

A YEAR OF LOWERING THE BAR 2013-2014

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M. Kevin Underhill[†]

OCTOBER 2013

Oct. 28: *Vice.com* interviews Angeles Duran, the woman who owns the Sun. Duran says she has owned the G2-class stellar object since 2010, when she realized the Outer Space Treaty of 1967 applied only to nations, not individuals, and promptly filed the necessary paperwork with a local notary public. Duran says she does not charge individuals for using her Sun, but does plan to charge corporations one euro per solar panel. It is not clear whether she will be so generous with the intellectual property she also claims to own, such as the rights to the Tarzan shout.

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NOVEMBER

Nov. 4: According to KOB News, records it has reviewed support David Eckert's lawsuit alleging that police in New Mexico violated his Fourth Amendment rights after a traffic stop. This is because the records appear to confirm that, with the help of two doctors, police did indeed subject Eckert to two digital cavity searches, three enemas, a chest X-ray and a colonoscopy in an unsuccessful 12-hour hunt for drugs. The officers argue that they had probable cause for the search because Eckert "appeared to be clenching his buttocks" after being ordered out of his car.

Nov. 14: Saying it "regrets the error," the *Harrisburg Patriot-News* retracts its criticism of a presidential speech it called "silly" and forgettable. It was retracting a one-paragraph editorial printed on November 24, 1863, in which it had totally panned the Gettysburg Address.

Nov. 20: A mistrial is declared in *Calcagno v. Springfield*, in which the plaintiff accuses pop star Rick Springfield of knocking her down with his rear end during a concert. She called no supporting witnesses, but did show the jury a photo she claimed to have taken just before impact. Springfield said he did not recall the incident, but he did tentatively identify the pictured buttocks as his own.

Nov. 21: Senate Democrats push through a rule change making it impossible to filibuster most judicial nominations. This is not something they will regret, because there is no chance they will ever again be in the minority.

Nov. 26: Number of arguments made by O.J. Simpson in an effort to secure a new trial on robbery charges: 22. Number that work: zero. Among them: the argument that Simpson received ineffective assistance of counsel partly because his lawyer failed to present an intoxication defense. Simpson's lawyer testified that he did not present the intoxication defense because "Mr. Simpson wasn't intoxicated."

Nov. 28: "Firstly, I'd like to stress that it isn't against the law to dress up as a clown," says a police spokesman in Norfolk, England. This follows reports that clowns, or people dressed as clowns, have been alarming people in the area. The spokesman notes that the purported clowns have not actually assaulted anyone, but says that police are patrolling the area and, if they locate any clowns, will "offer them strong words of advice."

DECEMBER

Dec. 7: Canadian sources report that a judge in Quebec has deemed Bruno Leduc to be a “quarrelsome litigant” (*plaideur quérulent*). Leduc’s 70 lawsuits have included claims that a Staples employee treated him “in a cavalier manner,” that Costco employees took too long to bring him a lawnmower, and that Air Canada wouldn’t let him sit in business class (which he hadn’t paid for). Leduc also sued the Dominican Republic because it rained during his vacation there.

Dec. 18: California lawyer Nathan Dooley responds to a cease-and-desist letter that his client, Yohannes “Hanes” Petros, received from Hanesbrands Inc. Noting that his client’s product, Hanes Hummus, is food and that Hanes underpants are underpants, Dooley opines that “there appears to be no danger of confusion” between the two companies’ trademarks.

Dec. 24-25: Arguments triggered by the following things result in people trying but thankfully failing to kill each other during the Christmas holiday season: a wedding color scheme (stabbed), apple fritters (stabbed), the location of the Big Dipper (stabbed), turning off a Crock-Pot (choked and stabbed), and returning from the store without beer (stabbed with sharp ears of ceramic squirrel).

Dec. 25: Citing details obtained via the Freedom of Information Act, *The Guardian* reports that the number of alarming clown sightings in the UK has risen to 57. Clown representatives emphasize that the incidents are the work of “a small group of people with stupid views” who “have nothing to do with clowning.” Bluebottle, secretary of Clowns International, says those involved are “doing clowning no favors.” “People’s reaction to us has changed,” says Crazy Bananas. “This is my business and I don’t like frightening people.”

Dec. 30: The California Court of Appeal affirms a verdict awarding \$161,721.44 to a man who accused the defendant of yanking his pants down during marching-band rehearsals. The plaintiff claimed that the two pantsings caused him emotional distress, noting that he was unable to rectify the situation immediately because he was wearing a drum harness. Both parties were students at Pasadena City College, in which the plaintiff enrolled after spending four years in the Marine Corps.

JANUARY 2014

Jan. 2: A judge rules in favor of William Berroyer and his wife in their lawsuit against the U.S. government, awarding them a total of \$862,000. Berroyer alleged that he was injured when he tripped over a phone cord at a local IRS office, which he had visited in order to discuss how he planned to pay \$60,000 in back taxes. The visit did answer that question, eventually.

Jan. 9: New York Assemblyman Jim Tedisco sponsors a bill that would make it illegal to hit someone in the head. He is concerned about a fad called “the Knockout Game” in which young hoodlums allegedly pick out victims at random and try to knock them out with one punch. The New York ACLU notes, however, that the “game” may only be an urban legend, and also that hitting someone in the head is already illegal. “You don’t need to have an assault provision for every part of the body,” it points out. Although it would be pretty funny if you did.

Jan. 27: The California Supreme Court rejects Stephen Glass’s application for bar membership. Glass was a reporter for *The New Republic* in the 1990s but was fired after it came to light that he had fabricated dozens of stories. (He later wrote a novel in which a fictional “Stephen Glass” fabricates dozens of stories.) Glass then got a law degree and a job as a paralegal. Numerous witnesses testified on his behalf, including lawyers at his firm and a doctor who “saw no evidence that [he] was a sociopath.” But the court finds this outweighed by evidence of continuing dishonesty, including what it called “evasive” testimony at the State Bar hearing itself.

Jan. 28: Following the State of the Union address, Rep. Michael Grimm (R-NY) responds to questions about alleged campaign-finance violations by threatening to throw the reporter off the balcony. “I’ll break you in half,” Grimm also threatens. “Like a boy.” Grimm later apologizes for the outburst. Luckily for the reporter, probably, he had not asked about the tax-evasion charges (of which Grimm would later be convicted).

Jan. 30: The FAA contacts Lakemaid Beer in Minnesota to say that its plan to use drones to deliver beer to local ice fishermen violates at least four current regulations.

FEBRUARY

Feb. 6: The Law Society of Saskatchewan rules that an attorney was guilty of “conduct unbecoming” when he wrote a fee-retainer agreement

on a piece of toilet paper. The attorney was upset at an adjudicator who insisted on seeing a written retainer agreement for each case, something the attorney said had never previously been required. The Society finds that the toilet-paper contract was an effort to humiliate the adjudicator, an effort that cost the attorney about \$10,500 in fines and costs.

Feb. 11: The BBC reports that a French court has awarded five Michael Jackson fans one euro each for “emotional damage” they claimed to have suffered as a result of the pop star’s death. The five claimants, all members of a Jackson fan club, had sued the star’s former doctor, who was implicated in his death. The plaintiffs’ lawyer said his clients would not try to collect, but rather were hoping the ruling would help them gain access to Jackson’s grave, which is closed to the public. He did not explain how it might help them do that.

Feb. 13: In Pickens County, South Carolina, Kayla Finley is arrested for violating section 16-13-420 of the state code, which makes it a crime to fail to return leased or rented property. Police ran a routine check on Finley when she visited the police station to report another, probably more serious crime, which is how they learned she was wanted on a nine-year-old warrant for failing to return the movie *Monster-in-Law*.

Feb. 14: Saying that the conditions of his detention in a Norwegian jail amount to torture, Andres Breivik threatens to go on a hunger strike if his jailers do not meet his demands for better treatment. Breivik, who murdered 77 people in 2011, is demanding a Play-Station 3 on the grounds that his PS2 is now well out of date. Breivik has previously complained that his cell is “poorly decorated” and has no view, and that he is not allowed to properly moisturize.

Feb. 18: The Wisconsin Legislature passes Assembly Bill 422, which legalizes and regulates rubber-duck racing in the state. The legislation was prompted by the executive branch’s decision to crack down on the annual rubber-duck race in Mishicot (pop. 1,400), which it said amounted to illegal gambling.

Feb. 18: A federal judge sentences three activists to prison after they are convicted of “sabotaging” the Y-12 National Security Complex in Oak Ridge, Tennessee, where the U.S. stores its weapons-grade uranium. The activists, one of whom is an 84-year-old nun, simply cut a hole in some fences and walked into the complex, where they put up banners and sang songs during the two hours it took for any guards to show up.

Feb. 20: Prosecutors drop the charges against Kayla Finley for failing to return *Monster-in-Law* nine years before. Although South Carolina does not have a generally applicable statute of limitations, the passage of time is relevant because the video store where she rented the VHS tape no longer exists. Presumably, prosecutors also reasoned that if Finley did watch *Monster-in-Law*, she has already been punished enough.

Feb. 21: A class-action lawsuit is filed in New Orleans accusing various hotels of price-gouging in connection with Mardi Gras and the Super Bowl. The lawsuit claims that defendants' actions "caused plaintiff emotional hardship, anxiety and depression, and led to a broken tooth."

Feb. 26: A Florida court rules that Patrick Snay violated the non-disclosure clause of a settlement agreement with Gulliver Schools by speaking to his daughter about the outcome of the case. The disclosure came to light after the daughter mentioned the outcome in a Facebook post, telling followers that "Gulliver is now officially paying for my vacation to Europe this summer. SUCK IT." The post cost Snay about \$80,000.

MARCH

Mar. 8: TSA agents in Phoenix shut down a checkpoint and call in a bomb expert to examine something that they think may be a grenade but is actually a clear glass bottle of Jimmy Choo perfume. The expert confirms that it is not a grenade but confiscates it anyway, telling the owner that other passengers might confuse the perfume bottle with a grenade as the TSA agents did, if she were to "wave this around" on the airplane.

Mar. 10: The *New York Times* reports that the Florida Legislature may abolish Hampton, a one-square-mile "town" of 477 people known as one of the nation's worst speed traps. Hampton is located east of Highway 301, except for a half-mile-long tentacle that reaches out and touches the highway. The town's 17 police officers have been lying in wait there for drivers who fail to notice the brief reduction in speed limits, writing almost 13,000 tickets in two years. The *Times* also notes, however, that it is not clear how many of the 17 were actually police officers.

Mar. 11: CIA Director John Brennan denies that his agency spied on Senate staff while they were investigating it: "As far as the allegation of, you know, CIA hacking into Senate computers, nothing could be further from the truth. We wouldn't do that. That's just beyond the scope of rea-

son . . . [L]et me assure you the CIA was in no way spying on SSCI or the Senate." Just FYI, there may be a followup to this item coming up below. Please do not speculate as to its contents.

Mar. 14: The executive director of Miami-Dade Crime Stoppers, which collects thousands of anonymous tips every year, is held in contempt for refusing to turn over a document. Richard Masten said he was concerned that turning over the document might reveal the source's identity. "[I]t's not going to happen on my watch," he told reporters, explaining why he ate the document instead.

Mar. 22: One day after being released from prison in southern New Jersey, Christopher Miller is arrested after allegedly robbing a shoe store about 100 miles away. Miller had just finished serving a 15-year sentence for robbing the same shoe store in 1999.

Mar. 26: In San Francisco, state senator Leland Yee is indicted by federal prosecutors. Yee was previously known for sponsoring AB 1179, a law that banned the sale of violent video games to minors on the theory that the games contribute to violence in society. "This is all about [gamers'] lust for violence and the industry's lust for money," said Yee, who has now been charged with arms trafficking and bribery.

APRIL

Apr. 3: The *New York Post* reports that a "rogue" court reporter in Manhattan has deliberately botched the transcripts of six trials and 24 other matters since 2010. Instead of recording the proceedings, the reporter "hit random keys or wrote, 'I hate my job. I hate my job. I hate my job,' over and over," a source claims. Judges were reportedly holding "reconstruction hearings" in which those involved in the affected cases were trying to remember what had happened.

Apr. 3: Sources in Holland Township, Michigan, report that two insurers are suing to recover \$2 million for fire damage to an apartment complex. The defendants are a couple who formerly lived at the complex. The insurers argue that she is required by her lease to be responsible for damages caused by "any occupant," and that he started the fire while using a hand-held torch to burn the fur off a squirrel.

Apr. 5: The BBC reports that a nine-month-old baby has been arrested in Pakistan and charged with attempted murder. The alleged infant was

caught up in an arrest of 35 people who police claimed had pelted them with stones during a protest, and was apparently charged along with all the others. Pakistani law provides that children under seven cannot be found guilty of any crime, but the first judge to review the matter ruled he did not have jurisdiction to dismiss. He did grant bail, however.

Apr. 8: The TSA fines John Brennan \$500 for “interfering with” screening personnel at the Portland airport. He did this, according to the TSA, by responding to a false-positive test for explosive residue by taking off all his clothes to prove he did not have a bomb. Though he did nothing except remove his clothes and stand quietly, a TSA administrator rules that this constituted “interference” because agents had to stop what they were doing and surround him with things so other travelers could not see him naked.

Apr. 19: In Kansas, the defense lawyer for murder defendant Jeffrey Chapman files a motion requesting the services of a tattoo artist before his client’s trial begins. This is because his client has the word “MURDER” tattooed in large capital letters on the front of his neck. The lawyer argues that the tattoo should be removed or obscured so the tattoo does not unfairly prejudice the jury.

Apr. 22: KATU News in Washington reports that a woman has sued for \$275,000 alleging she was attacked by a duck at a trailer park. The plaintiff’s lawyer claims neighbors will testify that “this duck was a crazy duck” that had attacked people before, which is the basis for the lawsuit’s allegation that the duck’s owner knew it had “abnormally dangerous propensities.”

Apr. 25: Reuters reports that Jeffrey Chapman’s motion for a tattoo artist has been denied, and that a deal has instead been reached in which Chapman will wear a turtleneck to trial every day. Coincidentally, the trial has also been postponed until August, when the average high temperature in Kansas is 92 degrees.

Apr. 25: “The ‘dog feces incident,’ as counsel for the Plaintiffs calls it, is a *high* point of this claim.” *Morland-Jones v. Taerk*, CV-12-463877, 2014 ONSC 3061 (Ont. Super. Ct. Justice Apr. 25, 2014) (emphasis added).

MAY

May 10: Former New York Giant Tyler Sash is arrested after (briefly)

trying to elude police by fleeing on a small motorized scooter. (They saw him riding it on a busy street at night with the lights off, and accurately suspected him of being intoxicated.) NFL records show that Sash weighs 215 pounds and can run 40 yards in 4.62 seconds, which leads this writer to calculate that Sash would have been able to run away faster than the overloaded scooter could carry him.

May 13: A Portland woman calls 911 to report that her car is being attacked by a “pirate.” The man informs police that he is not a pirate, but rather “a high elf engaged in battle with the evil Morgoth,” for whom he had apparently mistaken the woman’s BMW. The man also mentions that he has recently taken LSD. He has been arrested before, he later admits, most recently for climbing a downtown lamppost while dressed as a ninja.

May 22: The *Syracuse Post-Standard* reports that *Calcagno v. Springfield*, which previously ended in a mistrial, will be retried in January 2015.

May 28: The *Telegraph* reports that the family of His Holiness Shri Ashutosh Maharaj Ji has asked a court to investigate the guru’s alleged death in January, and to order his body to be released to them for cremation. To date the guru’s aides have refused to hand over the body, claiming that His Holiness is not dead, just “in deep meditation.” The deepness of the meditation is said to explain why there is “nothing unusual” in the fact that he is currently being kept in a freezer. His Holiness has “spent many years meditating in sub-zero temperatures in the Himalayas,” one points out.

JUNE

June 2: The Florida Bar says it is looking into an incident in which a judge and a public defender got into a fight after a courtroom confrontation. “If you want to fight,” said the judge, “let’s go out back and I’ll just beat your ass.” “Let’s go,” the attorney responded, and they went. Both scufflers took a leave of absence while the matter was sorted out.

June 3: Police in Ontario say that they are still looking for the owner of a fingertip found at the local fairgrounds. They say they have not ruled out foul play but have no reason to suspect it, either. “The priority,” said a spokesperson, “is to identify who lost a fingertip and who it belongs to.” Probably those will end up being the same person, but either way police ask anyone with information to come forward.

June 16: Eighteen-year-old Francisco Canseco pleads not guilty to five charges of vandalism after allegedly writing on a number of chairs in a San Diego courtroom. According to authorities, Canseco is a well-known graffiti artist or “tagger” whose signature is highly recognizable. He allegedly tagged the courtroom chairs with a paint pen while waiting for a hearing on 31 prior tagging charges.

June 18: New York’s legislature passes Bill No. S06903C, which makes it unlawful for any licensed exhibitor or dealer to “knowingly allow the public to have direct contact with a big cat,” defined to include lions, tigers, jaguars, mountain lions, most leopards, and any hybrids thereof. The bill’s sponsor was motivated in part by an apparent trend in which male users of online-dating services are posting pictures of themselves posing with tigers. “They can still pose with bears or monkeys,” Assemblywoman Linda Rosenthal says. “They just have to take big cats off their list.”

June 18: Calling the matter “a case study in how not to respond to a motion for attorney fees and costs,” a federal judge orders the State of Texas to pay almost \$1.1 million. While Texas had a fair argument that it was the prevailing party, it felt so strongly about this that it did not bother to respond to the other side’s motion. Instead, it filed a three-page “advisory” that (in the court’s words) “expresses indignation at having to respond at all, and presumes that the motion . . . is so frivolous that Texas need not provide further briefing . . . unless requested.” The judge instead awards the full amount claimed.

June 30: A federal judge dismisses Insane Clown Posse’s lawsuit against the FBI for classifying the rap duo’s fans, known as “Juggalos,” as members of a criminal gang. Based in part on reports that some ICP fans had committed crimes, the FBI’s 2011 National Gang Threat Assessment had described Juggalos as a “loosely organized non-traditional hybrid gang subset.” The FBI defines “hybrid gang” as one with “multiple affiliations, ethnicities, [a] migratory nature and nebulous structure,” and a membership that is “transient and continuously evolving,” a definition that would appear broad enough to include the cast of *Saturday Night Live*.

JULY

July 7: *The Smoking Gun* reports that a man who was shown sleeping in the stands during an ESPN broadcast of a game at Yankees Stadium is

suing the network and two announcers for making fun of him. The complaint alleges that ESPN's announcers subjected him to an "unending verbal crusade" that encouraged others to mock him online after the video was posted, causing him emotional distress. The lawsuit also names the Yankees and Major League Baseball as defendants.

July 9: The *Washington Post* reports that officials in Manassas City and Prince William County, Virginia, are considering "a unique approach" to collecting evidence in a "sexting" case involving two minors. The approach they say they are considering is to forcibly inject the boy with a substance that will cause the relevant body part to assume the state in which it allegedly appeared in the video he sent to his girlfriend, so that the two images can be compared more easily.

July 10: Officials in Manassas City and Prince William County announce that they have decided to drop the plan mentioned above. While they refuse to comment on why the decision was made, some speculate that it involved a realization that any thinking member of a civilized society would find that plan revolting, or possibly a dim understanding of the irony involved in demanding that sort of picture from a 17-year-old boy they were planning to charge with "creating child pornography."

July 15: In San Francisco, an intoxicated man manages to infiltrate a TSA security checkpoint, put on a pair of blue gloves, and pat down two women in a private screening booth before anyone notices what he is doing. In other news, the TSA budget request for 2015 is approximately \$4.6 billion.

July 19: The *Chicago Sun-Times* reports that the Chicago Cubs are suing five people who have allegedly been taking turns posing as a Cubs mascot near Wrigley Field, engaging in "mascot-like activities" and asking for money. The team alleges that "Billy Cub" has also embarrassed the team by making various "rude, profane and derogatory remarks and gesticulations," of a sort from which the club's official mascot, Clark, is said to refrain.

July 25: A Canadian tribunal dismisses a discrimination claim by Her Majesty the Queen against a pro bono organization. The group had refused to help the plaintiff bring a civil suit for back wages, pointing out that the plaintiff was not Her Majesty the Queen but rather a guy who had changed his name to "Her Majesty the Queen." At the hearing, the plaintiff had "argued that his claim for wages as the Monarch would succeed because he is Queen Elizabeth II and it is a difficult job," but the

tribunal did not reach the question of whether the underlying employment claim had merit.

July 31: A CIA spokesperson states that some of the agency's employees may indeed have "acted in a manner inconsistent with the common understanding" between the CIA and Senate investigators; specifically, the investigators' understanding that the CIA would not spy on them while they investigated. This entry therefore ends the suspense you have probably been feeling since the March 11 entry above, which I admit was kind of a cliffhanger.

AUGUST

Aug. 6: Bradley Hardison eats eight doughnuts in two minutes, thus winning the adult division of a doughnut-eating contest in Elizabeth City, North Carolina. The contest is sponsored by local law-enforcement agencies as part of the "National Night Out Against Crime."

Aug. 7: Bradley Hardison is arrested by a local law-enforcement agency that had been looking for him in connection with a number of burglaries in the area. According to *Reuters*, Hardison was not recognized at the contest — in which he defeated several police officers, among others — but the report of his victory "caught the eye" of the Camden County Sheriff's Office, which then renewed its efforts to locate him.

Aug. 9: The *Courier* reports that the Social Security Administration has asked Donald Miller's two children to repay almost \$50,000 in benefits they received after Miller was declared legally dead in 1994. The SSA points out that Miller is not actually dead, as he proved by showing up again in 2013. As a judge ruled that same year, however, he is still *legally* dead because Ohio law requires any petition for change of status to be filed within three years of the disappearance. As far as the SSA is concerned, though, Miller is and has always been alive, even though under state law he is currently dead.

Aug. 13: In an effort to sort out the results of a disputed election in Montezuma, Colorado (pop. 65, 12 of whom were candidates), the town and its clerk sue all 61 registered voters.

Aug. 17: A 49-year-old South Carolina man is charged with bigamy after authorities learn he is married to at least four women. The first three became suspicious after noticing that their husband had posted wedding pictures on Facebook in which they did not appear.

Aug. 18: In California, authorities say that the drunken man who posed as a TSA agent in July will not be prosecuted. They have been unable to locate the two women he is believed to have patted down, a spokesperson says, and so “don’t know if anything improper” actually happened. “There is no law against impersonating a TSA agent,” the DA claims, although there are in fact two federal statutes that make it a felony to impersonate a “federal employee.” The fact that the suspect is a wealthy banker whose father-in-law is an important official in Hong Kong is probably irrelevant to the decision.

Aug. 19: The mayor of Ocala, Florida, says he is in favor of repealing the town’s ordinance that makes it illegal to “knowingly or intentionally wear pants below the person’s natural waistline” in a manner that exposes the underwear. Reminded that he signed it into law less than a month before, the mayor says he did so by mistake. “[H]e actually meant to veto it when it came across his desk,” a spokesperson says, but “there were many papers and he mistakenly signed it into law.”

Aug. 19: The U.S. Copyright Office releases a new edition of its “Compendium,” the first in over two decades. Among the changes: the Office clarifies that it will not register a work not created by a human being, such as, for example, “a photograph taken by a monkey.” This follows months of controversy over who if anyone owns the rights to a picture taken in Indonesia by a monkey who hit the button on a photographer’s camera. The monkey has no rights, but many argue that its involvement means that the picture is necessarily in the public domain.

Aug. 25: In Indiana, Judge Dean Young issues an order directing a local attorney “to never again appear for a legal proceeding in the Blackford [County] Circuit Court unless he is entirely clad in ‘appropriate business attire’ which includes socks upon his feet.” Asked about his socklessness, the attorney had responded, “I hate socks,” and said that “unless the Judge . . . could show him applicable ‘orders or other legal authority’ he would continue his habit of appearing sockless in court.” The judge promptly wrote such an order and showed it to him.

SEPTEMBER

Sept. 8: Sen. Lindsey Graham says he hopes the president will not ask Congress to vote in favor of going to war in Syria, because he is concerned

a majority might not vote for war. “What if [a presidential request] comes here and we can’t pass it?” Graham worries. “That would be a disaster.” Sen. John McCain agrees that the president doesn’t need Congress’s approval to go to war, but opines that “it certainly is helpful to have Congress fully engaged.”

Sept. 11: California’s State Bar Court recommends suspension for a lawyer who had digitally added herself to dozens of celebrity photos she then posted on her “Publicity” page. The court finds that the altered photos could be misleading because they imply that the lawyer is well connected.

Sept. 18: Facing disbarment, Dennis Hawver appears before the Kansas Supreme Court dressed as Thomas Jefferson. “I wore this outfit,” Hawver tells the court, “because today, the issue before you is whether or not the Constitution of the United States . . . has bearing on our rights.” The issue is actually whether Hawver failed to provide competent representation in a capital case. Among other things, Hawver argued that his client could not be guilty because there were two eyewitnesses to the crime. “With this man’s background and experience,” Hawver asked rhetorically, “do you think he would have left an eyewitness alive?” Hawver also sued the Kansas Supreme Court for an injunction preventing it from disbaring him, which it later declined to grant just before disbaring him.

Sept. 22: *Above the Law* reports that it has received a copy of a formal confidentiality agreement that one member of a law-school study group had allegedly proposed to the others. Among other things, the agreement includes a liquidated-damages clause imposing a \$5,000 penalty for any breach.

Sept. 29: Sources report that the trial of Mark Besemann’s claim against his neighbor, Roger Weber, has been continued until December. Besemann accuses Weber of trying to resolve a property dispute by cutting Besemann’s garage in half with a power saw. Weber had asked for the continuance, which might or might not have had something to do with the fact that he was then running for a seat in the Minnesota House of Representatives.

Sept. 30: U.S. District Judge Amy Berman Jackson rules that former Idaho senator Larry Craig and his campaign committee violated election laws by using campaign funds to pay Craig’s legal fees. Craig had been

accused of propositioning an undercover officer in an airport bathroom, and argued that because he was traveling between D.C. and Idaho at the time, the fees pertaining to that incident were “related to official Senate duties.”

OCTOBER

Oct. 2: Surprising no one, the TSA affirms its own order imposing a fine on John Brennan for taking off his clothes at a checkpoint. Brennan says he will appeal.

Oct. 8: “I think I can safely say this is a very unusual claim,” said Shari Moore, the city clerk of St. Paul, Minnesota. She was referring to Megan Campbell’s claim for property damage sustained after a city vehicle hit her car. The claim is unusual because Campbell had been driving the city vehicle at the time.

Oct. 13: A spokesperson in Auckland, New Zealand, says that police are still looking for a woman who left a courtroom after being sentenced to jail time. “[S]he simply walked out of the sentencing box and out the front door,” a witness reports. “The judge said ‘someone stop that woman’ and she just kept on going. It’s quite embarrassing for them really.” The spokesperson describes the woman as a “low risk” offender, which is good because they have no idea where she is.

Oct. 22: The *Madison County Record* reports that Aaron Wemple has sued the Illinois State Bar Association and all its members for just over \$250 billion. What they have done is not entirely clear, but it has something to do with a “court process” he says is “defective and unsafe for its intended purpose in that it generates degeneration financially, psychologically and/or physically.” (It also may have something to do with his conviction.) The new demand is actually far more reasonable than the one he made in a 2012 case captioned *Wemple v. Illinois State Bar Association Members and Knowing Accomplices*. There he sought \$4.2 trillion based on claims that the state’s legal system is unconstitutional.

Oct. 22: An election in Hanover, Manitoba, goes forward without a vote on a referendum that would have repealed the town’s ban on alcohol sales. The referendum is removed from the ballot after city officials realize that the town has never had such a ban. The area was once reserved for Mennonite immigrants, and while residents have long assumed alcohol was prohibited — though “turning a blind eye” to the one store in

the jurisdiction that sold alcohol — officials could find no evidence of that. “[The store has] been there since the early ‘70s,” an official said, “and I’ve often asked, ‘How did this come about?’ But nobody seemed to have the history.”

Oct. 25: The *Milwaukee Journal-Sentinel* reports that officials in Marathon County, Wisconsin, sent 24 officers and an armored vehicle to the home of a couple in their 70s to collect a civil judgment. Asked whether police considered the man dangerous, a spokesperson said no, but cautioned that “while [he] was never considered dangerous, he was known to be argumentative.” Police escort the known-to-be-argumentative man to a bank and wait while he withdraws \$80,000 in cash.

Oct. 29: Writing to *Reason* magazine, Sean Malone says that TSA agents confiscated his silver belt buckle, which was shaped to look like a Flash Gordon-style ray gun. Asked why she considered the buckle a threat, one agent postulated, “What if you take this object out of your bag and point it — like a gun — at a police officer? He would have no choice to assume that it was a [ray] gun, and take action against you.” A supervisor ruled in Malone’s favor on that trip, but on his return flight it happened again. TSA agents at LAX confiscated the item, citing a policy against allowing “replica weapons” on board.

