

THE LOW REVIEW

A publication of The Bottom-Halfers Legal Society (BHLS)

10/17/2001 Volume 1, Issue 3

At the OI' McDonnel Law Center

Dispute Resolution Society reaches critical impasse.

Majestic Pepperdine view provides only point of common ground

Negotiations broke down yesterday as the Dispute Resolution Society (DRS) failed to resolve the problem of when to hold their next meeting. The DRS has splintered into two factions. Those students who have classes on Tues/Thurs and those who go to class on Mon/Wed/Fri. Each section wants to hold the meeting on the day they are in class in order to avoid having to come to Malibu on the day they are mediating at Van Nuys Small Claims court.

The two bickering sides won't budge. They have tried all the *integrative approaches* but have not made any progress. Each side accuses the other of using *competitive rather than cooperative techniques*.

"They want us to play a "Y" in

an "X" world," stated one member. The two groups have been stuck for three weeks trying to decide when to hold the next meeting.

The tactics of noted Transformative Mediator S.G. Pope were used in an attempt to provide better communication and more understanding. Yet despite all her efforts, they couldn't resolve the problem. After three hours of intense empowerment she commented, "Mmmm." Each side is positioning themselves to win in this *fixed pie scenario* utilizing every *deceptive technique* they have been taught over the last two years of winter intensive and seminar courses. The M/W/F representative Michael Presicci said, "We have made a *good faith effort* to



The fabled *Dispute Resolution Society* troubled by bitter in-fighting and warm beverages

resolve this and conceded Friday but they won't concede Thursday." T/Th negotiator Eric Pentel countered, "They claim that they don't have authority to get rid of both Wednesday and Friday but we are leaving if we don't see any movement to a more *reasonable demand*. I want them to get rid of Wednesday then, and only then will we concede Thursday. I know how these big guys work. Lets get down to either Monday or Tuesday." While the argument seems persuasive, Presicci, reported to a *neutral mediator* on Tuesday, "Why should we drop two when they haven't even dropped one. They are not acting in

good faith and we are seeking sanctions from the Institute."

In a last ditch effort the Straus Institute called an emergency welcome reception in SR1 and provided those yummy chocolate cookies, cheese and crackers and warm cans of coke with little ice. The disputing groups quickly responded to this call for unity but tensions rose once more as the cookie plate and ice bin started to run low. Both sides walked out of the seminar room as the sun set beyond the Santa Monica Mountains. While no resolution was reached, everyone agreed that the view was extraordinary.

Pepperdine Property Prof imprisoned in London

Pepperdine law professor, Peter Wendel has been arrested by British authorities on charges of trespassing. Wendel, a property professor was caught on the private grounds of Windsor Castle, country home of the British royal family. Authorities claim that Wendel, dressed in a classic fox-hunting outfit was "living out his dream of reenacting *Pierson v. Post*," a noted property case involving fox hunting. Authorities also announced that Wendel is the prime suspect in a string of property related crimes that



Pepperdine Property Professor and noted *Pierson v. Post* fanatic Peter Wendel.

matching Wendel's description was seen swimming in a private duck-pond adjoining the property of the Keeble and Hickingrill families. Additionally, authorities also claim that Wendel has been pestering guards at London's Buckingham Palace, demanding that he be shown evidence that Her Majesty Queen Elizabeth II has proper title to the royal residence. Eyewitnesses also claim that Wendel was forcibly removed from the grounds of the Tower of London last month, when he refused to leave. Tower guards admitted that he was attempting to *adversely pos-*

sess the London landmark. Records indicate that a slew of strange property crimes began shortly after Wendel's arrival in the United Kingdom, and have continued unabated. Officials at Scotland Yard are now contacting local sheriffs and constabularies in an attempt to coordinate ongoing investigations. In an exclusive telephonic interview with the *Low Review*, Wendel, speaking from a prison pay phone acknowledged that his actions had been out of character, "Something just came over me, maybe it's the warm beer or that British beef I've been eating. I just couldn't resist the thought of galloping across the countryside in pursuit of an actual moment of common law occupancy."

NEWS BRIEFS:

- ? *Low Review* editor takes job at Mad Magazine: "Law School Waste of time."
- ? New Cafeteria menu strikes gold on 'Mint Julep' edition.
- ? "Full faith and credit" tattoos on the rise.
- ? Paperless Law School efforts cause grade mix-up: 3L's Droog & Puzder swap rankings.
- ? Students wander blindly through afterlife—Prof. stole eyes.
- ? Doctor diagnoses Bottom-Halfer with 'cancer of the mind.'
- ? 30% of 1L's don't know what the 'flux capacitor' is, 3L's "feel old."

PERRINTHETICALS

by Obi-Perrin Kenobi

Class of 1978 Grad Falls asleep in library, wakes up in 2000, as Bottom –Halfer.

Unaffected by Trade federation battle droids, Obi-Perrin Kenobi made it to the communication chamber in time to send us a new batch of *Perrintheticals*.



Food and the Law: Similarities?

“Just like we would rather not know how sausage is made we would rather not know how congress constructed this rule, because it isn’t pretty.” (struggling with the workings of Rule 803[B] & [C]).” 11:10 am October 4, 2000.

The Seriousness of Death

“You can bring in the family Bible, engravings on rings, inscriptions on family portraits, engravings on tombstones, Oh tombstones. I always wanted to introduce one of these. ‘Your Honor, I would like to introduce into evidence as people’s exhibit number 1, my uncle’s tombstone.’ Tombstones can be brought in as well as urns. The urn is a good one. If you have the opportunity to bring in the urn and the ashes, do it. People don’t lie about this stuff, it just is n’t good form!” (Discussing the Family records exception in Rule 803 [13]).” 11:20 am October 4, 2000.

The Male heart.

“It has to do with the heart and its bad. That’s all we need to know for this case. So what is going on with this man and his angina?” 11:20 am October 16, 2000

Go forth . . .

“Perhaps you were drinking with someone and give them your car keys and say ‘go forth and injure.’” 11:58 am October 23 (unknown topic).

Cheap Plumbers

“She has a friend that will blow up a car for \$50. Now that’s a deal, you can’t even get a plumber to come out for \$50.” November 15, 2000 11:05 am.

Confused Jedi.

“What am I talking about? What am I talking about here? I don’t know. Oh I know, I really know. Just wait. Oh yeah.” October 20, 2000 11:38 am

No food or drink allowed in *Low Review*, except for bottled water.

“I just wanted to rest between Evidence and Prof. Nelson’s Wills class, I needed it.” In 1977 2L Felicia Westbooke fell asleep on the third floor of the library. “There was a very comfortable chair hidden away in the corner. I figured if I just rested my eyes I would be prepared for afternoon classes.”



Recent picture of social outcast 2L Felicia Westbooke

Felicia once was in the top of her class, and her social circle. Now, after a lengthy petition process she enters the class of 2003 at the bottom of the heap and without any friends. “Many people laugh at me, primarily the length of my beard. I thought about shaving it, however it is a constant reminder of the time, and money I lost. Pepperdine’s tuition used to be \$2,500.00 a semester. I was shocked to find that is is literally ten time that amount now.”

Write us, please:
Lowreview@netzero.net

IL Tips FOR SUCCESS:

C) Egg McMuffins GO BEST WITH DORITOS.

LowCI Fea-



This week’s *Low Review* featured OCI employer is CalTrans. The *California Department of Transportation* offers a rewarding work environment and secure job placement. For information about employment at Caltrans, we recommend you check out their employment information page at: <http://www.dot.ca.gov/hq/jobs/>. Caltrans also provides work experience credit and job opportunities during the summer.

A few interesting facts about Caltrans:

- ? Responsible for over 18,905 miles of highway and some 30,000 roadsigns.
- ? Caltrans purchases 120,000 orange cones each year
- ? Caltrans supervises probationers, inmates and workfare people who pick up litter along the highways in orange jumpsuits.



Former Bottom-halfer now enjoys life as Caltrans employee.

LowCI resume tips

This week’s installment of *LowCI resume tips* explains to eager students how they too can benefit from spelling errors. This semester, The BHLS is starting a “**Pepperdine Trail Team Competition**” Every semester we will compete on the scenic coast line trails of Malibu. The winners get the satisfaction of knowing they are better than their classmates and get to enjoy the beautiful surroundings of our community. You thought the view was pretty in the glossy poster the school sent, why not enjoy it first hand *and* improve your resume? Here is how it works:

- ? Go on a hike a couple a times a week and now you have been in “*Trail Practice*”
- ? Stretch before each hike and you have participated in “*Pre-Trail Practice*”
- ? Invite your friends from UCLA, USC, heck, Moorpark, or Santa Monica on the hike and you have participated in an “*Inter-Scholastic Trail Competition*”
- ? Imagine the value of being able to put on your resume “*Won Trail Team Competition.*”

With this wealth of *Trail Experience*, There is no way Kirkland Ellis could turn you away! Now go forth and conquer!

Submit articles to: lowreview@netzero.net

Fun and Games

Separated at Birth



Professor Nelson



Hank Hill

You make the call

Ever dream of being on the LR editorial Board? Here's your chance! It's the:

Low Review Color On!



Color the above picture of our beloved karate chip mascot at the hallowed Supreme Court, and send it in to the *Low Review*. Should our judges determine your coloring capacity is sufficient, we will give you a *Low Review*.

We still have no idea what to do with this space. Any ideas?

NO, REALLY!

BHLS Editorial response

Two points this issue:

1) Many Professors have emailed *The Low Review* asking "Why not put the issues in our mailboxes?" In the spirit of accommodation so admirably displayed by our professors, we are pleased to announce a new policy. We will now post one copy on the syllabus bulletin board, and professors will be expected to copy down the articles themselves.

2) 3L Shylie Dean Thomas won the "Guess the Justice." It was Scalia. Shylie turned down his prize, (6-pack of BH outlines) and opted for his name in the low review. So here goes:

SHYLIE DEAN THOMAS

-*Low Review editorial board.*

"Pepperdine Honor Board" e-mail virus strikes Law School campus

Honor Board Virus spreads Outline damage across Pepperdine Law student body.

In an attempt to infiltrate the gullibility of 1L's, an unnamed computer nerd wrote and disseminated the "Pepperdine Honor Board Virus."

Anonymous 1L Nicole Eiland actually followed the request of the email. "With all the computer problems I had with SoftTest, and my wireless

LAN card, I assumed the virus was accurate." Eiland lost all of Prof. Boyd's class notes when she deleted the contents of her hard drive. "The email said: 'This is the Honor Board virus. Please delete all files from your hard drive and forward this to 10 friends. If you do not you will have bad luck for 7 years.' After I deleted the contents of the hard drive I could not send it to 10 of my friends, I guess that's why my laptop does not work anymore." Eiland said.

The email, falsely claims to originate from the Honor Board, the last bastion of morality on campus, and feeds on the desire of Pepperdine students to be honest.

Tips to avoid a computer virus:

- ? Don't install AOL, it's the biggest computer virus
- ? Don't open attachments from unknown recipients

LEGAL CITATIONS

We asked students around campus what they thought about Scot Wilson's and Alex Bernstein's performance at this year's "AAAT."

? "I think it is good that Pepperdine has a program to help students with their bad habits." 3L Ted Wenzel (distracted by his Family Law case-book).

? "Technically, I thought Scot won." 2L Alex Bernstein

? "Hey, it was fair and a good time. Wanna go get some beers?" 3L Scot Wilson

? "Watching these guys is like watching a dog chase its tail. Not really good for anything, but fun to watch." 3L Dan Droog

? "Did they pass out a roll sheet? I came in late." 3L Joshua Hiller

? "That was so cool! I am so glad I came to Law School. Watching Scot and Alex duke it out in a simulated Supreme Court environment was thrilling! I cannot wait for the opportunity to work on my Appellate Brief!" Confused 1L Owen Rassman

? "I think Scot should have whipped out his berzerker

Wolverine X-Men style: chiggity ching chiggity ching chiggity ching!" 2L-3L typical Bottom-Halfer response

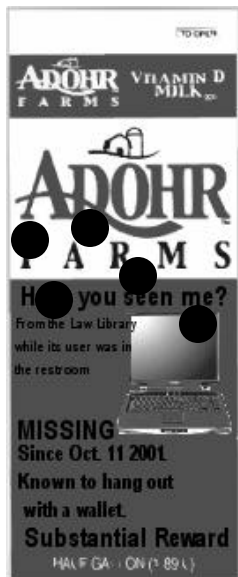
send in pictures of your Legal Tattoos and we will publish them in a future issue!



Police Blotter

Computer theft in Library sparks Student hiring of rogue A-Team.

Students who fell victim to last week's library theft have turned to their last resort in an effort to combat the stolen computer ring and recover their valuable class notes. At a loss for help, the students contact a crack commando unit made up of soldiers of fortune that escaped a maximum security stockade to the Los Angeles underground. The A-Team has already begun the recovery process and has several leads as to the identity of the ring leader of the computer heist. Colonel John "Hannibal" Smith, explains "The school is not responsive to their needs so we will take the necessary steps to recover the laptops through a series of intricate plans designed to flush out and then capture the perpetrators responsible for these thefts." Hopes are high that this band of freedom fighters will work independently of public safety operations. Smith is encouraged with the way the plan is coming together and states that his goal is to provide a safe environment for tomorrow's leaders. His cooperative, B.A. Baracas warns anyone involved in the heist, "I pity the fool who tries to steal laptops in my library."



Carte Blanche

This week: Pepperdine Penitentiary

It was just over an hour into e-commerce when the striking similarities began to hit me - law school is the *socially acceptable equivalent of prison*. Consider a prison: it's a large institution in which individuals whom society feels are unacceptable are sent for a fixed period of punishment and rehabilitation - including education and vocational training. Hmm...law school is also a large institution where individuals engaged in society's most unacceptable field, law, go for a fixed term in order to be educated and taught a profession. Coincidence? I think not. I am reminded of Warden Norton's line in *The Shawshank Redemption*, as he proclaimed to his new inmates, "*I believe in two things, discipline and the Bible, here you'll receive both*" ...sound familiar?

Prison, often a dank, foul smelling building, built around a central atrium, is not at all unlike our Malibu campus - complete with its new aromatic carpet. Like a

prison, Pepperdine's rooms are without windows and are even outfitted with a similar drab paint scheme, designed to focus the mind on the reason behind incarceration, *be it criminal behavior or criminal law*.

Typical prison amenities include a cafeteria for feeding inmates, a recreation room, and a prison library - Pepperdine has all these. Moreover, like guards checking inmates at "lights out," Pepperdine has a strict attendance policy, in which students failing to be in their classrooms are harshly rebuked and may have to repeat courses - adding time to their term (see [Kratz](#)). Contraband, a persistent problem in prison, is no less present here at Pepperdine (See library food policy).

A prisoner's incarceration terminates only when he has served his time and passed evaluation by the parole board (which determines a prisoner's moral fitness to rejoin society). Likewise, law

school students leave only when they have served 6 consecutive terms, and must also pass a moral character test. After leaving prison many inmates are faced with the same problems they had when they first reached prison - a lack of opportunities and the persistent cycle of alcohol and substance abuse. Pepperdine grads are no different however, for they too are faced with continuing unemployment and the bar. And isn't it uncanny that the price of tuition and the state inmate incarceration cost is almost identical? Lastly, what of our beautiful location here in Malibu overlooking the Pacific Ocean, isn't that the furthest thing from prison? Maybe, but then Alcatraz also had a wonderful view.

IN 2 WEEKS: Bro, it will be *The Count* issue, no, really.

The Kratz foul meter:

GAMES: 03

FOULS: 02

EJECTIONS*: 01

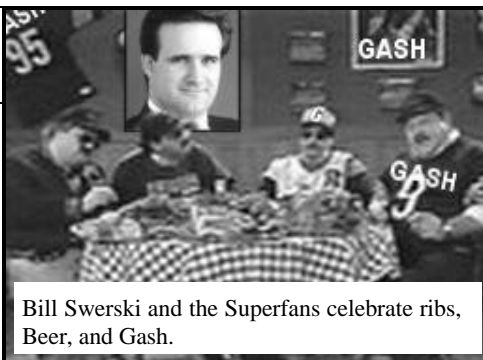
*Fouls are rated separately from ejections.

FLAG FOOTBALL

Section C arrived at Alumni Field last Thursday expecting a victory. After starting the season 3-0 without giving up a single point, the IL's were confident about their chances. Unfortunately, they learned what Section A and B discovered the hard way - IL's shouldn't waste their time playing in this league or more accurately, wasting the Tortfeasors' time.

Perhaps one Section C player learned this lesson better than others. After picking off a Tortfeasors pass, the player sprinted

down the sideline before being rocked by Tortfeasor, Tyler Kratz. After a brief scuffle between teams, Tyler was ejected, though he did save what at the time would have been the go ahead score. On the very next play, Ryan Klein intercepted Section C's pass, sealing the win for the Tortfeasors. Professor Gash threw three touchdown passes on the day - two to Ogden (one with



Bill Swerski and the Superfans celebrate ribs, Beer, and Gash.

no time remaining in the first half on a hail-mary) and one to his center, Ramy. The D played an outstanding game, highlighted by an interception from Wenzel. In the end, Section C lived up to

what one would expect from a team of IL's - confused, angry, and unable to stop the Tortfeasors' offense. **Note:** In past weeks, we have joked about Roach and would like to issue a formal apology and thank him for being such a good sport. Clearly, all of these IL teams are overwhelmed and overmatched. Ron could easily play on any of these teams.