

UWO Student-Run Law Journal Approved

By *Suzie Chiodo*

The Western Journal of Legal Studies is a go! Western Law students finally have their own law journal after more than a year of campaigning, submitting proposals, and meeting with faculty. The students at the forefront of the campaign – Lisa Di Valentino, Justin Anisman, Suzie Chiodo, Rajeeve Thakur, John Mather, Eugene Polevoy, Ben Tinholt and Elba Bendo – made presentations at faculty meetings in November and February. The law journal was approved after the second meeting.

“We are very proud to be reviving the tradition of a student-run law review at Western,” said Lisa Di Valentino, president of the Western Law Review Association (WLRA). “We couldn’t have done it without the help of Dean Holloway, Associate Dean Lynk, and our faculty advisors, Professors Erika Chamberlain, Valerie Oosterveld, Sam Trosow, and Margaret-Ann Wilkinson.”

Associate Dean Lynk, who worked closely with the students throughout the process, said the faculty had approved the law review because the most recent application was “very comprehensive and well thought-out.”

“The idea was good and it was clear that there were only a few secondary issues to resolve,” he said. “The faculty also had confidence in the student leadership, that there was a range of skills that would make for a good student publication. Although it required some back and

forth between students and faculty, the quality of the application made it easy to get on board.”

Western was one of the few law schools in Canada without its own student-run law review. In an attempt to change that, former UWO Law students Omar Ha-Redeye, Joel Welch, Kamila Pizon, and Leo Law founded the WLRA in December 2009. The association now has around 40 members, many of them 1Ls who have signed the proposal to show their support.

The University of Western Ontario Journal of Legal Studies (Western Journal of Legal Studies for short) will be a general-focus publication featuring student work. The team has put out a call for submissions, and hopes to hire students for editorial positions before the end of term. The first edition should be ready by December of this year.

The journal will be published entirely online, following the example of publications such as The Harvard



The founders of the Western Journal of Legal Studies. (L-R): Suzie Chiodo, Eugene Polevoy, Elba Bendo, Rajeeve Thakur, Lisa Di Valentino, Justin Anisman.

Photo courtesy of Western Law.

International Law Journal and The Harvard Law Review Project. It will operate on a hybrid model of peer review. Student editors will select papers for possible publication, then forward them to professors in the relevant fields who will give a brief general assessment, indicating whether articles are publishable, in need of work or are unsalvageable.

Each edition of the journal, which will initially be published annually, will probably contain around 5-10 articles. However, because of its online format, there is no maximum limit. Submissions are welcome from students at Western Law, across Canada and internationally,

and papers that have won writing prizes or other awards are especially desirable. The submission deadline for the December edition is May 31, 2011.

Establishing a student-run law review at Western is a great achievement, but the hard work has only just begun. Students can contribute by working as editors or submitting articles. The law review also needs marketers, administrators, web gurus and people with publishing experience.

It’s our law review, and only we can make it a success. ♦

An M&A Transaction from the Business Perspective: Part II

By *Sam Ip*

This is Part II of the series looking at an M&A transaction from the perspective of a corporate development professional. In Part I we discussed evaluating a target company for acquisition and the important role of IP lawyers. This segment continues where we left off.

After completing its due diligence on a target company, the parent company prepares a Letter of Intent (LOI) that will serve as the foundation for negotiating the Purchase

Agreement. The LOI marks the beginning of more intense negotiations, where there is typically much more interaction between business people and lawyers. At this stage, two common frustrations frequently emerge:

(1) Solutions vs. Analysis.

In law school exams, professors sometimes say the conclusion is not nearly as important as the analysis. Some even indicate that the conclusion hardly matters. While this makes sense for students learning the fundamentals, in practice, businesses are paying for results.

For example, if a business hopes to invest strategically in a country with draconian competition laws, they’re looking for counsel to advise them on how to make the deal work. The lawyers we worked with sent our team a spreadsheet with a long list of court cases on the matter. After a 200K bill, that spreadsheet left all of us scratching our heads in a meeting room wondering, “can we do this or not?” More often than not, businesses are paying for the best guess at a “yes” or “no” from their lawyers.

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2011 Pensa Lecture:

Chief Phil Fontaine on First Nations Human Rights and Canada's Responsibilities

By Ruth-Anne Avruskin

On March 3rd 2011, Western Law hosted the fourth annual Pensa Lecture in Human Rights. Chief Phil Fontaine, former National Chief of the Assembly of First Nations, spoke on "Legacy and Future: First Nations Human Rights and Canada's Responsibilities."

Mr. Fontaine began by recounting his visit earlier in the day to Saunders Secondary School, which has a sizable Aboriginal student population. Mr. Fontaine commended the school for fostering positive relationships between First Nations students and the general student population. He was struck by the thoughtful and intelligent questions the high school students asked him and their willingness to learn about building better relationships. This positive experience contrasted with the 10 years he spent in Residential Schools.

Based on the underlying topic of the importance of First Nations to Canada, the lecture focused on three interlocking

themes: the environment and sustainable development, identity as a nation, and the economic future and well-being. "It is about who we are and what our place is in this society. It is about identity, citizenship, belonging, history and participation. Most of all it is about survival," said Fontaine.

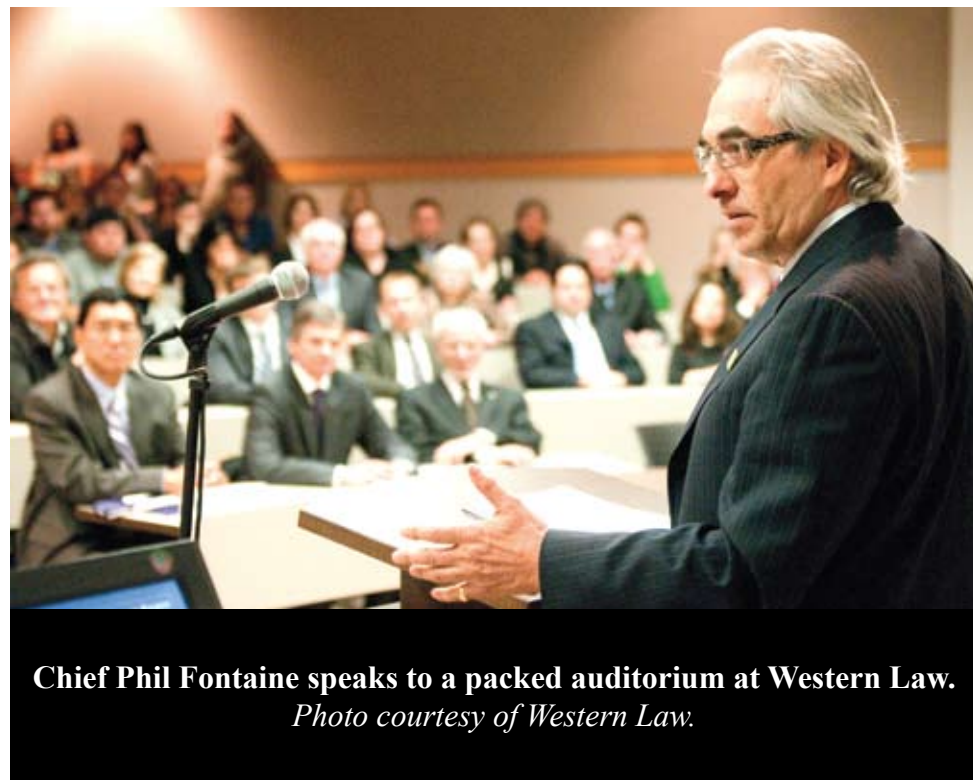
In regard to the environment, Mr. Fontaine emphasized the need for balance as the key to survival. Advocating for diversity, Fontaine argued that distinct cultures are needed to contribute to environmental issues and sustainability: in this case, the traditional knowledge of indigenous peoples. For indigenous people, environmental stewardship is a matter of both cultural and economic survival. Mr. Fontaine said he is not opposed to development, but it needs to be responsible and sustainable development. Speaking for First Nations, he said, "We are opposed to the style of development which removes our traditional practices, takes our land from us, and pollutes our environment."

First and foremost, Mr. Fontaine advocated that basic needs must



Chief Phil Fontaine delivers the fourth annual Pensa Lecture in Human Rights.

Photo courtesy of Western Law.



Chief Phil Fontaine speaks to a packed auditorium at Western Law.

Photo courtesy of Western Law.

be addressed, such as nutrition and education. Land claims must be settled (there are over 1000 currently) and First Nations' government institutions should be able to enforce regulations in resource use. Living conditions need to be addressed, especially in remote communities, and these conditions should be enhanced in a manner consistent with the lifestyle of the Aboriginal group. Mr. Fontaine stated that the well-being of First Nations is essential for the well-being of the environment, as First Nations can contribute unique knowledge and sustainability practices which will benefit all Canadians.

Mr. Fontaine then began discussing identity. He posited that Canadians have a better understanding of who we are not, than of who we are – an identity problem which begins with the relationship between Aboriginal and non-indigenous people. Canada has an indigenous foundation of identity, and "Canada has not yet come to terms with its origins." The image that Canada promotes to the world is not true; instead, there is a history of denial of this country's identity. First Nations want recognition that they are the original inhabitants of this land, and that Canada was founded

at the expense of Aboriginal peoples, a historical fact which Fontaine says continues to be skewed. "Canada's much heralded commitment to human rights and equality does not resonate with the First Nations of this country," said Fontaine.

Finally, Mr. Fontaine addressed the issue of Canada's economic future and economic well-being. He stated that Canada will face a labour shortage in the coming years and First Nations have the potential to contribute a large number of working-age people to the Canadian workforce. First Nations, however, experience deeply rooted economic disadvantages and the response to this needs to be a prioritization of positive, safe and healthy Aboriginal communities.

Concluding his message, Mr. Fontaine spoke of the Truth and Reconciliation Commission and urged Canadians to learn the truth about Residential Schools. "It is an opportunity to learn about First Nations people and to understand the consequences of what was done to us. It is an opportunity to make Canada a better place." ♦

Gaining Legal Experience (While in Law School!)

By Ruth-Anne Avruskin

As a law student, you've inevitably been told that law school is different from other professional programs (for example, medical school), because law school in no way actually prepares you to be a lawyer. While Western Law remains theory-based, there are plenty of ways to gain experience during school. However, since this experience isn't built into the curriculum you will have to actively seek out opportunities.

To begin with, there are the obvious summer job postings for 1L and 2L students, courtesy of Career Services. 1L and 2L summer job postings vary from firms to government to NGOs and in-house positions. Career Services also facilitates STINTs, which are one-day student internships over Reading Week. Every STINT experience is different, and many have been written about in this newspaper. Last year I was paired up with Lerner's here in London and was able to attend a day in court, and ask questions about the background of the case and the prosecution's position.

Almost as convenient as online job postings and e-mails is Community Legal Services. CLS is in our very own building, offers hands-on file work and is probably the only opportunity you will have during your law school career to actually represent a client in court. The Dispute Resolution Centre (a partner of CLS) also offers client interaction and negotiation. Our chapter of Pro Bono Students Canada runs a number of volunteer projects, some of which include research and client feedback. PBSC also facilitates the Family Law Project, in which students meet with clients and attend court.

If all else fails, or if you want to gain more experience, you can simply ask to job-shadow a lawyer – I did this during the summer after 1L for two weeks. This will likely work best with smaller firms, particularly those that do not offer summer student positions. In the two weeks at a small firm near my hometown, I was able to do research, draft agreements, and sit in on client meetings.

If you require more guidance, or want to know more about your options for gaining practical experience, please contact Career Services. ♦

What Next for Dean Holloway?

By Michael Royal and Evelyn Wong

1. Are there any elements of Western law you hope to take with you to Calgary? Will you teach "Foundations" at Calgary Law?

I don't yet know a lot about the culture at Calgary Law. But in general terms, I think there are lots of things associated with our law school that are worthy of replication. We've got a great sense of community, a wonderfully engaged student body, an extremely professional staff, and a highly-regarded faculty. Alongside this, we've been able to develop a spirit of programmatic innovation, which has enabled us to accomplish a great deal.

Will I teach Foundations? For all the reasons that we began to offer the course here, I think that having something like it is important. But at the moment, it is not a part of the U of C's curriculum. I guess what I teach will ultimately be something for the Associate Dean there to decide.

2. What do you think is an important trait in succeeding as a law student? As a lawyer?

There are traits I've come to associate with the successful lawyers – and law students! – I've met over the years. They include intelligence (though everyone we admit to law school today is smart) and a willingness to work hard over a sustained period. They also include an inclination to be curious about the world, and a spirit of creativity. The importance of what I refer to as "disciplined creativity" cannot be discounted. The very best lawyers are the ones who can bring a fresh perspective to well-trodden ground.

3. What factors should students consider when choosing a law school? What factors should law students consider when choosing career paths?

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When pushed for answers, "no" is the easy and safe way to go. After all, one rarely incurs liability for inaction. However, business is about taking risks and profiting from them, and that's the basis for the tension that exists between business people and lawyers. The lawyers we love to work with make difficult judgment calls to arrive at a conclusion, and if the answer is "no", their job transforms into a search for a solution.

(2) Negotiation Integration.

Getting a deal done quickly is crucial. The buyer is anxious to integrate the acquired company, and the seller is eager to stop interrupting everyday business to make the sale happen. To this end, it is important that M&A lawyers are coordinating with the business regarding an effective negotiation strategy.

We are lucky in Canada in that we don't have any bad law schools. Instead, what we have are the RIGHT law schools. I think that prospective law students should ask themselves first what they want from their legal education, and then do as much research as they can into which schools are most able to give them that.

4. What was the biggest challenge you faced as Dean of Western Law? What challenges must Western Law overcome in the near future?

The common thread underlying many of these challenges has been the competitive environment among the six law schools in Ontario. We are competing on three fronts: for the best students, for the best faculty, and as agents for our students to help them get the best jobs. Given that Toronto is the principal legal market for at least five of the six schools, and given that there are two excellent schools in Toronto, this is a source of enduring stress for whoever is the Dean of law at Western.

5. What is your opinion of "ranking" Canadian law schools (eg *Maclean's*)? By which metrics do you think the quality of a law school should be judged?

When *Maclean's* first came out with its ranking, I was very worried. We didn't do well at all, and I actually offered the President my resignation. Luckily for me, he refused to accept it!

Since then, I've come to realize that *Maclean's* has had little or no effect. But on an intellectual level, I still find it troubling. It reflects the bias of one person (who has never worked in a law school in Canada) about what makes a good law school. *Maclean's* could do much better if it was to work with us to design a tool that could inform prospective law students about the things that different law schools have to offer. It must have business reasons for wanting to continue the way

it does.

How do I think a law school should be judged? I look at three things. First, are we getting the sort of students we want? Secondly, while in law school, are our students being provided with a good education, and with an interesting extra-curricular professional life? And at the end, are they getting the sort of jobs they want?

6. How has legal education in Canada changed over the last 25 years? How could Canadian law schools better prepare their students for their legal careers?

I think that some of the most important things aren't currently taught in law schools – things like teamwork, leadership and project management. I also think that we need to include economics in the mandatory curriculum. Almost always when we are giving legal advice, we are inviting our clients to engage in some sort of cost-benefit analysis. Yet no Canadian law school teaches this skill in a systematic way.

I also think that globalization needs to be given a higher stature in our approach to legal education. "Globalization" is an over-used term that is at once polarizing and meaningless. But to the extent that it can refer to interconnectedness among nations and among peoples, it challenges the very concept of jurisdiction, which traditionally lies at the foundation of the way we think about law.

7. Many view Western law as a "business law" school. Should Western embrace this image or should it seek to be viewed as a more multi-dimensional law school?

In the very first faculty meeting that I chaired, I posed a question to my colleagues: "Can we be all things to all people?" The answer, of course, was no.

This led to our first strategic plan [in 2001], which set eminence in Business Law as one of our objectives. For one thing, it was a reputation that Western had had for a long time. For another, the data suggested that the majority of our students had for many years sought to article in big and mid-sized firms in Toronto and Calgary and elsewhere. And it capitalized on our relationship with Ivey, which has been a real boon for us.

But I've always tried to make it clear that the aim is to generate more resources to support ALL the interests of people in the law school. And to that extent it has worked. The various moots and competitions that we participate in, the exchanges, additional faculty appointments, the building expansion – virtually everything we have done – has come about because we are seen to be a focussed law school.

8. What advice do you have for the next Dean of Western Law?

One of the best lessons I ever heard came from a former Dean at Toronto. He said that we need to remember that this is a marathon, not a sprint. We have to live in the present, but it's critically important to think about the long-term health of the school. That can be extremely difficult to do, but it is essential.

9. Any parting advice or comments you'd like to share with students?

One of the very best parts of my job has been the chance to spend time each day with you. At moments when things looked bleak, I could count on a student cheering me up by talking about their dreams and aspirations or about their experiences at our law school. I know this will sound corny, but there is a magnificent sense of community here at Western Law, and whatever else the future may hold for me, I'll consider myself fortunate to have been here for these past 11 years. I really have been a lucky guy. ♦

Generally, there's an expectation that lawyers will negotiate directly with opposing counsel without too much involvement from business people. When two lawyers are negotiating, it's easy just to defer to the business side when they can't agree. They don't want to concede their client's position, and thus legal issues end up drifting into the business negotiations. This is problematic, because it's difficult for the business side to understand the complexity and ramifications of legal issues. So the business parties end up just trading one legal concession for another, leading to a suboptimal solution for both sides. Therefore, in negotiating deeply complex legal issues, deference to the business side should be scant and only on absolutely essential issues that have been forewarned about.

With that, hopefully the insight into the business side will provide perspective for all Western Law students heading into business-oriented summer and articling positions! ♦

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Parenthood and Law School: The Ultimate Balancing Act

By Alexandra Papaiconomou

One of the ways we make it through law school is by striking the right balance between our social lives, family obligations, and academic responsibilities. During our first year at law school, typically we find a routine that meets all of those needs. Whether we do it by pulling all-nighters or by sequestering ourselves in the library all weekend, we find a way to get through. I was recently thinking about students who do not have such luxuries of time. I wondered how they find the time to balance all of their responsibilities. Of particular interest to me are students with children.

I had a conversation with one such student, Julie Menten. Before coming to law school, Menten worked as a youth therapist, and also for the Canadian Hearing Society. Menten finds it very rewarding and derives a lot of satisfaction from counseling youth. Her situation is more extraordinary than most in that she became a parent for the first time while pursuing her legal studies. In addition to preparing for final exams last year, Menten was approaching the end of her pregnancy. The stress of exams is pressure enough for anyone, but imagine facing that together with a life-altering event.

I asked Menten how her life at law school has changed since the arrival of her baby girl, Maya. One of the major differences Menten has experienced is that she has very little spare time on her hands. While Maya is awake, there is no question that she has the undivided attention of her parents. Even during naps, it is very difficult for Menten to study since there are other responsibilities that she must attend to, one of which is preparing home-made food for her child. One of the only times Menten can devote herself to studying is after her daughter has gone to sleep for the night. Even then, there are other demands on her time. She has had to find a balance and has had to reprioritize things in her life.

Her daughter, as anyone can appreciate, is her topmost



Julie Menten with her daughter, Maya
Photo Courtesy of Dave Schubert

priority. Other responsibilities, obligations, and pursuits must fit into her spare time. Staying up all night to study is not an option that works for Menten since she needs to be awake the next day to care for her child and to attend classes, and also because that manner of studying does not fit well with Menten's study patterns. As well as being a conscientious and diligent student, Menten has found time within the last year to participate in competitions at the law school.

Some feminists acknowledge that it is difficult for women to "have it all," but Menten, and others like her, demonstrate that with a lot of sacrifice, and a commitment to one's goals, women can achieve what seems like the impossible. An instinctive response may

be that women balance family and career obligations all the time, so what is the difference here? One significant difference is that at law school we are in the process of establishing ourselves, as opposed to being in a secure employment situation. Another major difference is that parents may reduce course loads, or postpone their studies for a while, but cannot take paid leave as employed parents do. Students who become parents during their studies must find a way to make their dollars stretch further than the average student.

Speaking with Menten gave me a greater appreciation for what she has experienced in the last year, but also has made me more conscious of the flexibility and array of choices I have when it comes to fitting in schoolwork. ♦

An Interview With The Honourable Justice Gregory Pockele

By Ryan Venables

Chances are if you have attended the London courthouse and seen The Honourable Justice Gregory Pockele in action, you will have an opinion, although he probably doesn't care. I had the pleasure of clerking with Justice Pockele and the Ontario Court of Justice in January, and I quickly learned above all else his tremendous passion for the law.

After graduating from law school, Justice Pockele articulated in Kent County – now Chatham-Kent – and after spending just 18 months with this firm, he went out on his own. In 1991, the Judicial Appointment Committee changed the appointment of new judges as political appointments to appointments based on the recommendation of a politically independent committee. Feeling optimistic about the opportunity, Justice Pockele applied to openings in Sarnia and

Windsor. In 1992, he was appointed to the bench.

Crediting his appointment in part because he was a "two-hatter," Justice Pockele indicates lawyers who had multiple areas of specialization ruled the judicial appointments of the day. In his previous practice, his work was divided between criminal and family law: exactly what was required for a new judge, as they are required to sit in both family and criminal court.

Although appointed as a "two-hatter", on any given day you will find Justice Pockele presiding over criminal cases. "Twenty per cent of the cases that come before the courts are impaired driving related cases," said Justice Pockele. As such, he has developed a special interest in these cases. He views impaired driving cases as one of the "most technical areas of law," and with few on the bench sharing his knowledge in the field, he continues by indicating, "judges should

specialize in an area of law."

He recalls during his inaugural years in Stratford, the average time of an impaired driving trial was 64 minutes. Today's trials generally take at least one full day, "because there are lawyers out there who specialize in impaired driving AND the Charter." He continued by indicating that many of the defences once used 15 or even 10 years ago are not available today. It has been about a 15 year process that began with trial courts issuing contradictory judgments, and it has taken this long for the Supreme Court of Canada and legislation to catch up and set things straight.

Justice Pockele sees the delay between charge and trial as the biggest challenge in the criminal justice system. The delays cause many problems: specifically, it causes many victims of domestic violence to recant and makes the assessment of evidence more difficult. In London it often takes over a year between charge

and trial (with an average of 9.5 pre-trial adjournments), whereas in the Detroit Records Court the time is 90 days, and in the UK accused murderers have their trials about four months after arrest. Justice on Target has focused on eliminating trial by ambush and on early judicial pre-trial intervention to focus issues, eliminate unnecessary trials, and shorten the time to trial.

Lastly, Justice Pockele offered a piece of advice for law students and new lawyers. He said, "the biggest deficiency with law school is lack of an opportunity to watch skilled people," citing specifically Pat Ducharme, Eddie Greenspan, and John Rosen.

If you ever have the opportunity to attend the London courthouse, and I recommend you make time for this, head to the 2nd floor and find where Justice Pockele is presiding. You will see an upfront, honest, and no nonsense approach to the criminal justice system. ♦

Correction

The November 2010 issue of *Amicus Curiae* featured an article entitled 'Moot Points.' Although authorship was attributed to Matthew Larsen, the article was actually co-written by Matthew Larsen and Elena Kaminsky. We apologize to Ms. Kaminsky for the error.

Eating American: Denny's Inferno

By Ben Tinholt

The best and worst of a place is often reflected in its cuisine. Take France. Those exquisite, rich sauces that seem to cloak eight out of ten Parisian entrées are among the most enjoyable pleasures of all European cookery. But, like too many days spent among the Louvre's iridescent treasures, punctuated only by tours of opulent palaces and grand monuments, a surfeit of viscous sauces eventually cloy. There is only so much grandeur a person can stand. Eventually, the thought of even the runniest béchamel or plainest triumphal arch can be nauseating, and all you really fancy is a Premium Plus cracker and a park bench.

Nowhere is this truer than America, because American cuisine is at once so mind-bogglingly wonderful and so inexpressibly horrid. On the one hand, I pity the diner who has never experienced a New England clam chowder. Even the ice cream soda demands respect. (Don't believe me? Try one made with 7-Up, vanilla ice cream, and flaked almonds.) On the other hand, only in America is it possible to be served a plate of boiled, microwaved, re-boiled, vaguely piscine matter doused in Pam and garlic powder, only to learn when the bill comes that you have eaten a lobster. To me, this sheer variety of quality is characteristic: in an American kitchen, as in America itself, all things are possible. I shall describe two ends of this spectrum.

The Philly cheesesteak seems to me a strong candidate for Greatest Meat Dish of All Time. Invented in Philadelphia over a century ago, it remains largely unchanged since its inception: a long white roll containing sliced or chopped steak, melted cheese, sautéed onions and peppers.

This may sound mundane, but to appreciate the true excellence of the cheesesteak, one must consider it

within its genre, that most popular and widespread vessel of Americana: fast food. It can't be denied: fast food is wonderful. Though famous for its velocity, it's also delicious and, because it's made partly of indigestible detritus, uniquely filling.

The cheesesteak is everything fast food should be: convenient, satisfying, unhealthy, salty, cheesy, meaty, and eventually fatal. But what sets it apart from—and above—the pack is the simple genius of substituting the ground offal that is a hamburger patty with genuine frizzled rib-eye or rumpsteak. The preserved integrity of the meat gives the resulting sandwich a toothsome that hamburgers simply cannot rival. So mighty is the cheesesteak, it needs no sauces. The Philly cheesesteak speaks for itself, and what it says is, "I am delicious. Come and eat me, for I am the King of Fast Foods."

Now, though I would love to fill these pages with an epic poem dedicated to cheesesteak (*The Philiad*), I must take you instead to the dark side of American sustenance. This too is epic, but now it is Denny's *Inferno*. Abandon all hope, ye who enter here.

As you may know, Denny's is a popular "casual dining" chain. (This means that patrons are required to wear clothes.) Denny's exists in Canada, but not with such depressing ubiquity, so I will first touch on some of the features of the place itself. This will limit the space left for describing the food, but that's just as well, given the difficulty of doing so in language fit to print.

It is a curious phenomenon that the less edible its fare, the more likely a restaurant is to make it unabatedly available. Accordingly, Denny's is always open. Your visit goes something like this. You drive there via Interstate, park on a vast tarmac, and enter a brightly-lit bungalow where people are seated on wide, low couches. Your waitress takes your order, and brings your drink not in a glass, but a cistern. Soon the victuals are



Earthly paradise as served by Pat's King of Steaks, Philadelphia, PA

Photo Courtesy of Ben Tinholt

presented. You will notice I have not mentioned what was ordered. This is because at Denny's, it doesn't matter what you order. Everything on the menu, whatever it's called, tastes like pancakes. Your fried chicken, potatoes, coleslaw, bread, mayonnaise, BBQ sauce, ground beef, more potatoes—all of it tastes like pancakes, even the canoe of chocolate ice cream you have for dessert. So does your coffee, your cola, and the mint that comes with your cheque.

And with the cheque comes the answer to the question you've been asking yourself since your first vat of Pepsi: "Why in the world would anyone of sound mind and normal digestion eat here?" The answer is that it doesn't cost anything. My two companions and I must have consumed a total of 50,000 calories, and the total bill was under \$20, including 15% tip. You could probably feed 50 head of cattle for a dollar a head.

There you have it: the beautiful and beastly, the sacred and profane, the yin and yang of American food. Unfortunately, I never got around to the Luther burger, but I am planning a sequel to *The Philiad*. It's called *Mayowulf*. ♦



Abandon all hope, ye who enter here.
Photo Courtesy of Ben Tinholt

Obiter Dicta

By Terrah Smith

Where were YOU the evening of Wednesday, March 9th? Don't worry, you aren't wanted for questioning in relation to some criminal offence. The reason I ask is that I will never forget where I was. The day began just like any other...breakfast, bus, class, library, and then...it was Obiter Dicta.

Obiter Dicta, I mean Obiter Dicta, brings together the school's best entertainers (or those that think they are) for one night. As if everyone in law school did not seem gorgeous, funny, and smart *enough*, it turns out people have other talents too! Sure, I can complete the Word Jumble in 30 seconds and repeat the CV of any celeb, but these are not skills that can be showcased on stage (or transitioned into a paid position).

The event took place in a club-like setting with tables crowding the stage. It was like a private event with our own Whitney Houstons and Mariah Careys...minus the obsessions with cocaine and butterflies. While the venue was not the auditorium I expected, it made maneuvering to socialize easier. Some performers probably did not like this, understandably, as noise levels drowned out the occasional set. It was certainly annoying, but trust me – when the right performer was on, everyone quieted down.

My favourite performances included Michael Bowmile and Katherine Serniwka's rendition of Cee Lo's "F*** You," the Aussie (okay, he could have just spoken and I would have been enthralled), and Flock of Legals' "Summer of 69." The audience loved them. Note for future entertainers – choose a well-known song that gets



Jesse Mighton and Mike Lickver hussle up another great night

Photo Courtesy Harold Godsoe.

people dancing and singing. Or get an accent. People have a limited attention span and want to get involved. Yes, I am advocating that you pander to the masses. It will be more memorable for everyone.

Perhaps the highlight of the night was the debut of the videos. The 1L video was absolutely amazing. The cameo from Dean Holloway was brilliant. I also really enjoyed the debut of Law School Husselin 2. Genius. It helped that the video came after a really cheesy R&B solo (that line is for *you* ladies – make some noise).

If you have yet to view the videos, drop everything immediately (unless, of course, you are carrying a baby or other valuable) and watch it.

In a judge's ruling, obiter dicta is like a tease. It is saying "x" could have been decided, and there are probably good reasons for doing so, but it has not been. Accordingly, the title is apt for the night's festivities. As the performers demonstrated, they could have found careers as comedians, musicians, or MCs. But they chose not to. To have options... ♦

Law Ball

By Terrah Smith

Dropped the ball...

Let me preface my review by confessing that the evening did not start off well. After struggling to put on fake eyelashes for at least 30 minutes – leaving my desk covered in glue and my face in eyeshadow – I was exasperated and extremely discouraged. At this point, even reading my Property textbook seemed preferable to getting dolled up.

Thankfully, the colour on my mood ring changed when I arrived at the pre-party. Red cups in the style of MTV *always* cheer me up.

Time to get the ball rolling...

Since Lamplighter Inn is far south, three buses were scheduled to pick up students at campus and downtown. The second bus failed to show, so by the time the third finally arrived (late of course), it was a mad dash to get on. Sadly, as law students are ever the competitive lot, it was not women and children who made it on first. The rejects were left waiting in the cold for backup to come. Not the smoothest kick off to the night.

Play ball...

Cut to the venue. It certainly scored points for making an impression. The reception area was huge, over-the-top, and best of all, warm. I felt transported into a tropical

arboretum. Unfortunately, I could not find where the appetizers were hiding (although the drink table was easy enough to locate). That being said, I did not want to stuff much in my mouth anyways. I quickly lost any appetite as the stench of chlorine perforated the room and townies with mullets walked past.

This sucks _____

Ok, so at this point I sound like a complainer. I know, I know...pass the cheese with that wine. Allow me to rewind and clarify. So far, I am actually really enjoying myself and am *mostly* impressed with *almost* everything. I especially liked photographers coming around to take snaps for the slideshow.

But then it got ugly. Before you could even enter the dinner room, you had to gather around a table to receive a food ticket and after party bracelet. I use the term

'gather' loosely. Herding cattle to be slaughtered is more like it. In the future, I would recommend scrapping this process or at the very least restructuring it.

On the ball...

After 10 chaotic minutes, I have made it inside! I can taste victory and it is sweet. The ballroom is absolutely gorgeous. The tables are dressed wonderfully, huge chandeliers fill the ceiling, and colourful flowers liven the room.

Food and wine is soon served. As many people agreed, the meal in itself was well worth the ticket price. While the salad looked like rabbit food, the main plates were sizeable, balanced, and most importantly, delicious. Despite the melancholic teenage anthems and difficulty hearing the speaker (who did a great job hosting), meal time was a great success. I do recommend drinking as much wine as possible at the start – because it will quickly run out.

Ballin'...

By far the best part was the dance (because let's be honest, I have sick moves). Complete with the requisite Jewish chair tossing and glowstick showdowns, it was all you could want and then some. From the looks of it (and as Facebook evidence would attest) everyone had a good time.

We'll have a ball!

Without a doubt, I would do it again. Everybody looked stunning (even those wearing blue tracksuits) and the night ran smoothly. Seriously, the Committee did a wonderful job. I would like to thank everyone who worked so hard to make this event happen. It will not be easy to top next year! ♦



Obiter Dicta 2011



Kathryn Shani singing up a storm
Photo Courtesy of Harold Godsoe.



Steven Pulver, one of the Flock of Legals
Photo Courtesy of Harold Godsoe.



Avi Vaturi brings in the laughs
Photo Courtesy of Harold Godsoe.



Sam Ip makes his ukulele sing
Photo Courtesy of Evelyn Wong.

The CLS Experience

By Ruth-Anne Avruskin

Last semester I took Litigation Practice, one of the few courses here at Western that has the practical element of actual case work in a legal clinic. It was a very different and challenging experience, but one I would recommend. So would Cassandra Tarrataca, who is a current Student Supervisor at the clinic. "It's a course I would recommend for anyone wanting hands-on, practical experience before leaving Western's doors," she said.

Professor Margaret Capes, one of the Review Counsel at Community Legal Services, views CLS as a place where students can do "community service learning." That is, they are able to apply their classroom skills for real clients who depend on them. Capes cautions that not every student is ready for the experience, and of course community service and case work will not interest every law student. The commitment to community service is an important aspect of CLS. The obvious benefit to students is the practical legal experience. CLS gives students a chance to develop their legal skills, and to gain confidence in these skills before entering the legal profession. "I was very surprised to discover that work I did in one area of the law often gave me valuable insights into work I was doing on another area," said former Student Supervisor Kyle Smith.

Since the current model for legal education has no practical component outside of LRWA, Capes advocates gaining some experience in an environment with a "safety net." In her view, law school should be both substantive and clinical, with two years of theory courses and one year of clinical practice – a system which would also make articling obsolete. Volunteer Caseworker Scott Sobering said, "CLS has given me the opportunity to carry files similar to those I may work on in my articling year. When I apply to articling positions... I am hoping the fact that I have a portfolio of legal work to rely upon will give me an advantage in the selection process."

CLS has a number of outreach clinics at the Salvation Army, Western Ontario Therapeutic Community

Hostel (WOTCH) and Fanshawe, and is looking into developing a spot at the London Public Library. In addition to file work, CLS also partnered with Pro Bono Students Canada this year to facilitate legal education workshops in the community. Capes says CLS is always on the lookout for other hands-on opportunities and externships, including a possible project with the Children's Aid Society. Each year CLS expands its reach

handled a variety of tasks such as court appearances, memoranda, intake interviews, client meetings, settlement conferences, and drafting pleadings and other documents. One of the biggest challenges may be scheduling. "Volunteers are there to serve clients, which means the volunteer's schedule must accommodate clients," said Sobering.



Professor Margaret Capes, Review Counsel at CLS
Photo Courtesy of Western Law.

into the London community, and although volunteering is undeniably a lot of work, Capes remains firm that students find the rewards worth it.

I interviewed a number of students about their CLS experiences, and although all agreed it was a demanding workload, they also all found it manageable. Students

Working at CLS requires putting the client's needs first, and recognizing that "a legal issue is often one of the many [issues] that they face on a daily basis," said Student Supervisor Cassandra Tarrataca. Capes hopes this experience will encourage a continued interest in pro bono work among Western law students. ♦

Careers in Criminal Law

By Ryan Venables

So you want to be a criminal lawyer, eh? Well, are you sure about that? That is what I've been asked over the last couple of years. Although I have a very keen interest in criminal law, it is something I am entertaining along with an equal interest in other areas of litigation. The mere mention of a passing interest in criminal law is enough to scare many employers away. Still interested? I'm not sure either – but if you are, hang on tight, it could be a bumpy ride.

The first and most sought after positions in the criminal field are government jobs. Consider the Department of Justice, Public Prosecution Services of Canada, and Ministry of the Attorney General (MAG) – the Bay Street of the criminal world. Those positions are, however, just as difficult (if not more) to secure. The standardized interviews where you're scored against everybody else can be more difficult than informal law firm interviews. Experience and thinking on your feet is going to help you here, where it is less about personality and more about how you answer the question.

Another opportunity is in local Legal Aid clinics. Legal

Aid Ontario hires a number of students every year to defend clients who cannot afford legal services. Legal Aid does not hire outside of the OCI process (I learned this the hard way – I was under the impression they hired like the MAG).

A third opportunity for those of you who want to head to Toronto is to apply with some of the larger criminal firms. There are a number of large criminal law firms in Toronto and I believe they all take students. If this is what you want, you should go to bed dreaming of names like Pinkofsky's, Rosen, Lockyer, and Greenspan. These are all big name lawyers/firms with equally big name clients.

A fourth and often-untapped market is the sole practitioner. If you're in a smaller market like London, you will quickly learn the local bar is a close one. The local lawyers know who is hiring and who isn't. Getting to know the local bar through networking is probably the best way in. Most criminal lawyers are sole practitioners or are working "in-chambers" with a group of other lawyers. Perhaps a downside of working for a sole practitioner is that they may not be able to pay you. I have been told by a number of practising lawyers, that if criminal law is where you want to go, be prepared to spend your 2L summer working for free. You may also

have to repeat this for your articles.

The last route is the traditional one. Utilize the shotgun method and apply everywhere and for every kind of law. Experience everything, and if you decide you still want to practice criminal law, or if you discover this hidden passion later on down the line after you've completed your articles and passed the bar and received that big green check mark, you can always pursue it then.

However, perhaps just a small caveat to finish. As I mentioned above, if you have an interest in criminal law, as I do, and you have taken courses to nurture this, be prepared for rejection. Your demonstrated interest may close more doors than it opens – if you want more info about this, come talk to me personally. I think criminal law is a slippery slope. However, if you love the drama of the courtroom, arguing on your feet, and dealing with real clients who are facing real problems, or you want to uphold the law of the land, then I probably don't need to talk any more (but you already knew that).

(Note: All of the information is correct to my best estimation and my experiences. Rule one for finding a job is doing the legwork yourself and not missing out on opportunities because of what others have told you). ♦

Brunching Towards Ecstasy, Part 4: The Almighty Barbeque

The continuing search for London's best late breakfast/early lunch

by Meagan Williams

As rock-solid as a pyramid of 2010 Canadian Championship-winning UWO Mustang Cheerleaders, Western was built on a foundation of football, tailgating and barbeque. But what I've never managed to figure out is why people around here put the barbeques away when it starts to hint at being cold, and only bring them out again during something they like to call the "barbeque season."

This is un-Canadian. Where I'm from,* Christmas dinner is finished on a six-burner, 150,000 BTU stainless steel inferno after dad puts his Santa-themed apron on over his Canada Goose parka.**

So, in defiance of an ice pellet-fueled mid-March hissy fit, I put out the call for a barbeque expert to aid me in my quest for the best store-bought barbeque in London. Enter special guest reviewer David Solomon, who can tell the difference between (and has strong opinions about) "dry rub smoke" and "mesquite."

The Best:

Smoke-N-Bones Casual Southern Barbeque

Run, don't walk-Drive, don't run, aaaaaall the way down Wellington to Smoke-N-Bones Casual Southern

Barbeque. Remember*** where Law Ball was this year? Yeah man, even further south than that.

Once you do, you will have no choice but to agree with me that this might be *the best restaurant of all time*. Unless you are vegetarian, yet still reading this article (hi, Meg).

First, the mild criticisms: meat is serious, yet the menu indulged in Southern whimsy that ranged from blandly clichéd ("Y'all come back now, y'hear?") to embarrassingly Confederate ("Feeling brave as General Lee? Ask for Blaze hot sauce!" or, more tragically, "Smoked in our authentic Southern Pride Smoker"). Awkward.

But the meat! The blessed meat! All chicken, pig and cow carcasses are smoked on-site in London's Biggest Smoker. We ordered 20 chicken wings (Wicked Wing Wednesdays! 30 cents per disarticulated chicken limb!) and the BBQ for 2.

The wings came with a caddy full of different sauces, each named after an American city in steep decline. I chose Kansas City, and was about to squirt a pile of it over the wings before David stopped me. He said I should try a wing with no sauce first, because the dry rub and the smoking together is like "edible crack." I thought all crack was edible, but I tried it anyways. There are no words for that first bite, but I'll give it a shot:

My tongue... still wants to wear... that chicken wing... like a cardigan.

There. That's the best I can do.

The BBQ for 2 came with corn bread muffins, a full rack of St. Louis side ribs, a crime scene's worth of pulled pork, and a mound of southern fried chicken. Southern fried chicken is not, strictly speaking, barbeque. It's more of a soul food, but far, far better than the Popeye's across the street. This is because *they smoke the chicken before they bread it and fry it*. This is a level of care and attention not often seen when ordering a basket of meat.

I could say more, but I don't want to fawn. So I'll just add that there is also brisket, and they also have Montreal smoked meat, and you should go. And you should invite me to come along when you do.

Smoke-N-Bones Casual Southern Barbeque, 855 Wellington Road, (519) 649-1103

The Meh:

Rei Dos Leitões ("King of the Pigs")

The good? AMAZINGLY WEIRD cartoon pig wearing a crown, which can be viewed here: <http://www.kingofthepigs.ca/>

The bad? Well, it wasn't bad exactly, it just wasn't...that awesome. Sorry. I feel like I'm probably disappointing

a lot of people right now. So, so many people say this is the very best, but all I got was a sad pork cutlet served with an anemic Kaiser roll by a surly teenager in a polyester uniform.

But guys, I want to give this one another try, and here's why: for \$130 plus a \$10 cutting fee, we can have an *entire roast suckling pig*. We'd have to give them seven days' notice, but the end of exams are coming, people! Everybody can toss in a couple of bucks, and I'll undertake to provide a not-shockingly-haram/treif meal alternative.

Think about it. While you're thinking, I'll be using the hilarious Rei Dos Leitões "chicken calculator": <http://www.kingofthepigs.ca/ChickenCalculator.aspx>

Rei Dos Leitões, 706 Hamilton Road, (519) 452-1310
Rei Dos Leitões Cherryhill Village Mall, 301 Oxford St. W., (519) 204-8978

This article brings me to the end of the line, brunch review-wise. Folks, thank you for reading. It's been a real pleasure.

*Canada, but the part with pain tolerance, winter tires and earls restaurants.

**Non-ironically-worn.

***If you can't remember, ask a friend. Also, consider binge-drinking less. ♦

The Ethnosphere of Wade Davis

By Harold Godsoe

Wade Davis has lots of job titles but disavows any real job. Anthropologist, celebrated author, ethnobotanist, tropical pharmacologist, National Geographic explorer, photographer, scientist, scholar, and poet. His life mirrors a commencement speech that he delivered to his daughter's graduating class: never accept a job, but work yourself harder than anybody else does.

The theme of his talk at Western was the value of culture. Over the course of an hour he sketched out the idea that every culture is a result of the same amount of human imagination and genius, differing only in its response to particular circumstances of space and time. Because culture is, at essence, an answer to the question of how human beings ought to live, we have thousands of fascinating answers to that primal question.

However, as the genius that we've put into our own culture accidentally threatens to dominate all the others, the geniuses of the other cultures threaten to vanish unlearned.

It isn't progress, change or technology that threatens cultures, says Davis - it's power. Aboriginal cultures

adapted to firearms as easily as American culture adapted to automobiles. Cultures change in response to progress - sometimes radically. Even when our lives are unrecognizable to our grandparents, we remember. The past continues to hold influence and our culture becomes richer.

The cultures that are being doomed today are being doomed by unbalanced power. If language can be used as a marker for culture, then half of all cultures are on the brink of extinction. Fifty percent of the world's 6,000 languages are no longer taught to children. Whether that's because cultures are being displaced from traditional lands by the economic needs of others, or their children forced into alien schools, cultures are being driven out of memory by identifiable forces that are beyond their people's ability to adapt.

Davis spoke in an airy cavernous auditorium in March, in a building on campus I'd never been to. Law students and business students, for whom social, political and economic power is a real aspiration, were not well represented. So in his talk there may have been an overabundance of moral and emotional reasons to preserve the world's cultures. But for law students Davis makes an intellectual argument to stop negligently pushing the world's dying cultures into oblivion: they're smarter than us.

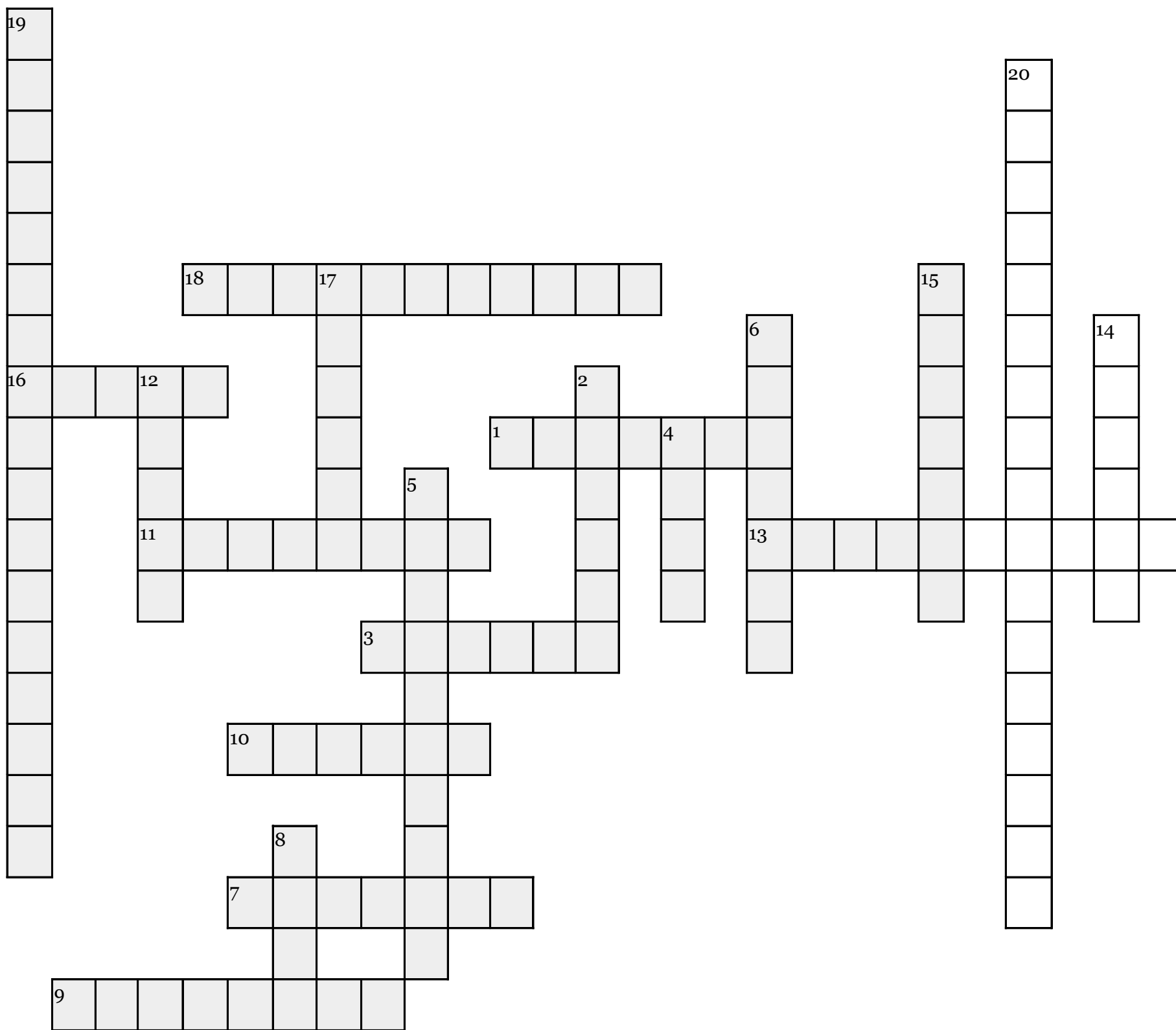
Even in the Q&A, all of Davis' statements morphed into mythical first-hand tales of wonder: vast pacific navigators, psychotic rainforest pharmacists, brilliant Arctic survivalists, seemingly suicidally generous desert customs, Amazon traditions of dense social management, and on and on. While clearly flattering American-European modernity, Davis praised the other solutions to human life that he'd found in long and round syllables.

We spend all of our genius trying to live to a hundred without losing our teeth - the Buddhists of Tibet spend all their genius trying to understand existence. Rather than being satisfied with just exporting our cell phones and rule of law, perhaps we need to get more in return.

The epic of Western legal tradition fresh in my mind, the idea of learning about thousands of cultures as big and brilliant as ours, alongside a healthy legal career, seemed clearly impossible. All I could think about was the foolish inadequacy of 'work-life balance.' I wasn't alone. An awe-struck audience undergrad asked how to follow in Davis' shoes. A few more stories passed, and then Davis stopped himself and answered bluntly, "Just start walking." ♦

The Last Twenty American Presidents

Presidents by last name only, except where two prezes have the same last name.



Across:

- 1. Likes sex.
- 3. Dropped the big one(s).
- 7. Invaded Vietnam.
- 9. Was a man of few words.
- 10. Presided over the Crash of '29.
- 11. Got shot in Buffalo.
- 13. Saved Europe and was liked.
- 16. Was a crook. Claimed otherwise.
- 18. He invaded Iraq too!

Down:

- 2. Only prez with a PhD.
- 4. Only prez who was also Chief Justice.
- 5. He invaded Iraq.
- 6. Made a speech at the Berlin Wall.
- 8. Denied existence of the Berlin Wall.
- 12. Not white.
- 14. Boycotted the Olympics.
- 15. Died in office, but not in Texas.
- 17. If he were alive today, he'd be 100 years old.
- 19. Attended Yalta Conference.
- 20. Bought his rifles at Tiffany & Co.

An Assault on Common Sense

Why the Police Have No Business Investigating "Big Z"

By Nick Slinko

Despite the fact that sports and the law intersect regularly, there are relatively few cases of police investigation of violence in professional hockey. Tort Law, Law and Sport, and Civil Procedure have brought the *Bertuzzi* and *McSorley* cases to our attention, so perhaps future students will spend time studying *Pacioretty v. Chara*. But if it were up to me, no such opportunity would present itself.

People across the continent have voiced their opinions on the hit itself, and on the larger issue of legal action against athletes for their conduct during game play. Students throughout the law school have made their feelings known as well, and as a law student and passionate hockey fan, I feel I have something to contribute to the debate.

As unfortunate as injuries are, they happen, usually at least once a game. Hockey is a tremendously fast game played by incredibly strong individuals. When you factor in the physical contact, there is simply no way to avoid broken bones or concussions. The players are aware of the risks they are taking when they step onto the ice. This assumption of risk includes actions outside the rules of the game. In other words, things like fighting, charging, boarding, etc. – all of which are punished in-

game, and sometimes afterwards, via suspensions – are as foreseeable, though not as common, as actions within the rules of the game.

Given this fact, I do not think a successful negligence claim could be made against Zdeno Chara, aka "Big Z". If you don't like it, don't play. And if you have a problem with physicality and subsequent injuries, in the now infamous words of Bruce Boudreau, "don't come to the games."

The incident in question produced a serious injury (a broken vertebrae). Fortunately, Pacioretty was released from hospital rather swiftly and will be able to resume his playing career in about four weeks. My fear is that all of the events following the hit – from politicians weighing in, to corporations threatening to cutback sponsorship, to the Montreal police launching an investigation – were sparked by the injury, combined with the media orchestrated illusion that there is an increasing lack of respect amongst the players. The act itself is something we've seen in the game before (in more malicious forms), and we will continue to see for a long time. Sure enough, there was an almost identical hit thrown two nights later on Drew Doughty in Columbus. The fan response was muted for two reasons: no injury was suffered on the play... and it took place in Ohio.

Are the police justified in their decision to investigate? Will they eventually move to prosecute? Would they

succeed? In reality, they are wasting tax dollars, thanks to pressure from biased fans and powerful corporations like Air Canada and Via Rail (both of whom operate out of, not surprisingly, Montreal). Canadiens fans, while on average fairly knowledgeable about the sport, have not always been its best ambassadors. Remember the Richard riots? Or how they consistently boo the American national anthem? These aren't the people we want spearheading a movement against violence in sports.

The NHL has an internal discipline system that reviewed the matter, and have well-established precedent and reasoning for not suspending Chara. If the police lay charges in this case, where then do you draw the line? Is every on-ice infraction, for example a high stick that lacerates an opponent's face, a negligent act? Is a hit to an opposing player's head an assault?

Allowing the state to take jurisdiction over a professional sporting arena threatens the successful operation of sports such as hockey and football, and it is a more dangerous approach than choosing not to act. Chara, by the way, works extra hard, in light of his stature, to *not* hurt people in most situations. All of this doesn't amount to ultimate immunity from the law for athletes. There may be circumstances where assault charges are appropriate: they just aren't *this* time. To his credit, Pacioretty agrees. Shouldn't that count for something? ♦

Hi-Tech Paranoia

By Meagan Williams

"Want To Know What Someone Is Up To?"

It's the question Spy Tech sears into our eyeballs every day with its city bus campaign. I don't know about you, but seeing those screaming yellow transit vehicles has made me think more about the people providing these services than which spy gadget is right for me.

So one day this winter, the adventurous Jackie Strandberg and I went down to Wellington Street to find out.

The storefront looks normal enough from the outside, but, much like a stag shop, there are several dire warnings that you must be 18 to enter. I'm 29, but I decided to go in anyways.*

Almost immediately after we crossed the threshold, things seemed... different. There were three signals (that we were capable of detecting) announcing our presence in the shop, and in front of us was a gigantic one-way mirror. The only thing missing was a leaflet titled, "What the GOVERNMENT doesn't want YOU to KNOW."

We reasoned that you don't mess around with the guy who runs the spy store, so I didn't lie to the shopkeep about why we were there. The first words out of his mouth were, "I don't grant interviews, and I'm not gonna tell you my name."

Having gotten off to such a fabulous start, he proceeded to talk to us anyways.

He took us through a full price range of motion-activated cameras. "This one looks like an alarm clock, but actually works as one, too." Convenient! "Where's the USB connector?" I asked. "You need a VCR" was his reply. How... cutting-edge.

duty for us all to obey!** "I guess if you were actually interested in having your *rights restricted* like that..." was his dismissive reply.

But it occurred to us that, despite the prominence of CheckMate Sperm Testing Kits and books titled "Screw Unto Others", the law - and knowing your rights - is a huge part of why Spy Tech does what it does. In our short time with Mr. X, he showed us the full range of his well-informed layperson's knowledge of the *Criminal*

Code, the evidentiary issues relating to constructive dismissal, and yes, even the rights of a tenant with respect to illegal entry under the *Residential Tenancies Act*. He cares about his rights, and he wants you to know your rights, too.

So if you want to stop by, Spy Tech is open from 8-4 Monday to Friday, and 12-4 on Saturdays. Although I'm confident they have three or four kinds of store surveillance running 24/7, they're not open on Sunday. "That's the day my family gets me," Mr. X said. I guess even civil liberties crusaders need a day of rest.

This is where the photo would be if paranoid civil liberties crusader had let us take one

When we got to the hidden voice recorders, he was careful to point out that we have the LEGAL RIGHT to secretly tape our conversations with people. I pointed out that LSUC has other rules for the likes of us.

Folks, it's true: it is perfectly legal under the *Criminal Code* to record a conversation you're having, even if you're the only person who knows it's being recorded. But when you're out in practice, Rule 6 of the *Rules of Professional Conduct* creates an exciting new ethical

*Jackie Strandberg is either 18 years old, or is as defiant as I am. I leave it to the reader to decide for her- or himself.

** Now, I won't ruin the thrilling adventure of independent study that is the online LSUC ethics course for articling students by reprinting the rule here. But if you've decided you can't stand the suspense, take a look at Rule 6.03(4). ♦

Throwin' Rocks with Hollie Nicol

By Nick Slinko

You'll know from previous articles that I have tremendous respect for those among us that balance competitive Varsity sports with legal studies. I'm equally impressed with the fact that there is a competitive curler in our midst. 2L Hollie Nicol started curling at the age of eleven and began playing competitively (which translated into some financial benefits via tournament success) once she started high school.

She was nice enough to host a group of law students at her local curling club a few weeks back and teach us a thing or two about the game she loves. The session coincided with the Brier, a major Canadian curling event, and so the television cameras were out in full force. Hollie was interviewed by the Discovery Channel, but was also kind enough to answer my questions. Here's what she had to say.

Q: How do you think all the aspiring curlers performed last weekend? What are some things you noticed them do well/poorly?

A: I think everyone did a really good job. I really enjoyed how enthusiastic everyone was to try curling. One thing that I noticed them do well was that most people were able to pick up the strategy pretty quickly. They understood that there was more to the game than just trying to get closest to the button (middle of the circles). What they didn't do well, which is common with all beginners, is that they weren't able to adjust how hard to throw the rock. One time it would be too light and the next too heavy. This is something that takes years of practice.



Hollie Nicol, Rock Star.
Photo Courtesy of Nick Slinko.

Q: Have you ever worked as a curling instructor or thought about opening up a curling school?

A: I have worked as a curling instructor before. I have done a lot of instruction for intermediate curlers (those with three to five years experience) usually in the 14-17 year old range. I also went to Brazil in the summer to teach curling in a shopping mall. I haven't seriously considered opening up a curling school, but it would be something I would consider maybe later in life.

Q: What advice do you have for someone who wants to

excel in the sport?

A: I would recommend practicing a lot and playing in a lot of games. Curling is a sport that doesn't take too long to learn how to play but it takes years to learn how to play well. Taking lessons to make sure you start out with strong fundamentals is also important.

Q: What are some of your notable achievements/setbacks throughout your career?

A: One notable setback I had was losing the World University Final in China after going undefeated. We weren't favoured to win because it was our first time at the Worlds but Canada is always expected to do well in curling at the international stage. A notable achievement was beating the team we lost to in China the next year and winning the gold medal in Japan.

Q: What sort of impact do you think hosting and performing well at the Olympics will have on the popularity of curling in Canada? Who is your favorite curler?

A: I think that hosting the Olympics at home provided a lot of exposure for the sport and has increased the popularity of the sport especially in terms of television ratings. I think the challenge for curling is going to be in recruiting a younger demographic to take up the sport. As most people know, curling is dominated by an older demographic. I don't really have a favourite curler but I really enjoyed watching Cheryl Bernard at the Olympics. She handled the pressure of representing Canada on home soil extremely well and she looked like she was really enjoying the experience.

Well said, Hollie. I hadn't curled prior to the session at the curling club, and after having a wonderful time doing so, I also hope that more young people try it out. ♦

AMICUS CURIAE

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