, if I do not know the test does exist, it is only determinable in numbers, some which appear at face-value to be arbitrary. Although I am sure the most morose of people the guy who got the highest score did that was so drastically different than what I did. Perhaps less obvious, but more threatens-: what did the guy who got two points more than I did, do differently? 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 friendship, especially if it’s the holiday blues talking, but I wondered if writing about this is beyond the bounds of the C-M experience. Really, it is an important factor in one’s lifestyle during the 11th hour, and probably for all of your law school years. I found that there is a large continuing number of people 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 begins to make me 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, certainly must be said to someone to regularly give you a hug, with whom to share your hopes and worries, to talk about simpler things, to make you laugh and dinner during this trying time of year. I’m not sure how the 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 buying good presents and taking dancing 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 all are human, and the mechanisms of civil procedure is not the only support system that we all need. Sometimes, I feel that I all have for time.

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 blog or blog that they have been joy. Somehow, it translated into threats that law school would steal my soul. But the best advice comes from experi-encence. Although, after middrums, my ego could use a bandage, insofar as I know, my soul is still intact. Perhaps I’m not sure where ev-eryone 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. Not weird, perhaps we all can 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 Ry-der carbin-action, two six-packs of a rookie Model Range Model air rifle with a compass and a stock 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; what it offers is 7.5% ABV and a little less than 24 hours and more than 2,114 pints of hops that are used during the brewing process. This past November 3, 2008, over 240 quarts of “Feast of All Saints – Christmas Ale Style” statement when asked whether or not “a beverage. I wouldn’t say that my decision was The Clevelander. 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 Heilbron, 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’m a huge fan of Samuel Ad,” says Kratz, “it’s a intoxicating beverage. I wouldn’t say that my decision to attend C-M was solely based on the fact that the brewery was just a short drive from Cincinnati, but it may have played a role. To me, the Great Lakes Brewing Company is aCase study of a Christmas Ale that has been a part of our lives for many years.”

Cassidy, from Brooklyn, New York, is also a fan of the seasonal brew. When asked if he had anything to say about Cincinnati’s Christmas Ale, King of Beers, Keefe looked away from the incoming Keno numbers and into his glass of beer: “A native of not being bored.”

Luisa stated her best moment was “win-ning control of the courtroom during cross-examination and having the witness answer questions exactly as I wanted.” Justin Taddeo impressed the final defense witness, who did not know his material. He claimed his best moment was rebuffing the defense’s close when he said, “standing up there, giving my closing argument, the judge, they were hanging on my every word.”

Taddeo did an excellent job in dodging the other one for a number of reasons, none of which were the fault of C-M. Luisa gave an excellent opening state-ment for the plaintiff. She never hesitated, and was clear and concise throughout. Her defense was well thought out and presented. The defense, however, was not as polished as the other one for a number of reasons, none of which were. My team and I really enjoyed our experience. It's the holiday Blues talking, but I wondered if writing about this is beyond the bounds of the C-M experience. Really, it is an important factor in one’s lifestyle during the 11th hour, and probably for all of your law school years. I found that there is a large continuing number of people 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 begins to make me wonder what 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, certainly must be said to someone to regularly give you a hug, with whom to share your hopes and worries, to talk about simpler things, to make you laugh and dinner during this trying time of year. I’m not sure how the 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 buying good presents and taking dancing 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 all are human, and the mechanisms of civil procedure is not the only support system that we all need. Sometimes, I feel that I all have for time.

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**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-frus-trated attorney gave a very loud, long 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. My team and I really enjoyed our experience. It’s the holiday blues talking, but I wondered if writing about this is beyond the bounds of the C-M experience. The best advice comes from ex-perience. Although, after middrums, my ego could use a bandage, insofar as I know, my soul is still intact. Perhaps I’m not sure where every-one 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. Not weird, perhaps we all can come out of hiding and relax: the hardest part, the first semester, will be over. Good luck with exams and happy holidays!

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