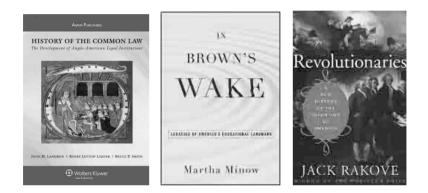
Ex Ante

Then there is the lesson learned in the course of that research that he passed along to his Michigan students in his 2008 farewell lecture:

When researching a case of cannibalism at sea, be sure to consult descendants of both the diners *and* the entrée.

And that was just one of his many useful and entertaining projects. And so we toast you, Brian Simpson, with "words of limitation, and not of purchase." *See* 4 GREEN BAG 2D i (Autumn 2000).



EXEMPLARY LEGAL WRITING 2010

Congratulations to this year's *Green Bag* "exemplary legal writing" honorees. Samples of their good work appear in the 2011 edition of the *Green Bag Almanac and Reader*. They are:

Opinions for the Court

- Frank H. Easterbrook, *Bodum USA, Inc. v. La Cafetiere, Inc.*, 621 F.3d 624 (7th Cir. 2010)
- John Gleeson, U.S. v. Ovid, 2010 WL 3940724 (E.D.N.Y.)
- John L. Kane, U.S. v. Brownfield, No. 08-cr-00452-JLK (D. Colo. 2009)
- Kevin G. Ross, *State v. Wiggins*, 788 N.W.2d 509 (Minn. App. 2010)

Ex Ante

Concurrences, Dissents, etc.

Alex Kozinski, U.S. v. Pineda-Moreno, 617 F.3d 1120 (9th Cir. 2010)

Diane P. Wood, Bodum USA, Inc. v. La Cafetiere, Inc., 621 F.3d 624 (7th Cir. 2010)

Books

John H. Langbein, Renee Lettow Lerner & Bruce P. Smith, *History* of the Common Law: The Development of Anglo-American Legal Institutions (Wolters Kluwer 2009)

Martha Minow, In Brown's Wake (Oxford University Press 2010)

Jack Rakove, *Revolutionaries: A New History of the Invention of America* (Houghton Mifflin Harcourt 2010)

Short Articles

- Barbara Babcock, Clara Shortridge Foltz, in Roger K. Newman, ed., The Yale Biographical Dictionary of American Law (Yale University Press 2009)
- Justin Driver, *Why Law Should Lead*, The New Republic, April 8, 2010
- Jeffrey Rosen, *Roberts versus Roberts: Just how radical is the chief justice?*, The New Republic, March 2, 2010

Mary Whisner, Enact Locally, 102 Law Library Journal 497 (2010)

Long Articles

- Albert W. Alschuler, *Two Ways to Think About the Punishment of Corporations*, 46 American Criminal Law Review 1359 (2009)
- Allen D. Boyer, *Law's Architect*, 22 Yale Journal of Law and the Humanities 127 (2010)
- Mark R. Kravitz, Written and Oral Persuasion in the United States Courts: A District Judge's Perspective on Their History, Function, and Future, 10 Journal of Appellate Practice and Process 247 (2009)

News & Editorial

- William W. Bedsworth, No Questions Asked?, The Recorder, Mar. 26, 2010
- Jeffrey Toobin, *Without a Paddle*, The New Yorker, September 27, 2010

Nina Totenberg, *Martin Ginsburg's Legacy: Love of Justice (Ginsburg)*, Weekend Edition Saturday, NPR, July 2, 2010

Miscellany

- Heather K. Gerken, *Testimony Submitted to the U.S. Senate Committee* on *Rules and Administration*, Feb. 2, 2010
- Tony West et al., Opposition to Plaintiff's Motion for Preliminary Injunction and Memorandum in Support of Defendant's Motion to Dismiss, Al-Aulaqi v. Obama, 2010 WL 4941958 (D.D.C. filed Sept. 25, 2010)



EXEMPLARY LEGAL WRITING OF ANOTHER SORT

The meanings of the word "exemplary" are conveniently and amusingly (for the *Green Bag*, at least) various and potentially contradictory. According to the *Oxford English Dictionary*, "exemplary" can mean both "excellent" and "[o]f a kind to become an example, liable to be turned into a precedent." It is in those complimentary senses that we use it to describe the works listed above. In the *OED*, "exemplary" can also mean "typical," as in "[o]f or pertaining to a type" such as "[t]he typical English vices of egotism, hypocrisy, and envy." It is in that sense that Professor Mark Graber of the University of Maryland could have used the word (had he chosen to do so) when he posted the following bit of perhaps tongue-in-cheek wisdom on *Balkinization* (balkin.blogspot.com) last September 19: