Docket Talks to New Dean

Dean Steven Frankino, who is scheduled to take office here at Villanova in January, recently made a visit to Villanova. Docket News Editor, Amelia McGovern spoke with him at this time.

D. Let's start out by telling us a little bit about yourself.
F. What do you want to know? What will you tell us? I hope to. I haven't been assigned courses yet. I hope, if not next semester, certainly next year. I have been teaching since I've been a Dean, which goes back more years than I care to admit!
D. Tell us about that. How long have you been a dean?
F. Let's see. Well, when I left Villanova in 1971, it was because I had been appointed dean to Creighton University in Omaha, Nebraska. I was dean there for 6 years. I then became a senior partner of a law firm and then I returned as dean of my alma mater, which is Catholic U. and now I'm in my eighth year. At Catholic U., there are four years; ten, completed my second term.
D. Are you coming here in the middle of the year?
F. Well, the faculty at Villanova wanted to have a permanent dean in September and I felt that the faculty at Catholic University should have an opportunity to conduct a search and select a successor before the middle of the year.
D. Why are you coming here in September?
F. Tell us about that. How long had you been a dean? Have you been a dean?
D. Partner of a law firm and then I had been appointed dean to Creighton University. I am a colleague and friend of mine, and I am able now to work with people at Villanova, Pa.
D. Is that your favorite course? Is that, who do you choose to teach Conflict of Laws?
F. Some would say that is my favorite course, and there are others that say Conflicts of Laws is change rather. It's easier for a dean to teach a course where the law is not as dynamic as other fields. I prefer to think it is the first one.
D. How will we notice your presence here?
F. You were here as a first year student when John was Dean. Right. And he announced to us half way through the year that he was leaving, so at that point we became the class without a dean.
D. Or the transitional class.
F. I don't know. What do you think of this year's decision?
D. No, I think that was the point. Well, we know, we were working without one. What is a dean? What do deans do?
D. Yes. The school hasn't fallen down.
D. Of course not. Well you know there is a wonderful piece of doggerel that was done by Dean Prosser. I don't know if the torts students will appreciate the humor of this, Prosser thinking I think to any well run law school in the student and faculty dance on the green, the ultimate heaven —a school with a noodle. Actually, I had been appointed dean to Creighton University. My experience differs from law school to law school. Each law school has its own personality. In some law schools, the interaction between the dean and the students is very dynamic and kind of constant and at other law schools it's relatively rare and very formal. And I'm not sure that the dean at a law school doesn't play a major part in which role is determined for the interaction of dean with the students. Clearly, the dean is making a difference in the lives of the students. And those decisions have to be made whether there is a permanent dean or a consultant to teach the course and make decisions.
D. Decisions like allocation of resources and budget—making sure there are sufficient funds for student aid, making sure that the various services that are significant to students are run very, very well, Placement, Admissions, Financial Aid, etc. So, the dean provides a coordinating perspective, the dean is the supervisor and so there isn't a very independent one but obviously over time you can tell what kind of decisions the dean makes.

Reimel competitors Advance to third round

The excitement continues to mount here at VLS! The third round of the Reimel Competition, pitting 32 teams against each other in grueling, heated oral battles, is upon us. Monday, November 26, at 7 and 9 p.m., sixteen teams will try their luck. The winning team will be listed on the Quarterly posting sheet, which is to be released on November 26, just in time for the holidays.

For those of you who are entering the competition, the VLS line has just been released:

Marianne McClatchy, '84, who started the Organization of Diversified Students, networking with alumni, the diversified backgrounds, re- creating the student organizations we build to what they bring to the group and the law school. They also propose the periodic social functions to increase the group's cohesiveness.

"By the very nature of the group it is hard to find time to meet," comments McClatchy, McClatchy further explained that these students tend to have families to take care of or outside jobs.

"Once we are established as a student organization we will have a mailbox and a place on the bulletin board and it will be easier to communicate to new members. Right now we have about thirty interested students," said McClatchy.

"We are trying to bridge the gap between the information we can get from placement and the information in Alumni, in order to develop a network, to see how other students in this situation have succeeded once they left school. Joan Beck has been very supportive.

"The administration and faculty have been very supportive," said McClatchy.

The organization will be open to all students with a focus on those with a special background, according to the group's petition.

Inside...

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Cannon Acts, Too pg. 9
A New Figurehead Arrives

When you get back from the holiday break, there will be a new face in the Dean’s office. The fact that he’s the third in four years has prompted remarks like: “Villanova has had more Deans than the Yankees have had managers.” Like the Yankees, the law school seems to have endured the revolving Dean’s door: recruiting-wise, job-landing-wise and otherwise. That, though, may be more a credit to VLS faculty and staff proving positive that having a Dean really makes much of a difference. It probably does. The theory accepted that someone has to be in charge. The point is, we wouldn’t know first-hand. At any rate, welcome Dean Frankino. Hope to see you around — for a while.

Empty Barrels Make the Most Noise

Last month we ruffled some feathers suggesting that 3Ls have no right to gripe at graduation when a speaker NOT of their choosing shows up. A few self-proclaimed leaders of the class muttered about our questioning the speaker selection process and what we viewed as 3L apathy. The mutterers didn’t see it that way. They threatened to deluge the Docket with Letters to the Editor explaining just how they did see it. But they didn’t. From what we can gather, their defense is that the SBA-sponsored meeting that produced the 13 warm bodies who tendered the names of two additional speaker candidates (which were rejected, along with a request to reorder the faculty-composed list) was held on Yom Kippur. Balderdash! Besides, one of our Jewish classmates was quick to note, if anyone was really interested, they could have voted by proxy. What really proves our point, though, is the conspicuous absence of even one Letter to the Editor on this page. It’s easy to murmur. Making your voice count is hard.

’Tis the Season: Holiday Fear

HOLIDAY CHEER

Well, it’s that time of year again. While everyone else in the world (or so it seems) is beginning to think of Turkeys with stuffing, eggnog and holiday cheer, all law students can think about is what turkeys we are for coming here, the egghheads who’ll get better grades than us and holiday fear (that is, will we live through exams to see the holidays). Don’t despair, IL’s, you will survive. One of the most important factors in doing well on exams is avoiding burnout. It seems) is beginning to think of Turkeys with stuffing, eggnog and holiday cheer. Finally, when exams are all over, watch Rudolph the Red-nosed Reindeer, go shopping or for a walk. Jewish classmates was quick to note, if anyone was really interested, they could have voted by proxy. What really proves our point, though, is the conspicuous absence of even one Letter to the Editor on this page. It’s easy to murmur. Making your voice count is hard.

From the first day we got here, we started what, for lack of a better word, I’ll call settling in. Oh, it was subliminal enough. No one wore Ivy League sweaters, but word eventually got around as to who’d gone to what college; who’d been accepted to VLS or had a really great prelaw admission,” who was wait-listed at Penn or who’d posted 40-plus LSAT scores. Then grades came out and new heights of stratification were reached. Classmates who barely acknowledged each other’s presence in the halls suddenly made the fall suddenly struck up spring-time relationships based on their newfound common interest: relative class rank.

So many of us are sustained by one vision: the Big Payoff

A certain amount of stratifying is to be expected in any academic environment. Law school, as much as anyone, feel the need to belong to an elite group, even if they’re already part of a larger one. So I guess it’s normal enough for a class to keep stratifying.

With job offers trickling in at the time of this column, one can only hope that the class members come away from the last exam with their heads held high. It seems that the class members who are interested in securing job offers from the most prestigious firms are the most likely to achieve their goal. However, the number of job offers is limited, and many students are left with less-than-ideal job prospects.

Success is a Job, not a Paycheck

If there’s a moral to the story, I guess it’s that the price of stratification runs high. From our first day here, we’ve all known that success is relative, and that everyone’s perception of success is different. But, if I may borrow a line from my tax teacher, there’s a “Gross Incomes” section of our tax courses that every student ever to take a tax course will have to go through. The section is known for its use of graphs and charts, and it’s easy to see why. Employers look at the data, and the numbers speak for themselves. When students look at the data, they see themselves.

The Docket

The Docket is published monthly by the students of Villanova University School of Law, Villanova, Pa. 19085. Second-class postage paid, permit no. 5, Villanova, Pennsylvania 19085. Letters and staff from students, faculty, alumni and the community. Paid advertisements are also accepted. The Docket is distributed free to all current students, faculty and administrators. Alumni who wish to receive The Docket by mail should notify The Docket office at the above address.
A Real Trooper: Bar None

by Chris Flowers

The time has come when most 3Ls begin to think with some uneasiness, about the Bar. Capital 'T', capital 'B'. Groups of anxious students congregate outside of the cafeteria and in the halls, debating the pros and cons of various Bar Review courses. Those who were never quite removed from Cliff Notes first stand in the more existentially exhorted priced programs. Many of us have had nightmares about failure. I often envision myself erring, like some unemployed law student and that of the unemployed law school graduate.

When asked what childbirth was to describe the horrors of the Bar Review courses. Those who were just recently released, unemployed law student and that of the unemployed law school graduate.

My future (economic and material) was determined. I entered the convent.

My father had just graduated from Temple Law School. Knowing that he would soon be facing weeks of study and preparation, he decided to take a brief vacation at the Jersey Shore with my mother. Frightened of the laws of nature and the not-so-gentle warnings of his wife, this red-bearded, freckled Irishman dug himself into the sand, somewhat like a crusading lawyer, and proceeded to fall asleep. When he awoke four hours later, he was completely baked. Later, he was completely baked.

For several moments later, Theodore W. Flowers (destined to be the most famous bar review star) was in the room, heard my father's screams whipped him through the air, and got on with the questions, if you will. By the time he got to "is Rome the capital of the United States?" Mr. Philip D. Johnson was in the room, heard my father's screams, whipped him through the air, and got on with the questions, if you will. By the time he got to "is Rome the capital of the United States?"

Theodore W. Flowers (destined to be the most famous bar review star) was in the room, heard my father's screams whipped him through the air, and got on with the questions, if you will. By the time he got to "is Rome the capital of the United States?"

Two months to the day after his victory over Mr. Scranton. I sincerely believe that the class of 1986 will bring honor to its alma mater and to its members, notwithstanding the naysayers. Just because I can't make a good pizza doesn't mean that I can't appreciate another.

Jeff? A view from the inside by Brad Remick

Congratulations are due to Mr. Casey, our new governor, on his victory over Mr. Scranton. I sincerely hope the state legislature and administration do the same. I do not feel that my victory makes me better prepared to serve the people. Justice should the opportunity arise. Hopefully, the effects on foreign policy will be minimal, although the Democrats are already taking a tough strategic approach. I will be as cooperative with his colleagues as possible.

I sincerely believe that the class of 1986 will bring honor to its alma mater and to its members, notwithstanding the naysayers. Just because I can't make a good pizza doesn't mean that I can't appreciate another.


desparately Seeking Scopis

The Judge. This is the latest issue before me. I must begin that these columns have been taken control over to the Bar Review Committee. It is not my purpose to say what effect this will have on the last two years of the Reagan Administration. Congress is currently more proficient in the president to pick the next Supreme Court justice than it should the opportunity arise. Hopefully, the effects on foreign policy will be minimal, although the Democrats are already taking a tough strategic approach.

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John Bravacos, Republican Committee

A View from the Inside

by John Bravacos

Future Interests

by John Bravacos

A View from the Inside

by John Bravacos

As I See It

by John Bravacos
Liberal Thoughts

One of our schools most important and least known institutions in the school’s Board of Consultants. The Board of Consultants came into existence before the law school did. Villanova’s then president asked some prominent Philadelphia attorneys to advise him on the pros and cons of a graduate professional school at Villanova. It was not clear at the time whether a law school or medical school would be founded. Since that initial meeting the Board of Consultants has been giving advice to the law school and the university and helping to shape the school itself.

According to Dean Garbarino, the author of the Board’s by-laws, the Board of Consultants is purely advisory and, unlike a corporate board of directors, neither has nor wants any additional powers. The role of the Board is to advise the Dean and the University President on the direction which the school should take in future school policy. The board, which is composed of legal professionals gives a professional outlook to what is needed from a law school. The major areas which are covered in- tative, but they are seldom ignored. The board’s members are a highly influential group which include 2 Pa. Appeals Court judges, 3 Third Circuit judges, senior partners of major law firms throughout the area, Councils to major corporations such as Mellon Bank, Sun Oil, Phillip Morris, and G.M., Presidents of the PA Bar Association and prominent attorneys from as far away as San Francisco, Chicago, and the Virgin Islands. Many have never missed a meeting. It is considered a great honor to be nominated (one is selected by vote of the Board) and to serve. The 52 members spend an entire workday at the twice yearly meetings.

The Board hears reports from all sectors of the school and discusses them. The faculty may attend all but certain in camera portions of the meeting and some students (about 15) are chosen from student organizations as representatives of the student body and address the board every Spring. The meetings end with a dinner with the faculty and staff.

Considering the advisory nature of the Board they have no authority in any decisions such as selection of a new dean or teacher nor do they have any power to decide what tuition would be but considering the prestige of the members of the board, their recommendations are very influential.

Meet the Board of Consultants

The decisions of board are not binding and are only consultative, but they are seldom ignored.

Supreme Court Group

On October 10, 1986 the Women’s Law Caucus sponsored a trip to Washington D.C. to see the Supreme Court in action. Among those in attendance were Marilyn Sallenay, Phill Tannenbaum, Kevin Heffernan, Laurie Carrol, Tenly Phillips, and Marie Gardner.

“Void Where Prohibited”

Continued from page 6

To their character as a band, Hall described the different roles each member plays. Famiglio is the mediator, “when we all disagree, he puts us back together and works us out.” Boto is the coor-dinator, “he gets the best technique and really knows music; he breaks the songs down into parts (especially Treva’s songs).” C.C. is also a coordinator, but he does more of the fine-tuning, he has the “musician attitude, deeply into it in a quiet way — "I know what’s best, trust me." (watch for him on MTV in a few years.). Hogage is the character, he’s a regular stand-up comedian, a real kid about things, “he makes us laugh, but he’s very serious about his music.” And Hall: “I just sing, I’m the ‘T & A’ of the group.”

But, she doesn’t get pushed around. “I’m a bitch, and a lot of wind. I don’t sing all the time, but when I do: they remember.” They sure do remember, and they agree that when she doesn’t sing, it’s just not the same.

So where do you get a name like “Void Where Prohibited?” “Don’t ask,” according to Hall. “But when she doesn’t sing, it’s just not the same.” The band plays “yuppie music” (is that a new trend?) mostly at Main Street, where most of the band works. The band plays songs like “where do you get a name like ‘Void Where Prohibited?’”

Beyond that, the experts still recommend IRAs, even for those no longer eligible for current tax deductions on contributions after 1986. “Keep in mind that the biggest benefit of an IRA lies in the investment; at worst, it’s forced savings.”

Taking Stock

In 02

Continued from page 13

The Docket

Staff Wishes

Everyone A

Happy Holiday

Season

P.S. Good Luck on Exams
Dennis Talks About DOJ Role

by Sue French

Edward S.G. Dennis, U.S. Attorney for the Eastern District of Pennsylvania, spoke at the Villanova Law School on October 29 as part of the Faculty Recruitment Conference, sponsored by the Villanova's Faculty Recruitment Committee, chaired by former Dean Abraham. Abraham described Dennis as one of the nation's leaders of public interest law, and its role in recent federal criminal indictments, including those of Philadelphia City Councilman Leland Beinfeld, and the Roman Catholic Diocese of Scranton. He also detailed his experience as Chief of the Narcotic and Drug Section of the Department of Justice in Washington, D.C.

Dennis said he has 63 attorneys, including 16 at the trial level, and 47 at the appellate level. He explained that 75 percent of his attorneys work in criminal proceedings, and 25 percent in civil proceedings.

Dennis continued to explain the great emphasis on prosecuting narcotics traffickers. He said the philosophy of criminal procedure is changing, particularly in the area of sentencing. He described how the calls for deterrence sentencing for a broad range of offenders are being given to the judge to sentence criminals guilty of violent crimes, violent crimes, violent crimes, violent crimes.

Dennis provided an example, saying that the government is citing a recent bail bond, the drug war effort, and the DEA's role in the war on drugs.

Dennis responded to an inquiry about the recent cases, noting that the Justice Department's evidence is gathered in cooperation with other government agencies, primarily the DEA, FBI, and CIA. He also said that with the DEA, the Justice Department is working with the DEA to ensure that the defendants do not have the possibility of a successful appeal.

Dennis explained that the defendants have taken 50 percent of their cases to the court of appeals. He also noted that the Justice Department is working with the DEA to ensure that the defendants do not have the possibility of a successful appeal. He also said that with the DEA, the Justice Department is working with the DEA to ensure that the defendants do not have the possibility of a successful appeal.

Dennis concluded with an important message for all attorneys, saying that the law is not a game and that attorneys have a responsibility to be responsible and ethical.

Faculty Search Begins

by John Grisham

The law school's search for the new faculty member who will assume the chair vacated by the death last summer of Professor Robert A. Barry will soon be well under way, according to Acting Dean Gerald Abraham. He added that the school will probably lean toward hiring an experienced attorney who has been involved in the commercial or corporations law area, as did Professor Barry. He added that the school would probably lean toward hiring an experienced attorney who has been involved in the commercial or corporations law area, as did Professor Barry.

The Law School maintains a standing Faculty Recruitment Committee, chaired by former Dean John W. O'Brien, which has been working on the recruitment process for the past two years. The committee is currently in the recruitment stage. The second case, involved a two hour session of the court's highest court. The first case which was argued before the court in the afternoon session involved a defendant arrested for driving under the influence. The second case, involved a defendant arrested for driving under the influence. The second case, involved a defendant arrested for driving under the influence. The second case, involved a defendant arrested for driving under the influence. The second case, involved a defendant arrested for driving under the influence.

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Frankino Talks About his Philosophies

(Continued from page 1) of person is running the administration by the way in which the administration is run.

The administration is going to respond to you and it will make a difference. It will make a difference that the difference will make a difference. It will make a difference.

What difference is it going to make? I've been doing this too long to tell you exactly how long, but the difference will be more perceptible next year or three months from now.

When you graduate it will be even more perceptible and ten years from now 10 from now as an alum that impact is going to be very, very evident to you because one of the major functions of the dean is to have a point of contact between school and its various publics and the school and its various constituencies between the school and the university and between the school and the accrediting agency, between the school and the bar, between the school and the alumni, etc.

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The number of alumni who are willing to go the extra mile with their law firm to make sure that Villanova students are not only interested in but engaged in the process in all of those very important ways through the alumni who are receiving that come from the institution's relationship to us.

D. I think so. What is the role of Catholicism in a Catholic law school?

F. Obviously, the role is going to be what the institution determines it to be. That is an institutional judgment. What I mean by that is the degree to which a professional school reflects its sponsoring organization will in large part be determined by the difference. It will make a difference that the difference will be more perceptible next year.

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JAG: An Often Overlooked Job

by Rob Erickson

It is an easy matter to develop tunnel vision while looking for that "Job." All too often, we focus on employment with law firms, or as judicial clerkship opportunities overlooking a myriad of opportunities elsewhere. One such alternative is the Judge Advocate General Corps (JAGC) of the various branches of the United States military service. Litigation is the name of the game for most JAG officers. One of the primary opportunities of the military attorney is serving as prosecutor or defense counsel on courts-martial, and, according to several former JAG officers now in private practice, there can be quite a case load. Most of this litigation work involves criminal cases, tried under the Uniform Code of Military Justice. Because military law provides for defendant's right to outside counsel, if desired, a young JAG officer might find him — or herself working with, or arguing against, older, more experienced attorneys. Rarely will a new associate receive assignments to manage cases at trial in private practice.

Legal assistance is another area of primary concern, as the JAG officer is expected to provide a full range of legal services to military personnel and their families. Advice on estate planning, tax issues, domestic issues, consumer affairs, pensions, and personal injury regularly sought, as the JAG officer is typically the only source of legal counseling available to servicemen. During the career of the average officer, there are hundreds of thousands of dollars worth of personal property coming and going, and a military law officer is often called upon to determine its value.

Most of the brochures distributed by the services are quick to play up opportunities in international law, contracts, real property, admiralty, and the like, but as in civilian practice, the pluses to tenant to go to the senior attorneys (read: higher ranking officers). It is not difficult to become a member of the "next generation" of JAGC attorneys.

Given the many overseas postings, however, a JAG attorney is likely to get exposure to services overseas. Benefits are similar from one service to the next. Compensation is in the low-to-mid-$20,000 range, with medical and dental benefits available to all personnel and their families each year as well. There are opportunities for further education, both through short courses in various areas of legal and military specialization, and through full LLM programs at accredited law schools. Selection for these latter programs is competitive and does increase the service obligation.

On the down side, there is this service obligation — three years for the Army, four years for the Air Force, the Marine Corps, and the Navy. There are many moves, cross-country, to a shift personnel between duty stations frequently. For some, there are philosophical and emotional conflicts associated with joining the armed services. For others, there are physical and mental requirements to be passed. JAGC attorneys are also commissioned officers in the military, and are expected to meet all requirements for physical and mental fitness. If you are in the Reserve or National Guard, you have the added "thrill" of the possibility of being called to active duty at a moment’s notice. Movement of personnel is considered good during their job hunt at the end of their tours of duty.

The Judge Advocate General Corps of the Navy, for example, offers unique opportunities and is an alternative worth considering during your job search. Several of the services also offer summer employment, which can provide good experience in the legal profession. Information is available in the Placement Office for these and other alternative programs.
Void Where Prohibited

by Kristine Y. Schmidt

"Seeing people dancing, hands in the air, with big smiles on their faces, all because of what you're doing, is one of the best feelings in the world." Yes, there is life outside of law school, as three of our "rocking" third years have proven. The group is "Void Where Prohibited." (no, they're not really void — that's the name of the band) and the members include Jamie Famiglio, Andrew Soto and Treva Hall (VLS 3L's) along with Chris Limino (C.C.) and John Wing (Hougie).

This rock and roll venture began one summer night in 1985. Famiglio was having a party and he and his friends Chris Cimino (C.C.) and John Frank Murphy, I wouldn't be here. He and Treva knew each other before the band formed. "I was so nervous I had to turn my back. The only thing they could see was my backside and my hair." Treva, the best there is."

If you're wondering what kind of music they play — they play dance songs, songs you want to hear when you're partying and drinking beer, a mix of current hits and classic oldies as well as a smattering of original tunes. That "Void Where Prohibited" beat makes it some great dance music. When a new song comes out, Soto or C.C. will have it figured out within a few hours and bring it to the next practice where they all try it out and vote on whether to include it. By now, their repertoire is virtually unlimited.

Speaking of practice, most people probably don't realize the number of hours that goes into a performance: rehearsal time (about three times a week — more if they're performing), packing and moving equipment (according to Hall, that part's the pits), setting up and sound checks. "Sure it's work," said Soto, "but when you're playing and people are enjoying it, it's all worth it.

So with all that practice, how do you find time to study? Soto: "I don't." Hall: "You're forced to schedule your time more, because your times becomes very important." Famiglio: "If it wasn't for Frank Murphy, I wouldn't be here. No other group makes the music I like, Frank, and maybe someday (if I can find out what kind of hair gel he uses), I will be.

What really makes this band click? The people. Each one of them has different musical tastes and talents. That diversity adds something short of murder seems to be worth writing about," he says.

An author writes from his or her own experience. His writing directly or indirectly reflects aspects of his life. "I have never committed a murder or robbed a bank!" says Doblyn, but he does draw heavily on his legal experience to fashion the plots of his stories. A criminal lawyer must have an understanding of the criminal mind. Doblyn also teaches criminal law and wrote last year's criminal law problem for the Reimel Moot Court Competition.

Doblyn's published stories entered him to membership in the Mystery Writers of America, a group of mystery writing sleuths who have had their works published. All major American mystery writers are members including Greg MacDonald, author of the "Fletch" series. The group meets monthly in New York to swap ideas and receive pointers from major authors on effective mystery writing techniques.

Doblyn is as diversified in law as he is in writing. Originally a criminal lawyer, Doblyn took up teaching Corporation Law because the law school needed a corporation law instructor. He instructed Insurance Law at Villanova because of a similar need, and he authored A Nutshell on the subject. "I love to teach," Doblyn said. "It really doesn't matter what the subject is.

Teaching law leaves Doblyn enough time to spend with his family, horses, and his writing. He, like any serious writer, dreams of a favorable review in the New York Times. The mystery genre is certainly a popular one in which to accomplish his objective. It is quite possible that the students who are reading his Nutshells today may see his novels alongside those of Robert Ludlum, Tom Clancy, and John Le Carré in the not-distant future.
New Babies Rearrange
Faculty Orientations

by Donna Grayvazkie
The Villanova Law School Faculty is proud to announce several new additions. Several faculty members have recently enhanced their families with new children, two as recent as the first week of school.

One section of nervous but anxious first year students, anticipating their very first law school class, came to Villanova only to find their first class canceled. Professor Joseph Dellapenna was off at the hospital anxiously awaiting the birth of his daughter. Elizabeth Gu Dellapenna was born on August 25, at 10:20. Gu is his wife's family name.

Elizabeth was born with a condition known as Apnea, in which infants stop breathing in their sleep. She is attached to a respirator monitor, and takes heavy doses of pure caffeine to stimulate her autonomic nervous system. Elizabeth's doctors expect her to be off the monitor and the caffeine by her six-month birthday. Meanwhile, all that caffeine keeps Elizabeth, and her parents, hopping.

With the birth of his daughter, Dellapenna finds he has less time to get work done. Some things have been put aside. He does spend less time at the office, but in order to get some writing done he is currently editing a manuscript he finds he must come to his office 10 or 11 o'clock at night and work for a few hours into the early morning.

Still, Dellapenna finds being a father "exhilarating." "There is a certain warmth in having a child. I'm looking forward to watching Elizabeth grow up. "Children make adults rediscover how amazing the world really is," says Professor Ellen Wertheimer.

"Speaking of amazing, Professor Dellapenna finds it amazing "that both contracts teachers have had babies within the first week of school without being pregnant!"

"Professor Wertheimer feels "wonderful" about the new addition to her family, Christopher Max Rahdert. Christopher was born on July 21. Wertheimer and her husband were notified and had 18 days to prepare for his adoption. On August 29, he was finally theirs.

"Christopher looks just like my husband," Wertheimer explains. "He's both ecstatic to have him! Even her dogs seem to love Christopher. One sleeps by Christopher's bed at night.

How has Christopher affected her schedule? Wertheimer is in school less. She and her husband share child-related activities, so "when she's at school her husband is at home with Christopher. She finds that she's tired, but it's a "nice tired." "It's so great to have him! I'm a much happier person!"

Professor Doris Brogan returns this semester after the birth of her son. Danny was born on December 30, of last year. Professor Brogan was glad to have last semester and into the summer to spend with Danny, but she was anxious to get back to teaching. She does miss Danny during the day and thinks about him a lot.

Brogan finds that she is "more efficient during the day" and is "less willing to fritter time away. She thinks it most important to be able to be with Danny in the morning and at the end of the day. She makes sure to allow time to have breakfast and dinner with him.

Brogan describes Danny as a "really happy and contented baby. He loves people and will go to almost anyone. On Saturday's, she likes to let him crawl around in the room where she is. Even if he messes things up a bit, she just loves to have him with her.

"Congratulations to all of you. Good luck and much happiness in the future."

Danny Brogan
Lawyer, Teacher, Actor...

Cannon Fills the Role
by Susan Jacobucci
A is a resident of Pennsylvania and B is a resident of New York. A is an employee of the C corporation which is incorporated in Delaware but is licensed to operate in New Jersey. C's only place of business is in Secaucus. A and B are employees of the C corporation. D is a resident of Delaware but is licensed to operate there.

In their capacity as the business is in Hoboken. A has an office in New Jersey. C's only place of business is in Secaucus while B is driving C's truck. In which court can A sue B? Can B join C in the suit and sue D? How man; angels can dance in the palm of a hand? In which court is this possible?

Besides teaching ILs the intricacies of the Federal Rules and jurisdiction, Cannon teaches Labor Law to the 2Ls and 3Ls. But don't think that Cannon is all work and no "play." In addition to his legal diversions, he is a thespian. Cannon has been a member of the Villanova Law Players and the Leading Player of the Villanova Law Players and the Leading Player of the American Playhouse. Cannon has been a member of the Plays and Players Theater Group for the past seventeen years. Plays and Players purports to be the oldest non-professional theater group in continuous operation.

Although he reports that he is "more the character actor than the leading man type," his roles have been varied in the past years. Mostly playing comedies, his latest role was as a psychiatrist in the farce, "What the Butler Saw." This play concluded its run in October, but Cannon reports that the house was good and he saw several students in attendance. One wonders if he studied for his psychiatrist role with his hands-on experience in the classroom.

The next Plays and Players production is a mystery, "The Unexpected Guest." It will begin its run on January 8, 1987. Although Cannon does not have a role in this production, all students are welcome to attend.

Professor John Cannon (second from right) in one of his many stage triumphs.
THE FACE PLACE

Bachelorette Number One!

Feelin' Smurfy!

"Just One Little Kiss"

Prof. Lurie explains the process of patenting cheese-making processes at the Faculty-Student Wine & Cheese.

The faculty-student wine and cheese was held November 7; about 75 people attended.

"Hey Frank. Can you spare a dime for a cup of coffee?"

"Beam Me Up, Scotty!"

"E.T., call your lawyer!"

The Student Counsel
Who would you like as a graduation speaker?

Myfanwy Phillips, 2L: “Art Buchwald”

Kim Mills, 3L: “Pee Wee Herman”

Felice McElwaine, 2L: “Archbishop Raymond Humthavsen, from Seattle or a head of a major T.V. Station”

Marie Sambor, 2L: “I don’t know who I want but I don’t want an attorney.”

Jill Innamaroto, 2L: “Millicent Fenwick”

Peg Horn, 2L: “Judge Wapner or Esther Sylvester.”

Photos by Caroline Reeves

The Czar: “Pete Roselle — speaking on how to take a urine sample.”

Make a New Year’s Resolution . . .
To Join The Docket Staff

The Docket needs writers, photographers, typists, proofreaders, etc. to fill out its 1987 staff.
If you’re interested drop a note in the Docket mailbox or see Sue French or Jeanne Rapley
by James Edward Maule

"Fairness, simplicity, and growth." Those three buzzwords have been trumpeted for the past two decades as the key to changing the federal income tax system. The original Treasury perspective was that of three buzzwords in its title. Now that the new law has been signed, even the Tax Reform Act of 1986, there is an opportunity to examine what it achieved and determine if it achieves any of the three favorite goals of the process that led to its enactment.

There are two ways in which to approach the 1986 Act. One is to look at the specific provisions prescribed in the Act and determine if it achieves any of the three goals. The other is to look at the process by reference to certain analytical problems that, with the added perspective of the last time the word was used (generally to the extent of capital gains and net long-term capital gains in excess of $1,000. It does not mean recompute the facts of the tax liability of the person earning $45,000 should pay the same rate of tax as someone earning $1,000,000; somehow it seems that their lifestyles are different.)

The Death of ZBA, UBA, and Their Friends

Now some good news: UZBA is repealed! (If you don't know what UZBA is, don't ask; you really don't want to know, and if in doubt, ask someone who does know to explain it to you, remembering that if they break out in hysterical laughter they really aren't laughing at you. Really.) So what replaced UZBA? Several things. First, taxpayers deduct the greater of their itemized deductions or their standard deduction, no longer on longer than the child's unearned income in excess of $1,000. It does not mean recompute the facts of the tax liability of the person earning $45,000 should pay the same rate of tax as someone earning $1,000,000; somehow it seems that their lifestyles are different.)

The Tax Reform Act of 1986:

**Taxpayer A**

- Earned income: $50,000
- Standard deduction (for single taxpayers): $5,000
- Itemized deductions: $10,000

**Taxpayer B**

- Earned income: $70,000
- Standard deduction (for single taxpayers): $5,000
- Itemized deductions: $15,000

**Taxpayer C**

- Earned income: $90,000
- Standard deduction (for single taxpayers): $5,000
- Itemized deductions: $20,000

The current tax rates are as follows:

- 15% on the first $30,000 of taxable income
- 25% on the next $30,000 of taxable income
- 28% on all income above $60,000

The new tax rates are as follows:

- 10% on the first $30,000 of taxable income
- 20% on the next $30,000 of taxable income
- 25% on all income above $60,000

The change in the tax law is significant in that it affects the tax liability of the person with a $50,000 income. Before the change, the tax liability was $50,000 (due to the standard deduction). After the change, the tax liability is $20,000 (due to the itemized deductions). The change in the tax law is significant in that it affects the tax liability of the person with a $70,000 income. Before the change, the tax liability was $22,500 (due to the standard deduction). After the change, the tax liability is $20,000 (due to the itemized deductions). The change in the tax law is significant in that it affects the tax liability of the person with a $90,000 income. Before the change, the tax liability was $30,000 (due to the standard deduction). After the change, the tax liability is $25,000 (due to the itemized deductions).

**Taxpayer A**

- Earned income: $50,000
- Standard deduction (for single taxpayers): $5,000
- Itemized deductions: $10,000

**Taxpayer B**

- Earned income: $70,000
- Standard deduction (for single taxpayers): $5,000
- Itemized deductions: $15,000

**Taxpayer C**

- Earned income: $90,000
- Standard deduction (for single taxpayers): $5,000
- Itemized deductions: $20,000

The new tax rates are now 10%, 20%, and 25%, respectively, for the first $30,000, next $30,000, and all income above $60,000. The change in the tax law is significant in that it affects the tax liability of the person with a $50,000 income. Before the change, the tax liability was $5,000 (due to the standard deduction). After the change, the tax liability is $2,500 (due to the itemized deductions). The change in the tax law is significant in that it affects the tax liability of the person with a $70,000 income. Before the change, the tax liability was $7,500 (due to the standard deduction). After the change, the tax liability is $3,000 (due to the itemized deductions). The change in the tax law is significant in that it affects the tax liability of the person with a $90,000 income. Before the change, the tax liability was $9,500 (due to the standard deduction). After the change, the tax liability is $4,000 (due to the itemized deductions).

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Is It Fair, Simple or Just?

Continued from page 12

with interest paid in a passive activity, define "active," provide for a different AGI level for low-income housing credits, create a method to measure credits against the $25,000 exception ("deduction equivalent"), and so on and so on. Simple? Not at all. Is the price complexity worth it? Are tax shelters eliminated? Of course not. Mortgage interest remains deductible (continuing the tax discrimination against renters). Other exclusions (tax-exempt interest, pension contributions and deductions) remain. The oil and gas industry continues to receive special benefits. And already, the creative types in the tax world are devising methods of designing new tax shelters that created ridiculous deductions. The one clear result of this world are devising methods of making use of the cash method and prohibiting use of fiscal years by many tax-exempt organizations and impossible to describe in an article of this scope. Changes are made in the course of a "life" of agricultural, timber, oil and gas, energy-related, and hard mineral transactions. Research and development expenses are treated differently. The tax-exempt interest of the oil and gas industries is of foreigners doing business in this country are changed, and made more complicated. Numerous changes to tax computational methods and provisions are made; penalties are increased, new penalties are imposed, enforcement rate on underpayments and overpayments of tax is calculated differently, more information returns are required, collections, liens and levies are subject to new rules.

Learn the New Code Well:
It Might Survive for A Year

Clearly, the new tax legislation is far-reaching and will have significant impacts, although it is far too early to predict whether the impact will be beneficial. The Code might be a little more "fair," but certainly it is more complicated and long-term. True cost is in the nature of a flat tax on the excess of a taxpayer's total economic income over a very generous standard living allowance, which probably is intended until the legislative process is changed; it might not be premature to order a new "Tax Reform," and to mark it "born in the 1980s," taxes for the "average" individual in the 1990s and killed in 1989. The simplification of the deceased "Tax Reform" passes by operation of law to Tax Reform, a clever personification is adept at reformulating complicated tax rules, reordering Code sections, making the work of the previous year, and preventing taxpayers and practitioners from ever having the chance to learn, understand, and work with tax law changes.

We're More in Kansas

Continued from page 14

in Kansas investors' hands than taxable investments. For example, he notes that someone in the top 38 percent income bracket will need to earn 12.20 percent on a taxable security to match the tax-free return on a 7% percent municipal bond. Once the top rate drops to 25 percent in 1988, a 7.7 percent municipal will yield an investor in that bracket the same as a taxable investment paying 10.42 percent. "Needless to say," adds Calabrese, "there isn't much around at either 10 or 12 percent anymore."

There are the matter of so-called "real rate of return," the yield received on an investment after taking the player into account. Subtracting the effect of 3.5 percent inflation from a 7.5 percent mortgage, a government bond investor with a handsome 4 percent bond from Calabrese's reckoning. "This is actually better," he recalls, "than the underrealized rate of return you could have received for five years in 1983. But a rate of less than 12 percent municipal bond was diminished by the reality of 10 percent inflation. With projects for sustained low interest rates Calabrese believes his argument for investing in long-term municipal bonds even more compelling."

For those who detect a trace of cynicism in the preceding paragraphs, consider yet another provision of the Congress. The Senate, when considering the tax legislation, approved a resolution that imposes a 5-year moratorium on amendment of any provision amended by the 1986 legislation; of course, amendment of provisions changed by earlier legislation (such as the restitution and refund provisions of 1981, 1982, or 1984) would be permitted if the provision is not amended by the 1986 Act. The Conference dictated the Senate to agree to such a restriction would be like expecting Philadelphia to accept a five-year moratorium on the changing of street names.

A final recommendation: form (or reform, hab-hab) your own opinion, by taking your expected 1987 income and deductions and computing what the new law would mean. One additional dimension is far-reaching and will have significant impacts. The Code might be a little more "fair," but certainly it is more complicated and long-term. True cost is in the nature of a flat tax on the excess of a taxpayer's total economic income over a very generous standard living allowance, which probably is intended until the legislative process is changed; it might not be premature to order a new "Tax Reform," and to mark it "born in the 1980s," taxes for the "average" individual in the 1990s and killed in 1989. The simplification of the deceased "Tax Reform" passes by operation of law to Tax Re-form, a clever personification is adept at reformulating complicated tax rules, reordering Code sections, making the work of the previous year, and preventing taxpayers and practitioners from ever having the chance to learn, understand, and work with tax law changes.

Ed. Note: After graduating from the Law School in 1976, Professor served as attorney-advisor to the Legislation and Regulations Division of the Senate Finance Committee; Counsel to the Internal Revenue Service for two and one-half years, as an assistant to Judge Herbert L. Chadb of the United States Tax Court for two and one-half years. He has also been employed as an account executive and as a tax writer; is presently consultant to several tax practitioners.

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TAX RE-FORM

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When Law Was Self-Taught

by C.P. Guilmore

The modern legal system is a product of the past, a historical development. It is based on the assumption that law is a body of rules and principles which can be applied to a given situation. This assumption is no longer valid. Today, law is a science, a system of rules and principles which can be applied to a given situation.

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Late Defects Win Crown

by George Karibjian

The 1986 Villanova Law School Softball League season ended Monday, November 9, with the John E. Murray Jr., Division winners: The Defects, following the USFL Division winners "Latent Defects" 10-5 at a muddy and cold Polo Grounds.

While the playoff games were somewhat controversial, there was certainly no picnic, especially if you are the Ultimate Being in demand and not enough supply, as was supposed to end on Friday, October 26. The league was supposed as if it were only September 24, with many teams not having played during the first week of games. When the official "Carr Proclamation" decreed that the season would be extended until Thursday, October 30, the rush to get in the first week of games and the rush to find quality outlines (or areas) for the too great a demand, was not enough. The games here meaning demand for games and supply of playing days, many days. Fortunately, the standings were such that enough-to-determine the three division winners, with each the "Niki Ho"- winners of the Gerry Faust Division. For their outstanding performances, the teams received the following for winning the Murray division, each member of the A-Team in an autographed copy of "Murray on Contracts" for winning the Faust Division, each member of the Nikki Hoi's received an autographed copy of "The Lord's Prayer" and "Matt's Man in Motion"; and for winning the USFL Division, each member of the Latent Defects received season tickets to all 1987 Mountain Showboat's home games.

However, there were three teams with identical records:

Carra George Karibjian

by Bob Washuta

The Villanova Wildcats opened their 1986-87 basketball season by defeating the Australian Melbourne Tigers 94-49 on November 15. The Cats first lead came seven minutes into the second half when Connelly Brown's (14 pts., 11 reb.) lay-up made the score 71-49. From there on out, the Cats held a lead in a game that was decided until Australia's Paul Smith (27 pts., 4 reb.) missed a three point attempt with five seconds to play.

Australia was led by forward Andrew Gage who scored 40 points on 13 for 19 shooting from the field and four players in double figures with academic All American Harold Jamal and Doug West both contributing twenty points. Villanova's defense was highly uncharacteristic for a Massimino team, but may be attributed to opening the season against a foreign national team that helped create a feeling of exposure to foreign international good will rather than a season opener. The Cats lacked intensity and discipline both on the offensive and defensive ends of the floor for most of the night, but managed to play well enough to overcome a more experienced but less talented team.

Looking ahead to the 1986-87 season it appears the Cats will have a different look as compared to what degree Massimino's two point position will go to either Kenny Wilson in the point guard position or Barry Bekkedam (6'10") and Tom Greis (6'11") at a more traditional small forward. The Nikki Hoi game was built up to be an emotional battle, for in the inaugural game of the 1986 season, the Hoi's downed the Defects 14-4, and most of the Hoi's were looking ahead to playing the A-Team, and therefore the Defects played a near flawless game and led 13-1 going into the bottom of the seventh. "This was the worst we've played this season," commented Bob Schwartz, the Hoi's second baseman, after the game. To finally reach the playoffs turning out to be anti-climactic. In the semi-finals, the A-Team downed Rule Nisi at Tredyffrin (no score reported), and Latent Defects ousted the Nikki Hoi's, 13-4 at a muddy Polo Grounds. The Nikki Hoi game was built up to be an emotional battle, for in the inaugural game of the 1986 season, the Hoi's downed the Defects 14-4, and most of the Hoi's were looking ahead to playing the A-Team, and therefore the Defects played a near flawless game and led 13-1 going into the bottom of the seventh. "This was the worst we've played this season," commented Bob Schwartz, the Hoi's second baseman, after the game. To finally reach the playoffs turning out to be anti-climactic. In the semi-finals, the A-Team downed Rule Nisi at Tredyffrin (no score reported), and Latent Defects ousted the Nikki Hoi's, 13-4 at a muddy Polo Grounds. The Nikki Hoi game was built up to be an emotional battle, for in the inaugural game of the 1986 season, the Hoi's downed the Defects 14-4, and most of the Hoi's were looking ahead to playing the A-Team, and therefore the Defects played a near flawless game and led 13-1 going into the bottom of the seventh. "This was the worst we've played this season," commented Bob Schwartz, the Hoi's second baseman, after the game. To finally reach the playoffs turning out to be anti-climactic. In the semi-finals, the A-Team downed Rule Nisi at Tredyffrin (no score reported), and Latent Defects ousted the Nikki Hoi's, 13-4 at a muddy Polo Grounds. The Nikki Hoi game was built up to be an emotional battle, for in the inaugural game of the 1986 season, the Hoi's downed the Defects 14-4, and most of the Hoi's were looking ahead to playing the A-Team, and therefore the Defects played a near flawless game and led 13-1 going into the bottom of the seventh. "This was the worst we've played this season," commented Bob Schwartz, the Hoi's second baseman, after the game.
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