

What the courts are saying . . .

"worse than nugatory"¹ . . . "so unrealistic as to be ludicrous"² . . . "so attenuated and unsubstantial as to be absolutely devoid of merit"³ . . . "wholly insubstantial"⁴ . . . "obviously frivolous"⁵ . . . "plainly unsubstantial"⁶ . . . "no longer open to discussion"⁷ . . . "essentially fictitious"⁸ . . . "obviously without merit"⁹ . . . "more ancient than analytically sound"¹⁰ . . . "a harking back to formalistic rigorism of an earlier and outmoded time"¹¹ . . . "'a trivial pother', a mere point of honor, of scarcely more than irritation, involving no substantial interest. Except that it raises an interesting point of law, it would be a waste of time for every one concerned"¹² . . .

could be said about
The Journal of Attenuated Subtleties.

P.O. Box 5915 Yale Station
New Haven, Connecticut 06520

\$2 the issue, \$4 the volume.

1. *Fairfax's Devisee v. Hunter's Lessee*, 11 U.S. (7 Cranch) 603, 632 (Johnson, J., dissenting) (1813).
2. *In re Estate of Smith*, 7 Utah 2d 405, 409, 326 P.2d 400, 402 (1958) (Crockett, J., dissenting).
3. *Newburyport Water Co. v. Newburyport*, 193 U.S. 561, 579 (1904).
4. *Bailey v. Patterson*, 369 U.S. 31, 33 (1962).
5. *Hannis Distilling Co. v. Baltimore*, 216 U.S. 285, 288 (1910).
6. *Levering & Garrigues Co. v. Morrin*, 289 U.S. 103, 105 (1933).
7. *McGilvra v. Ross*, 215 U.S. 70, 80 (1909).
8. *Bailey v. Patterson*, 369 U.S. 31, 33 (1962).
9. *Ex parte Poresky*, 290 U.S. 30, 32 (1933).
10. *Rosado v. Wyman*, 397 U.S. 397, 404 (1970).
11. *Crump v. Hill*, 104 F.2d 36, 38 (5th Cir. 1939), quoted in *Griggs v. Provident Consumer Discount Co.*, 51 U.S.L.W. 3413, 3415 (U.S. Nov. 29, 1982) (Marshall, J., dissenting).
12. *Fred Fisher, Inc. v. Dillingham*, 298 F. 145, 152 (S.D.N.Y. 1924) (B.L. Hand, J.) (quoting "Hough, J., dissentiente" in *Jewelers' Circular Publishing Co. v. Keystone Publishing Co.*, 281 F. 83, 95 (2d Cir. 1922)).