opinion, just like a brief, can be much easier to follow and enjoy when it is written this way.

Justice Scalia's readers were inspired to hope that his tantalizing dissent in *Gonzalez* might be a sign that he had finally come around to agreeing with his co-author, and a sign of things to come. But it was not meant to be, at least not yet. Since *Gonzalez* was decided, Justice Scalia has authored several more opinions, but not one of them follows the novel format of that historic dissent. Is his opinion in *Gonzalez* a precursor of a bold new writing style we can expect to see from Justice Scalia from time to time in other cases? Or was it merely a device that he thought would somehow be especially appropriate for that case? Only time will tell. In the meantime, those of us who read Supreme Court opinions for a living can only wait and hope.

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VESTED INTEREST

To the *Bag*:

I have in my collection of books on trials and trial advocacy several old bound copies of *The Green Bag*. I was not aware that it was again being published until I was doing some research for an upcoming presentation, and I came across Jacob Stein's article on Howe & Hummel.

I have Richard Rovere's book and was aware of the wonderful story of Howe & Hummel, but what amazed me in Mr. Stein's article was his reference to T. Edward O' Connell.

I have been an Anglophile for years, and typically appear in court in a morning suit and wearing one of my collection of colorful vests that I purchased in the Burlington Arcade in London. I was astonished to learn from Mr. Stein's article that I am not the first person who had this idea. Apparently T. Edward O'Connell had previously done the same thing. Also, like him, I obtained my law degree at night school. I am almost beginning to believe in reincarnation.

George A. Heitczman
Bethlehem, PA

George Heitczman sporting what is, in life, a colorful vest.

THE BRANDEIS BRIEF, REVISITED

To the *Bag*:

David Bernstein's essay on the Brandeis brief (Autumn 2011) does not describe "winner's history;" (page 15); Brandeis' concerns with Supreme Court treatment of constitutional cases involving state governments remain largely unaddressed today.

Moreover, it is simply not true that "*Lochner* was an anomaly, not the leading edge of a Supreme Court war on progressive legislation."(page 11). One alleged "standard myth" (page 9) should not be succeeded by another. Post-*Lochner* decisions included *Adair v. United States*[1] and *Coppage v. Kansas*[2] invalidating federal and state laws bar-

[1] 208 U.S.161 (1908).

[2] 236 U.S.1 (1915). The overruling of this decision was a necessary predicate to the