

A YEAR OF LOWERING THE BAR

[parallel citation: 2016 Green Bag Alm. 70]



M. Kevin Underhill[†]

OCTOBER 2014

October 31: The clown ban in Vendargues, France, takes effect and will last through the end of November, according to the town's mayor. The ban follows reports from elsewhere in France of people dressed as "scary clowns" scaring and/or assaulting others. It is not entirely clear whether the scary-French-clown plague is real or being exaggerated on Facebook by groups said to be "tracking clown sightings across the country," but the mayor has clearly decided not to take any chances.

NOVEMBER 2014

November 4: Frank Conaway resigns from his day job after the *Baltimore Sun* calls attention to his self-published books on bizarre topics. For example, Conaway has supported "raising the Brazen Serpent upon the pole of the spine using the Gnostic cypher key in relation to the book of

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the Apocalypse,” as explained in his book *Baptist Gnostic Christian Eubonic Kundalinion Spiritual Ki Do Hermeneutic Metaphysics*, available on Amazon. He also believes that the tax burden in Maryland is too high, which is why he is keeping his part-time job in the state’s General Assembly.

November 5: A Utah teacher pleads no contest to discharging a firearm in a prohibited area, namely a bathroom stall at the elementary school where she worked. It is legal in Utah to carry handguns on school grounds as long as you have a permit, as the teacher did. No one was injured except for the teacher, who was apparently cut by porcelain shards after the hollow-point bullet destroyed the toilet.

November 9: The *Sydney Morning Herald* reports that a judge has dismissed a lawsuit because of the plaintiff’s frequent interruptions to insult the judge (“Woman, remove yourself out of my sight”), and his insistence on singing in the courtroom. “It should be acknowledged that the singing was quite beautiful,” she wrote in her opinion, “but it was preventing me from hearing the evidence.”

November 10: In Italy, an appellate court reverses the convictions of several seismologists sentenced to jail for manslaughter in 2012 after failing to predict a massive earthquake. It affirms, however, that the one seismologist who actually made public statements about the potential risk of a quake can be held responsible for citizens’ failure to leave town.

November 14: The Kansas Supreme Court votes unanimously to disbar Dennis Hawver for his incompetent representation of a defendant in a capital case. Hawver had argued, among other things, that “the real killer” *should* be executed for his crime, an argument he conceded did not help his client since he made it during the penalty phase. The court apparently was not swayed by Hawver’s decision to dress up as Thomas Jefferson for the disbarment hearing.

November 15: The *Billings Gazette* reports that more than 800 permits for the salvage of vehicle-killed wildlife — sometimes known as “taking home roadkill” — have been issued in Montana during the year since the practice was legalized. “There are a lot of animals that probably still aren’t salvageable,” an official said, “but people are trying.”

November 23: A 27-year-old Colorado man is charged with “felony menacing” after pointing a banana at two deputies. One states in an affi-

davit that the man “knowingly placed” the deputies “in imminent fear by use of an article fashioned in [a] manner to cause us to reasonably believe it was a deadly weapon,” although it was in fact a banana. “I have seen handguns in many shapes and colors and perceived this [banana] to be a handgun,” writes Deputy Bunch.

November 24: An Australian labor commissioner reinstates an employee who was dismissed after being accused of harassment. “One major aspect of the reasons for dismissal, which involved a finding that the applicant performed the ‘chicken dance’ as an intentional act to intimidate, harass or otherwise harm another employee, was simply fanciful and did not represent a valid reason for dismissal,” the commissioner writes. “Even unpleasant people are entitled to justice.”

DECEMBER 2014

December 2: The House of Representatives votes unanimously to stop paying Social Security benefits to former Nazis. This follows an AP report that the U.S. is still paying at least four such persons as a result of an understanding by which they left the country voluntarily rather than being expelled. Not only did all 435 representatives vote to stop paying the Nazis, 433 of them signed on to sponsor the bill.

December 5: Anybody who wants their own airport-security scanner can get one for \$7,995, according to eBay listings posted by a government-surplus seller. This is a pretty good deal considering that the TSA paid \$113,000 each for the Rapiscan backscatter scanners, but a really bad deal considering that the things never worked in the first place. • In Beloit, Wisconsin, the police department announces a “voluntary search” program under which citizens can volunteer to have police come over and search their home for weapons (or whatever else they might come across).

December 9: In Beloit, Wisconsin, the police department cancels its “voluntary search” program due to the public’s complete lack of interest. The chief tells Wisconsin Public Radio he didn’t expect “the phone to be ringing off the hook with invitations,” but citizens were apparently even less interested than he expected.

December 10: An associate professor at Harvard Business School, who is also an attorney, apologizes for emails threatening legal action against a local Chinese restaurant. The restaurant allegedly overcharged him \$1

for each of the four items he ordered. But he demands \$12, not \$4, which he says “reflects the approach provided under the Massachusetts consumer protection statute, wherein consumers broadly receive triple damages for certain intentional violations.” The apology comes the day after the *Boston Globe* reprinted the e-mail exchange.

December 12: The *New York Times* reports that a Texas judge will decide who owns Lee Harvey Oswald’s coffin. Oswald was exhumed in 1981 to put an end to questions about who was buried in his grave (it was he), and was reburied in a new coffin. In 2010, Oswald’s brother Robert learned that the funeral home’s owner, having kept the original in a closet for 31 years, had put it up for auction. He sued to block the sale.

December 13: How does a guy wearing a Santa Claus outfit successfully flee a bank robbery? When he robs a bank on the same day as SantaCon, an event in which thousands of drunken revelers roam the streets of San Francisco dressed as Santa Claus. The robber merges into the Santa crowd and disappears.

December 15: In India, a panel of the High Court of Punjab and Harayana stays all proceedings in the case of His Holiness Shri Ashutosh Maharaj Ji, suspending a lower court’s finding that the guru is dead and should be cremated. The guru’s followers insist he is not dead, but rather “in deep meditation,” explaining that conditions in the freezer where they are keeping him are similar to those in the Himalayas, where he has been known to meditate in the past. The fact that there are significant assets in dispute likely has nothing to do with this argument.

December 23: Rep. Michael Grimm (R-N.J.) pleads guilty to one count of felony tax fraud, but insists he will not resign. Experts agree that the Constitution does not preclude a convicted felon from serving in Congress, but speculate it may be difficult for Grimm to do that while he is actually in prison. Grimm previously made news in January 2014 when he threatened to throw a reporter off a balcony after the State of the Union address.

JANUARY 2015

January 3: Angry about an unflattering article, Kirby Delauter, a county councilman in Maryland, threatens to sue the *Frederick News-Post* if it uses his name or otherwise “reference[s] [him] in an unauthorized form in the future” without his permission. “Use my name again unauthor-

ized [sic] and you'll be paying for an attorney," Delauter writes. "Your rights stop where mine start."

January 5: Two police officers sue in Louisiana, claiming they were demoted because of their agreement to swap wives. (The wives also agreed to swap husbands, but are not parties to the lawsuit.) Plaintiffs allege the department took action after it learned of the swap, which apparently took place before the respective divorces were final. Surprisingly, unmarried co-habitation is not even technically illegal in Louisiana. Plaintiffs claim the employment action violated their civil rights.

January 6: The *Frederick News-Post* publishes an editorial entitled "Kirby Delauter, Kirby Delauter, Kirby Delauter," in which it explains at length that Kirby Delauter has no legal basis for demanding it not use the name "Kirby Delauter" without the express permission of Kirby Delauter.

January 11: The *Boston Herald* says a former MIT professor has admitted he robbed a bank on New Year's Eve but argues he did so only as research for a film project. He did film the robbery, but he also left with about \$1,000 of someone else's money. In 1977 the same man walked out of a museum with a painting, later sending the painting back but holding the frame for ransom.

January 14: The complaint in *Alfred v. Walt Disney Co.* is "remarkable," writes a Delaware judge. "It is in my experience a unique example of the pleader's art. It cites to the epic of Gilgamesh, Woody Guthrie, the Declaration of Independence, Noah and the Great Flood, *Game of Thrones*, *Star Wars Episode V: The Empire Strikes Back*, *Star Trek*, President Obama, and Euclid's proof of the infinity of primes, among other references. It is well-written and compelling. In fact, it can be faulted only for a single — but significant — shortcoming: it fails to state a claim on which relief could be granted."

January 21: The U.S. government agrees to pay Nicholas George \$25,000 to settle claims that he was illegally detained in 2009 after TSA agents noticed he was carrying Arabic-language flashcards. As part of the settlement, the city of Philadelphia agrees to remind its airport police that reasonable suspicion doesn't necessarily exist just because a TSA agent says it does. • After deliberating for only 61 minutes, a jury in Syracuse, New York, finds that Vicki Calcagno has not proven her claim that singer Rick Springfield knocked her down with his butt during a concert. A

previous effort ended in a mistrial after Calcagno announced she had located new witnesses. But those witnesses did not show up to support Calcagno in the retrial, nor did any others.

January 28: In an article entitled “Ashutosh Maharaj completes year in freezer,” the *Indian Express* reports that the high court has postponed the previously scheduled hearing at which it will take up the issue of whether he is dead or meditating.

January 29: Workers at the courthouse in Sevier County, Arkansas, report finding about 500 Brazilian free-tailed bats in the elevator shaft. An increased bat presence was suspected after a deputy trying to dislodge one from a courtroom speaker ended up disturbing several, which flew around the room causing attendees to run for cover. “We’ve seen a bat or two fly through the courthouse,” a judge said, “but we’ve never seen this many in here before.”

January 30: In Texas, the *Odessa American* reports that a fourth-grader has been suspended for allegedly “making a terroristic threat” against another student. The boy, who had seen the final “Hobbit” movie a few days before, brought a “magic ring” to school and told another boy it could “make him disappear” — which, of course, Sauron’s Ring could do without (immediately) harming the wearer. The school’s principal allegedly told the boy’s father that “whether magical or not,” threats would not be tolerated. • The judge considering the dispute over Lee Harvey Oswald’s coffin rules in favor of Oswald’s brother, rejecting the funeral-home owner’s arguments that nobody had ever asked for it back and so he could do what he wanted with it. • A Montana judge compares two unsuccessful litigants to the Black Knight in *Monty Python and the Holy Grail*, who remained belligerent despite being soundly defeated. “Like the Black Knight,” the judge writes, they “have run out of legal arms and legs to chop off, yet they continue to bleed and bite. . . . Enough is enough.”

FEBRUARY 2015

February 3: Struggling to interpret a federal statute in *U.S. v. Rentz*, the Tenth Circuit is forced to diagram the critical sentence in 18 U.S.C. § 924(c)(1)(A) in order to determine what it means to “use” a firearm “during and in relation to” a drug-trafficking offense. Ultimately it concludes that the statute is “enigmatic” enough that the rule of lenity should apply, and interprets it in the defendant’s favor.

February 6: Sevier County Judge Greg Ray says that the bat population has returned to manageable levels, after a bat-removal expert rigged up a device that allows bats to leave a building but not re-enter. "Right now," he says, "I doubt there's more than 10 or 20 bats in the building. I'm really hoping that's the last we hear of them."

February 15: The Utah Court of Appeals holds that a decedent's heir and his estate representative can both sue the driver who caused his death. Boring, except that in *Bagley v. Bagley* those were all the same person. Bagley caused an accident that killed her husband, and was then appointed as estate representative. Bagley the representative sued Bagley the driver, and so did Bagley the heir because Bagley had a claim to the insurance proceeds Bagley might collect if Bagley was found liable to Bagley. There's an insurance company in there somewhere too, but that makes it boring again.

February 16: Sources report that Cho Hyun-ah has been sentenced to a year in jail for "forcing an aircraft to deviate from its planned route," which she sort of did by demanding a Korean Air Lines jet go back to the terminal because she was offered macadamia nuts in a bag instead of on a dish. Cho was vice-president of the company at the time.

February 25: The Supreme Court of South Carolina announces it has updated the eligibility requirements for those who would like to be magistrate judges in that state. Among other things, applicants must now take and pass the Wonderlic Personnel Test. The court notes that doing this will require "at least a sixth-grade reading level" as well as "knowledge of basic mathematics, how to tell time, days of the week and months of the year," and a basic understanding of what the U.S. uses for money.

MARCH 2015

March 2: Opposing a medical-marijuana bill in Utah, DEA Special Agent Matt Fairbanks testifies that pot cultivation has serious environmental consequences, including negative effects on wild animals. At one site, he claims to have seen "rabbits that had cultivated a taste for the marijuana One of them refused to leave us, and we took all the marijuana around him, but his natural instincts to run were somehow gone." The bill later fails by one vote, but not because anybody believed this nonsense about the stoned rabbit.

March 4: Whole Oats Enterprises sues Early Bird Foods in New York, alleging trademark infringement. The former is the business entity representing the musical duo Hall & Oates, and the latter sells oatmeal using the mark "Haulin' Oats." While one could argue that consumers are unlikely to confuse the respective products, it turns out that Hall & Oates *already own* the right to "Haulin' Oats" because of a previous dispute with a Tennessee food company, which is bad news for Early Bird.

March 5: According to the *Wall Street Journal*, the Brazilian judge who formerly presided over the trial of accused fraudster Eike Batista has been suspended by the court of appeals. The judge was removed from the case because after he ordered the seizure of Batista's assets, including a white Porsche Cayenne, reporters noticed the judge driving around town in a white Porsche Cayenne. The judge said he had taken the car only "to look after it," which he could do more easily if it were in his covered parking space at home.

March 7: The *Ottawa Citizen* reports that a criminal defendant angry about his sentence took out his prosthetic eye and threw it at his lawyer. "That's the thing about this business," the lawyer comments, "there's always something new that happens." The article notes that the lawyer caught the eye on the first bounce.

March 12: In California, Stephen Siringoringo is disbarred for unethical conduct after stipulating to 29 violations arising from 14 separate mortgage-loan matters. The stipulation spares everyone the effort needed to resolve the other 796 complaints then pending against him. Siringoringo was suspended in 2013 for doing basically the same thing, but the court reinstated him after finding he had shown there was "no evidence that transferring respondent to active status will create a substantial threat of harm to his clients or the public."

March 17: The city commission for South Miami, Florida, votes 3-2 in favor of splitting Florida into two states. The concern is that due to global warming, southern Florida will soon be underwater and northern Florida has not shown itself to be especially concerned about that.

March 20: Federal officials say that Rep. Aaron Schock's sudden decision to resign will not end an ongoing investigation into his alleged misuse of campaign funds. Schock famously spent about \$40,000 to decorate his

office so it looked like a *Downton Abbey* set, which is nice but not something you're supposed to do with campaign funds. Schock also claimed reimbursement for driving 170,000 miles in his Chevy Tahoe, a claim not entirely consistent with the actual mileage of 80,000.

March 23: The U.S. Supreme Court decides not to sanction the lawyer who filed the petition in *Sigram Schindler Beteiligungsgesellschaft MBH v. Lee*, even though the title was the most comprehensible part. The petition argues, among other things, that “[f]or SPL testing a CI, the FSTP-Test hence needs TT.0s of CI their compound inventive concepts and their elementary inventive concepts,” and so forth. The lawyer says that his client insisted on drafting the petition, but the Court responds that compliance with Rule 14.3 (which requires the use of “plain terms”) cannot be delegated.

• Describing the parties’ pleadings as (among other things) “sprawling,” “behemoth,” “surplusage,” “voluminous,” “breathtaking,” “madness,” “intended to overwhelm,” “choking the docket,” and exhibiting a “labyrinthian prolixity of unrelated and vituperative charges that defy comprehension,” Judge William Pauley cautions them not to do that again. Combined, the complaint and answer spanned about 1,700 pages.

APRIL 2015

April 2: Federal officials say that a 28-year-old man will face federal charges for taking an owl on a joyride. This came to light after the man and a friend posted a video on Facebook showing themselves driving with the owl in their car. This was a federal crime because the bird was a Great Horned Owl (*Bubo virginianus*), and so messing with it violated the Migratory Bird Treaty Act of 1918.

April 20: The Federal Circuit dismisses an appeal by Pi-Net International and Dr. Lakshmi Arunachalam on the ground that they are not even close to complying with the 14,000-word limit on briefs. The court notes that in appellants’ first two briefs, they tried to reduce the number of “words” by taking out spaces, arguing for example that “Thorner.v.SonyComputerEntm’tAm.LLC,669F3d1362,1365(Fed.Cir.2012)” was one word instead of fourteen. In their third effort, appellants instead used a series of cryptic abbreviations that the court says rendered the brief not only deficient but “nearly incomprehensible.”

MAY 2015

May 1: Sylvia Ann Driskell, purporting to act as “Ambassador for Plaintiffs God and His Son Jesus Christ,” files a federal lawsuit in Nebraska against all homosexuals. It appears that she is asking the court to hold that homosexuality is a sin, though it is not entirely clear what if any other relief she is seeking.

May 3: An Israeli newspaper reports on the indictment of a man whose *modus operandi* was to walk into a bank, explain to the teller that he was not armed and did not intend to hurt anyone, and ask for money. In at least eight separate incidents, tellers handed over money and the man quietly left. Officials say he collected about \$28,000 using what the indictment called “a very effective method that has proven itself.” That is certainly true, although it isn’t entirely clear that this “method” is illegal.

May 6: A judge dismisses Sylvia Driskell’s lawsuit against all homosexuals, noting among other things that a federal court does not have jurisdiction to determine what is sinful, and also that simply naming “all homosexuals” fails to identify any particular defendant specifically enough to allow service of process.

May 15: The Sixth Circuit rules in favor of three activists who were convicted of “willfully injuring national-defense premises” with the “intent to injure, interfere, or obstruct the national defense.” The activists, including an 85-year-old nun, basically walked into the Oak Ridge nuclear weapons complex and put up a banner on a building containing weapons-grade uranium — all without being noticed — but did not really damage anything. The panel holds that “to show some injury or interference with the national defense, it is not enough for the government to speak in terms of cut fences or delayed shipments or pens stolen from the Pentagon.” The government had also argued the defendants “intended to interfere with the national defense” by trying to create “bad publicity.”

May 19: The city council of Richmond, California, votes 5-2 to call for a ban on space-based weapons. The council expresses support for the Space Preservation Treaty (which does not exist) and the Space Preservation Act (which did, but never made it out of committee). According to the council, these measures would be “a safeguard for targeted individuals who claim to be under assault from weaponry that should be outlawed by the Space Preservation Act,” apparently a reference to one of

the sponsor's constituents.

May 20: Responding to a copyright-infringement complaint, the surviving members of Led Zeppelin deny almost all of the allegations with one notable exception. "Answering paragraph 11 of the First Amended Complaint," the answer states, "Defendants admit that Led Zeppelin has been called one of the greatest bands in history and its members were and are exceptionally talented." Defendants "otherwise deny each and every allegation contained in paragraph 11 of the First Amended Complaint."

May 25: The High Court of Punjab and Harayana again postpones hearing the matter of Shri Ashutosh Maharaj Ji, who remains on ice.

JUNE 2015

June 1: ABC News reports that TSA agents successfully detected explosives or weapons parts in three tests conducted by undercover DHS investigators. Unfortunately, there were 70 such tests, meaning the TSA failed 95.7% of the time.

June 2: Calling the development an "unusual twist" in the trial of a man charged with fraudulently using a credit card, the *San Francisco Chronicle* reports that the man's defense attorney has been arrested for doing the same thing.

June 4: Another DHS report says investigators found the TSA had not properly vetted aviation workers, resulting in a number of individuals who had been designated "with terrorism-related category codes" having access to secured areas. That number: 73. The report also notes that TSA cleared over 1,500 individuals despite lacking certain information necessary to check their names against the Consolidated Terrorist Watchlist. That information: their full names.

June 9: According to the BBC, a court has affirmed Stephen Gough's conviction for violating an anti-social-behavior order. The ASBO precludes Gough from appearing naked in public, as he has done almost continuously during the last decade except when serving time in prison for doing it. He was appealing a conviction, in fact, for walking nude out of the prison in which he had served time for his previous violation. Gough was also nude during the appellate proceedings, although he appeared only on video and was screened by a strategically placed table.

June 27: *Ars Technica* reports that a California judge has ruled against a man who told his son to shoot down a neighbor's homemade drone. The parties disputed the drone's location at the time of the incident; the defendant claimed it was over his property, while the plaintiff claimed that the drone's GPS data showed otherwise. The judge rules that regardless of where the drone was, the defendant acted unreasonably in resolving the dispute with live ammunition.

JULY 2015

July 10: After assembly member Darren Millar asks the Welsh government to confirm or deny whether any unidentified flying objects have intruded into local airspace, he receives a response written in Klingon. The response is "*jang vIDa je due luq.'ach ghotvam'e' QI'yaH-devolved qaS,*" which reportedly means something like "we'll get back to you." The government later says that the message was a joke by a press officer to a local journalist, not its official response.

July 11: The *Arizona Daily Star* reports that of the 3,772 civil cases filed in the District of Arizona's Tucson division in 2014, Dale Maisano filed 2,955 of them. Maisano, who as you have probably guessed is an inmate, apparently started filing lawsuits in 2012 (66 of the court's 983 cases that year), but didn't really get going until 2013 (667 of 1,509). His 2014 output represented an average of one case about every three hours.

July 28: The *Wall Street Journal* reports that a Louisiana toddler has received birthday gifts bearing pictures of Morris Bart, a plaintiffs' attorney who advertises heavily in the state. Bart sent some of the gifts after being contacted by the boy's parents, who explained that he had "always been very drawn to Morris Bart commercials" and enjoyed watching them when they came on TV. The parents provided, among other things, a life-size cardboard cutout of the attorney and a cake with his face on it.

July 29: Writing on his blog, *True to You*, the singer Morrissey accuses TSA agents in San Francisco of "sexually assaulting" him as he was trying to catch a flight to London. "In the interests of imperishable bureaucracy my submitted complaint against this 'officer' will obviously be either unread or ignored because, as we all know, on matters of officialism it is not possible to be pleasantly surprised by anything at all," says the perpetually maudlin singer, who on this one is almost certainly right.

AUGUST 2015

August 5: Officials at Norway's Bastøy prison discover that one of its inmates has escaped, which is less difficult than you might think because the "cells" in Bastøy are not locked. But escapes are also rarer than you might think, which might be because the island facility features activities like horseback riding, fishing, and tennis, and has a beach, a sauna, and a chef. Officials believe that the inmate who escaped (for whatever reason) used a toy sand shovel to paddle himself to the mainland on a surfboard.

August 14: Upset that the military is considering moving Guantánamo prisoners to the prison at Fort Leavenworth, Kansas Sen. Pat Roberts warns that doing so is risky because the prisoners might escape. Leavenworth is a particularly dangerous location, Roberts argues, because it "lies right on the Missouri River, providing terrorists with the possibility of covert travel underwater and attempting access to the detention facility." He does not explain how terrorists might do this, or why that would be worse than if they just approached on land.

August 25: According to the *Columbia Daily Tribune*, the city council's attempt to gerrymander a downtown business-improvement district has failed because the borders it drew did not exclude all qualified voters. Specifically, it missed one: Jen Henderson, a 23-year-old University of Missouri student, who as the single qualified voter in the district would have the sole power to decide on a related sales-tax measure. Henderson says the council asked her to withdraw her registration so that business owners could decide, but she didn't plan to do that.

August 31: The Ninth Circuit rules that "Big Mountain Jesus," a 12-foot-tall statue on the grounds of the Whitefish Mountain Ski Resort in Montana, need not be moved from federal property. The Freedom From Religion Foundation sued to have it removed, but the panel holds 2-1 that the statue has a predominantly secular purpose. The majority notes, among other things, that "the flippant interactions of locals and tourists with the statue suggest secular perceptions and uses: decorating it in Mardi Gras beads, . . . high-fiving it as they ski by, and posing [with it] in Facebook pictures." The court also notes that the statue is generally wearing a ski helmet.

SEPTEMBER 2015

September 4: According to CBC News, the privacy and information commissioner in Saskatchewan has issued a report criticizing an assisted-living facility's approach to disposing of confidential patient records. Specifically, an investigation found that the facility "had signed a deal with an undisclosed chicken farm" to do the job. "I recommend that Spruce Manor Special Care Home no longer use a chicken farm to destroy records," the commissioner wrote, a recommendation the home said it would accept.

September 10: In a ruling that surprises no one, or possibly just one person, the Nevada Supreme Court again rejects an appeal by Orenthal James Simpson. Simpson, who won the Heisman Trophy and was a pro football star before not murdering his wife and another person, was convicted of some nonsense involving sports memorabilia and has been in jail ever since.

September 17: The Sixth Circuit reinstates a lawsuit by Insane Clown Posse and some of the group's fans (known as "Juggalos") that challenged the FBI's classification of Juggalos as a "loosely organized non-traditional hybrid gang subset." The district court held that the Juggalos had not adequately alleged that the classification caused them sufficient injury to confer standing, but the Sixth Circuit rules they have met that burden. Violent J and Shaggy 2 Dope of ICP thank their legal team and the ACLU of Michigan for their work on behalf of Juggalo rights. "MUCH CLOWN LOVE!" they say in a statement. "WHOOOP WHOOOP!"

September 25: A California judge rules that Warner Music has not shown that it has a copyright interest in the song "Happy Birthday to You," for which it has been charging royalties for quite some time.

OCTOBER 2015

October 1: The *Washington Post* reports that the D.C. Council is planning to make the Hay's Spring amphipod the official amphipod of the District of Columbia. Amphipods are tiny little crustaceans, and at least 13 kinds have been found in the D.C. area, according to the report. The Hay's Spring amphipod is an endangered species found only in a few places entirely within Rock Creek Park.

October 14: Resolving a dispute arising out of a love triangle at the London Zoo, a judge holds that the zoo's former meerkat expert must compensate a monkey handler she injured in a fight over a llama keeper. The meerkat expert claimed that the monkey handler attacked her first, but the judge finds otherwise.

October 16: *The Guardian* reports that the city council of Brentonico, Italy, has voted to seek a new trial for Maria Bertoletti Toldini, which is nice because a previous council had ordered her burned at the stake. In 1715, Toldini was arrested and convicted of witchcraft, destruction of property, blasphemy, heresy, and throwing a five-year-old boy into a pot of boiling cheese. The local minister advocating a new trial acknowledged that some think the symbolic trial is not worth the cost and effort, but says, "I told them 'F you,' as we say in Italy."

October 23: In an article headlined, "Man sprayed rival's door with fake snow before attacking him while armed with horse-riding stirrups," *Wales Online* reports that the man was convicted and sentenced to one year for assault with a deadly weapon. The defense attorney argued that his client was just holding the stirrups in his hand and any contact between the stirrups and the victim was accidental. "The stirrups may well have struck [the victim]," he argues, but he was not beaten *with* the stirrups." The judge finds the distinction irrelevant.

October 24: A 69-year-old man is arrested in Branson, Missouri, after starting a fight at the Ozark Mountain Monopoly Tournament. The man was reportedly angry that he was not being allowed to participate on the ground that he had been accused of "unsportsmanlike conduct" at the tournament the year before.

October 31: In a decision that really should have been issued on Halloween, and so is being given that date here, the California Court of Appeal holds that under the "primary assumption of risk" doctrine, a "haunted house" attraction is not liable if frightened patrons injure themselves. The plaintiff alleged he fell while running away from a "chainsaw-wielding maniac," but the court held his harm was caused by a fear he not only expected but paid for. The plaintiff tried to distinguish between that "fun fear" and a fear of "the real, actual danger of physical injury," but the court did not see a material difference between "fun fear" and what it called "scary fear."