

Wit and Wisdom

from Faculty on Legal Issues of the Day

“It was Texaco, the company Chevron acquired in 2001, that insisted that New York was not a convenient forum and asked that the case be dismissed in favor of litigating it in Ecuador. ... If there was a comedy of legal errors in the case, this was the biggest one, and it is the fault of the oil company defendant, not the plaintiffs’ lawyers.”

—*Professor Robert Percival* in *The Wall Street Journal* on the recent \$8.6 billion judgment against Chevron by a provincial court in Ecuador for its role in environmental damage from oil well drilling.

“To me, this is a prime example of what is wrong with just letting companies buy their way out by paying fines. The way you change corporate behavior is if you make people within the entity afraid that if they break the law, they can go to jail.”

—*Professor Jane F. Barrett* to *AOL News* on the possibility of criminal manslaughter charges being filed against BP for the Deepwater Horizon disaster.

“Potentially, the people writing are trying to protect other women, but, at the same time, there are huge stakes for folks whose professions are about trust and professionalism and expertise. Reputation and lives are ruined, and it’s searchable and persistent on the Web.”

—*Professor Danielle Citron* on *ABC News*, discussing a plastic surgeon’s suit against a client for negative reviews on Yelp and Citysearch websites.

“What Chief Justice Roberts did was say this was not really about funerals—this was a case about speech on public property.”

—*Associate Dean Mark Graber* on *WBAL-TV*, discussing the Supreme Court’s ruling in *Snyder v. Westboro Baptist Church*.

“It’s another example of an attack on the integrity of the courts. These affidavits are integral to the honest operating of the foreclosure process.”

—*Professor Peter Holland* in *The Baltimore Sun*, on the practice of “robo-signing” affidavits in pending home foreclosure cases.

“It’s difficult to successfully argue one of these because they seem to stretch the purpose of the ‘business premises’ exclusion in the tax code.”

—*Professor Dan Goldberg* on *gothamist.com*, commenting on the practice of some New York City museums having their directors live rent-free in museum-owned properties.

“It’s sort of a cook book recipe for terrorists to pick and choose among sites that are vulnerable worldwide not only for the purpose of the United States, but for purposes of our allies. Now it is true that this information could have been collected through research on the Internet, but here it’s assembled all in one place.”

—*Professor Michael Greenberger* on *WTOP-FM*, discussing documents that contained a list of facilities considered vital to U.S. national security that were released by Wikileaks.

“Ms. Sherrod’s ousting conveys powerful lessons for the legal profession. These lessons should resonate particularly for lawyers who work on behalf of indigent clients, whether the clients are applying for public benefits, fighting an eviction proceeding, accused of a crime or facing a deportation proceeding. The voices of these clients are often muted by systems that are conditioned to cycle them through expeditiously rather than learning who they are, and whose stories are heard only in fragments, if at all.”

—*Professor Michael Pinard* on the *Colored Demos* blog, discussing the implications of the firing of Shirley Sherrod in 2010.

“Public health officials should rely on some of their traditional tools to address this public health problem, particularly educating all involved about the health consequences of ‘playing through’ a concussion or rejoining the team before healing. But more is required here to really effectuate culture change among our youth athletes and their coaches.”

—*Professor Kathleen Dacheille*, on the *Public Health Law Network*, discussing new guidelines for concussion treatment for youth sports.