

## Judges Moved to Poetry and Quoting Billy Madison

*No eggs in my file, any style*

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**L**itigants can frustrate judges into issuing colorful orders, sometimes including a bit of poetry. These orders, however poetic, may cause the parties to want to file a "Notice of Disappearance." After being called upon to decide one discovery dispute too many, U.S. District Court Judge Gregory A. Presnell ordered two lawyers to play "rock, paper, scissors" to resolve a bitter dispute about where a deposition would be held. After some "awkward media attention," the parties resolved the issue, and the judge vacated his order "with civility restored (at least for now)." The harmony was short-lived, however, as the docket reflects that the parties had many subsequent discovery disputes.

Resolving another issue of similar import, Arizona Superior Court Judge Pendleton Gaines once ordered defense counsel to accept

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opposing counsel's lunch invitation. Judge Gaines cited philosopher Jose Ortega y Gasset, playwright Somerset Maugham, and John Dryden in his decision. The Court graciously ordered a 20 percent tip and took judicial notice that Ruth's Chris Steak House is not open for lunch.

***When a pro se plaintiff filed a hard boiled egg as an exhibit, the judge ordered it destroyed.***

At times, filings move courts to poetry. After a pro se plaintiff filed a hard-boiled egg as an exhibit to his motion, U.S. Magistrate Judge James R. Muirhead ordered the egg destroyed with inspiration from Dr. Seuss's *Green Eggs and Ham*: "I do not like eggs in the file. I do not like them any style."

Just last year, U.S. District Judge Sam Sparks wrote a pointed poem in response to an "infantile" motion for protection, which Judge Sparks read twice "to make sure it was not a practical joke."

So, let me tell you both and be abundantly clear;  
If you can't work this out without me, I will be near.  
There will be a hearing with pabulum to eat,  
And a very cool cell where you can meet.

The Court mercifully sealed the record on the motion.

Finally, U.S. Bankruptcy Judge Leif M. Clark once issued an order declaring incomprehensible and denying a "Motion to Discharge Response to Plaintiff's Response to Defendant's Response Opposing Objection to Discharge." Judge Clark quoted a scene from the film, *Billy Madison*:

Mr. Madison, what you've just said is one of the most insanely idiotic things I've ever heard. At no point in your rambling, incoherent response was there anything that could have been considered a rational thought. Everyone in this room is now dumber for having listened to it. I award you no points, and may God have mercy on your soul.

Readers knowing of similar orders and opinions are invited to send them to the editors. ☐