



# EX ANTE

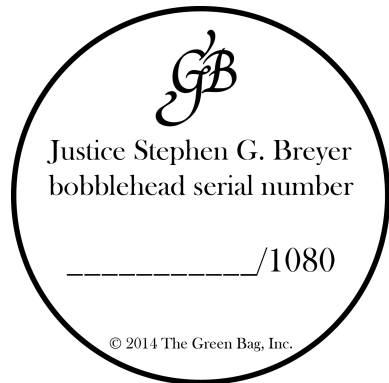
## OUR MISTAKES

We are ashamed to say – but, we must admit, not surprised to find – that we made a couple of mistakes with our Justice Stephen Breyer bobblehead. Bobblehead recipients need not worry, though. Neither mistake has anything to do with the portrayal of the Justice himself. He is who he is, we like him as he is, and we see no need to change him in any way. Rather, the mistakes involve the labeling on the underside of the base of the doll. And we have arranged for corrections.

Mistake #1: Each doll was supposed to be individually serial numbered, but none of them are.

Correction #1: When the holder of a Justice Breyer bobblehead certificate redeems it, the bobblehead will be accompanied by a new certificate, with a little envelope attached. Inside the envelope will be a sticker with a number on it – a unique serial-number sticker for that Justice Breyer bobblehead, ready to be affixed to the underside of the base of the doll.

Mistake #2: Each doll was also supposed to feature our entertaining new intended-use label, but none of them do. We described it in our Winter issue. *Bobbling Boilerplate*, 17 GREEN BAG 2D 127 (2014).



Correction #2: The envelope containing the serial-number sticker will also contain the intended intended-use label, also ready to be affixed.

We regret creating something imperfect. We hope our corrections make it better.

## JUDICIAL CONSTRUCTION AND THE FRAGILITY OF ELABORATION

Even by our own rococo standards, the Justice Breyer bobblehead is an unusually elaborate work of scholarly artistry. And when it comes to bobbleheads, elaborate means fragile. Concerned as always not only with beauty and fidelity, but also with durability, our clever collaborators at Alexander Global Promotions came up with a nifty format for our version of Justice Breyer. As we explain on the bobblehead certificate:

Putting two relatively sturdy pieces in one package, and then trusting you, the clever certificate recipient, to figure out how they fit together seemed the safest approach. So please do us proud, and justify our confidence in your brainpower. Just in case, we will publish instructions in the Spring 2014 issue of our little magazine, the *Green Bag*.

And so here we are, in the Spring 2014 *Green Bag*.

If you get one of the Justice Breyer bobbleheads, what you will have – in addition to the special corrections certificate described on page 247 – is a snazzy box. Inside the box

